

STATE OF NEW YORK

2257

2025-2026 Regular Sessions

IN SENATE

January 16, 2025

Introduced by Sens. COMRIE, WEBB -- read twice and ordered printed, and when printed to be committed to the Committee on Social Services

AN ACT to amend the social services law, in relation to extending the period given to certain applicants for public assistance benefits to request a fair hearing

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

1 Section 1. Subdivision 6 of section 332-b of the social services law,
2 as added by section 148 of part B of chapter 436 of the laws of 1997, is
3 amended to read as follows:

4 6. When an applicant or recipient receives notification of the examin-
5 ing medical professional's disability determination, [~~he or she~~] they
6 shall also be notified of [~~his or her~~] the right to request a fair hear-
7 ing within [~~ten~~] sixty days of such notice or within sixty days of
8 receipt of a work activity assignment. If such applicant timely
9 requests a fair hearing, no assignment to work activities pursuant to
10 this title may be made or enforced pending such hearing and determi-
11 nation unless the applicant or recipient agrees to a limited work
12 assignment not inconsistent with the medical condition alleged by such
13 person. Provided, however, that if a social services district has
14 reason to believe that such recipient or applicant does not actually
15 suffer from a work limiting condition, the district shall provide the
16 applicant or recipient with notice of potential sanctions pursuant to
17 subdivision three of section three hundred forty-two of this title, and
18 provided further that recipients will be subject to sanctions pursuant
19 to subdivision three of section three hundred forty-two of this title if
20 the district determines, based on clear medical evidence, that there is
21 no basis for the individual's claim that [~~he or she is~~] they are unable
22 to fully engage in work activities, and that the individual inten-
23 tionally misrepresented [~~his or her~~] their medical condition.

24 § 2. This act shall take effect immediately.

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

LBD04925-01-5