

# STATE OF NEW YORK

2875

2023-2024 Regular Sessions

## IN SENATE

January 25, 2023

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

AN ACT to amend the elder law, in relation to establishing a senior dental services grant 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 215-c to  
2 read as follows:

3 § 215-c. Senior dental services grant program. 1. As used in this  
4 section:

5 (a) "Dental services" shall include, but not be limited to, diagnoses,  
6 tests, studies, treatment or analyses under the care and supervision of  
7 a licensed dentist who is authorized to practice in this state. These  
8 services may also include, but not be limited to, client assessment,  
9 information and referrals.

10 (b) "Elderly" shall mean an individual sixty-five years of age or  
11 older.

12 (c) "Director" shall mean the director of the office for the aging.

13 (d) "Coverage period" shall mean twenty-four consecutive calendar  
14 months for which an eligible program participant has met the eligibility  
15 requirements of subdivision three of this section.

16 2. The director is hereby authorized and directed, subject to the  
17 availability of appropriations, to establish a grant program for dental  
18 services to eligible elderly persons who are in need of such services.

19 3. Persons eligible for the grant program under this section shall  
20 include:

21 (a) elderly unmarried residents whose income for the calendar year  
22 immediately preceding the effective date of the coverage period is less  
23 than or equal to two hundred percent of the federal poverty level for a  
24 household size of one and who have no dental insurance; and

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

LBD04615-01-3

1 (b) elderly married residents whose combined spousal income for the  
2 calendar year immediately preceding the effective date of the coverage  
3 period is less than or equal to two hundred percent of the federal  
4 poverty level for a household size of two and who have no dental insur-  
5 ance.

6 4. The director shall promulgate any rules and regulations necessary  
7 to carry out the provisions of this section which shall include but not  
8 be limited to:

9 (a) a process of determining and re-determining eligibility at the end  
10 of each coverage period for receiving services under this grant program  
11 including provisions for submission of proof of income, age, and resi-  
12 dency and information on existing complete or partial coverage of dental  
13 expenses under a third party assistance or insurance plan;

14 (b) selection of up to six grant recipients through a request for  
15 proposal process including due consideration to geographic distribution  
16 and existing need for dental services for elderly individuals throughout  
17 the state with priority given to accredited educational programs or  
18 existing dental clinics serving the low income elderly; and

19 (c) the administration of such grants, which shall be used for the  
20 direct provision of dental care and services to the elderly including,  
21 but not limited to, dental services, equipment purchases, and travel  
22 expenses.

23 5. Additionally, the director shall submit a report to the governor,  
24 the temporary president of the senate and the speaker of the assembly,  
25 prior to, but in no event later than, December thirty-first, in the year  
26 following the effective date of this section, and annually thereafter,  
27 which shall include, but not be limited to:

28 (a) financial reports of the grant program operations established  
29 pursuant to this section;

30 (b) an analysis of the grant program's ability to provide such dental  
31 services to eligible elderly persons;

32 (c) recommendations on the continuation of such grants and the need  
33 for program expansion, if appropriate;

34 (d) profiles of the grant recipients; and

35 (e) other information deemed necessary by the director.

36 6. (a) No applicant for a grant provided for under this section shall  
37 knowingly (i) make a false statement or representation concerning a  
38 material fact, (ii) submit false information concerning a material fact,  
39 or (iii) conceal a material fact, on an application to obtain a grant  
40 provided for under this section.

41 (b) Any applicant who is found by the director, after notice and a  
42 hearing, to have received a grant provided for under this section based  
43 upon an application which violated paragraph (a) of this subdivision  
44 shall be subject to a civil penalty not to exceed two hundred fifty  
45 dollars.

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