

# STATE OF NEW YORK

2391

2023-2024 Regular Sessions

## IN SENATE

January 20, 2023

Introduced by Sen. RIVERA -- read twice and ordered printed, and when printed to be committed to the Committee on Health

AN ACT to amend the social services law, in relation to medical assistance to certain disabled individuals

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

1 Section 1. Subparagraph 5 of paragraph (c) of subdivision 1 of section  
2 366 of the social services law, as added by section 1 of part D of chap-  
3 ter 56 of the laws of 2013, is amended to read as follows:

4 (5) A disabled individual at least sixteen years of age, but under the  
5 age of sixty-five, who: would be eligible for benefits under the supple-  
6 mental security income program but for earnings in excess of the allow-  
7 able limit; has net available income that does not exceed two hundred  
8 fifty percent of the applicable federal income official poverty line, as  
9 defined and updated by the United States department of health and human  
10 services, for a one-person or two-person household, as defined by the  
11 commissioner in regulation; has household resources, as defined in para-  
12 graph (e) of subdivision two of section three hundred sixty-six-c of  
13 this title, other than retirement accounts, that do not exceed [~~twenty~~  
14 ~~thousand dollars for a one-person household or thirty thousand dollars~~  
15 ~~for a two-person household, as defined by the commissioner in regu-~~  
16 ~~lation]~~ one hundred fifty percent of the income amount permitted under  
17 subparagraph seven of paragraph (a) of subdivision two of this section,  
18 for a one-person or two-person household, as defined by the commissioner  
19 in regulation; and contributes to the cost of medical assistance  
20 provided pursuant to this subparagraph in accordance with subdivision  
21 twelve of section three hundred sixty-seven-a of this title; for  
22 purposes of this subparagraph, disabled means having a medically deter-  
23 minable impairment of sufficient severity and duration to qualify for  
24 benefits under section 1902(a)(10)(A)(ii)(xv) of the social security  
25 act.

26 § 2. This act shall take effect immediately.

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

LBD02416-01-3