

# STATE OF NEW YORK

3139

2025-2026 Regular Sessions

## IN ASSEMBLY

January 23, 2025

Introduced by M. of A. ROSENTHAL, WEPRIN -- read once and referred to the Committee on Health

AN ACT to amend the social services law, in relation to authorizing Medicaid coverage to disabled persons attending an out-of-state college or university who are in need of continuous medical care

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

1 Section 1. Section 366 of the social services law is amended by  
2 adding a new subdivision 17 to read as follows:

3 17. (a) Notwithstanding any inconsistent provisions of this chapter or  
4 any other provision of law to the contrary, a disabled person shall be  
5 eligible for medical assistance where such disabled person is attending  
6 a college or university outside of the state and such person requires  
7 continuous medical care and is a domiciliary of the state of New York.

8 (b) Disabled persons shall continue to receive medical assistance for  
9 services and care they received while in the state if such services and  
10 care are needed while attending an out-of-state college or university.

11 (c) Persons eligible for the provisions of this subdivision shall  
12 provide to their local department of social services, proof of enroll-  
13 ment every semester in the out-of-state college or university.

14 (d) For purposes of this subdivision:

15 (1) "Domiciliary" shall mean a person whose domicile is within the  
16 state of New York.

17 (2) "Domicile" shall mean a fixed, permanent and principal home to  
18 which a person wherever temporarily located always intends to return.

19 § 2. This act shall take effect on the ninetieth day after it shall  
20 have become a law.

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

LBD06313-01-5