

# STATE OF NEW YORK

9369--A

## IN ASSEMBLY

March 6, 2024

Introduced by M. of A. McDONALD, LUNSFORD, SEAWRIGHT, GUNTHER, CLARK, BURDICK, HEVESI, K. BROWN, DICKENS -- read once and referred to the Committee on Aging -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

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

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

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

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

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

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

11 2. The department of health shall update the elderly pharmaceutical  
12 insurance coverage program application to allow program participants to  
13 consent, in a manner that is separate and apart from other requests for  
14 consent contained in the application, to the exchange of such partic-  
15 ipant's information to verify such enrollee's eligibility for the home  
16 energy assistance program. Upon receipt of such consent, the department  
17 of taxation and finance shall confirm such participant's income at the  
18 time of enrollment.

19 3. The department of health shall coordinate with the office to facil-  
20 itate the secure transmission of data through an interface with the  
21 office's information technology infrastructure.

22 4. No less than once per month, the office, upon receipt of the  
23 required data elements from the department of health and the department  
24 of taxation and finance, as such data elements are defined by the  
25 office, shall conduct automated file matching to identify elderly phar-

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

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1 pharmaceutical insurance coverage program participants who are eligible for  
2 the home energy assistance program. Within sixty days of receipt that  
3 an elderly pharmaceutical insurance coverage program participant's  
4 eligibility for the home energy assistance program is confirmed, the  
5 office shall enroll such elderly pharmaceutical insurance coverage  
6 program participant in the home energy assistance program.

7 5. Upon automatic enrollment in the home energy assistance program,  
8 the department of health shall provide written notification to the  
9 elderly pharmaceutical insurance coverage program participant of their  
10 enrollment in such program and shall provide information regarding the  
11 program's benefits.

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

15 § 2. This act shall take effect on the one hundred eightieth day after  
16 it shall have become a law. Effective immediately, the addition, amend-  
17 ment and/or repeal of any rule or regulation necessary for the implemen-  
18 tation of this act on its effective date are authorized to be made and  
19 completed on or before such effective date.