# STATE OF NEW YORK

5168

2023-2024 Regular Sessions

# IN SENATE

February 23, 2023

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

AN ACT to amend the veterans' services law, in relation to establishing a veterans' dental insurance coverage program; and making an appropriation therefor

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

Section 1. The veterans' services law is amended by adding a new section 25-a to read as follows:

**§ 25-a. Veterans' dental insurance coverage program. 1. The commissioner shall establish a veterans' dental insurance coverage program, in consultation with the commissioner of civil service, within the state employee dental insurance plan. Such program shall provide comprehensive and routine dental care services to New York state resident veterans as such term is defined in this article.**

**2. Eligibility under this section shall not be granted to any person who at the time an application is made is receiving equivalent or better coverage from any other public or private third party payment source or insurance plan than those benefits provided for under this section.**

**3. The commissioner shall establish a sliding scale for copayments which shall be based on income and disability level of the veteran. Veterans with a disability rating of between ten and fifty percent shall be subject to copayment amounts as set by the director based on income. Veterans with a disability rating of fifty percent or higher shall not be subject to copayments for treatment or services under this program.**

**4. Program regulations shall:**

**(a) provide for a process of determining and re-determining eligibility for participation in this program including provisions for submission of proof of veteran status, residency, income, disability rating and information on existing complete or partial coverage of dental expenses under a third party assistance or insurance plan;**

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

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**(b) provide for a fair hearing process for individuals and participating dentists to appeal determinations or actions of the contractors; and**

**(c) establish procedures for the state to recover the value of benefits or payments made under this section, if any, that were based on applications or claims submitted in violation of any provision of this section.**

§ 2. The sum of five million dollars ($5,000,000), or so much thereof as may be necessary, is hereby appropriated to the department of civil service out of any moneys in the state treasury in the general fund to the credit of the local assistance account, not otherwise appropriated, and made immediately available, for the purpose of carrying out the provisions of this act. Such moneys shall be payable on the audit and warrant of the comptroller on vouchers certified or approved by the president of the department of civil service in the manner prescribed by law.

§ 3. This act shall take effect on the one hundred eightieth day after it shall have become a law; provided that if part PP of chapter 56 of the laws of 2022 shall not yet have taken effect on or before such effective date then this act shall take effect on the same date as such part PP takes effect. 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.