STATE OF NEW YORK

9369

IN ASSEMBLY

March 6, 2024

Introduced by M. of A. McDONALD -- read once and referred to the Committee on Aging

AN ACT to amend the elder law, in relation to the automatic identification and enrollment of elderly pharmaceutical insurance coverage program enrollees in HEAP

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. The elder law is amended by adding a new section 245 to read as follows:

§ 245. Automated identification of program participants. 1. For the purposes of this section, the following terms shall have the following meanings:

(a) "Office" shall mean the state office of temporary and disability assistance.

(b) "HEAP" shall mean the low-income home energy assistance program implemented pursuant to section ninety-seven of the social services law.

(c) "Office-administered program" shall mean an income-based program administered by the office.

2. The department of health shall update the elderly pharmaceutical insurance coverage program application to allow program enrollees to consent to the exchange of such enrollee's information to verify such enrollee's eligibility for HEAP and other office-administered programs. Upon receipt of such consent, the department of taxation and finance shall confirm such enrollee's income at the time of enrollment.

3. The department of health shall coordinate with the office to facilitate the secure transmission of data through an interface with the office's information technology infrastructure.

4. No less than once per month, the office, upon receipt of the required data from the department of health and the department of taxation and finance, shall conduct automated file matching to identify elderly pharmaceutical insurance coverage program enrollees who are eligible for HEAP. Within thirty days of the date that an elderly pharmaceutical insurance coverage program enrollee's eligibility for HEAP is

EXPLANATION--Matter in *italics* (underscored) is new; matter in brackets [-] is old law to be omitted.

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confirmed, the office shall enroll such elderly pharmaceutical insurance coverage program enrollee in HEAP.

5. Upon automatic enrollment in HEAP pursuant to subdivision four of this section, the department of health shall provide written notification to the elderly pharmaceutical insurance coverage program enrollee that they have been enrolled in HEAP and shall provide information regarding HEAP benefits.

6. Nothing in this section shall prohibit the department of health, the public service commission, or the office from further examination of automatic identification and enrollment in office-administered programs or affordable energy programs administered by the public service commission.

7. The office, in consultation with the department of health, is authorized to promulgate any rules and regulations necessary to carry out the provisions of this section.

§ 2. This act shall take effect on the one hundred eightieth day after it shall have become a law. Effective immediately, the addition, amendment and/or repeal of any rule or regulation necessary for the implementation of this act on its effective date are authorized to be made and completed on or before such effective date.