STATE OF NEW YORK

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7039

2023-2024 Regular Sessions

IN ASSEMBLY

May 10, 2023
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Introduced by M. of A. BURKE -- read once and referred to the Committee
  on Health

AN ACT to amend the social services law, in relation to Medicaid eligi-
  bility for striking workers

  *The People of the State of New York, represented in Senate and Assem-
  bly, do enact as follows:*

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 1    Section 1. Subdivision 4 of section 366 of the social services law  is
 2  amended by adding a new paragraph (f) to read as follows:
 3    (f) Employees on strike.
 4    (1) Notwithstanding  any  other  provision  of  law  to the contrary,
 5  persons who are not eligible for medical assistance coverage  during  an
 6  employment  strike  or  other  industrial  controversy pursuant to title
 7  seven of article eighteen of the labor  law  are  eligible  for  medical
 8  assistance  coverage  during  such employment strike or other industrial
 9  controversy, subject to the provisions of this paragraph.
10    (2) Medical assistance provided to a person under this paragraph shall
11  be limited to the period in which such person requires  coverage  during
12  an employment strike or industrial controversy.
13    (3)  (i)  The commissioner of health shall promulgate such regulations
14  as may be necessary to carry out the provisions of this paragraph.  Such
15  regulations  shall  include, but not be limited to: eligibility require-
16  ments; a description of the medical services which are  covered;  and  a
17  process  for  providing presumptive eligibility when a qualified entity,
18  as defined by the commissioner, determines on the basis  of  preliminary
19  information  that  a person meets the requirements for eligibility under
20  this paragraph.
21    (ii) For purposes of determining eligibility  for  medical  assistance
22  under  this  paragraph, resources available to such individual shall not
23  be considered nor required to be applied toward the payment  or  partial
24  payment  of  the  cost  of medical care, services and supplies available
25  under this paragraph.
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EXPLANATION--Matter in **_italics_** (underscored) is new; matter in brackets
                    [-] is old law to be omitted.

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1   **(iii) An individual shall be eligible for presumptive eligibility for**
2   **medical   assistance   under this paragraph in accordance with subdivision**
3   **five of section three hundred sixty-four-i of this title.**
4   § 2. This act shall take effect immediately.