

STATE OF NEW YORK

796

2025-2026 Regular Sessions

IN SENATE

(Prefiled)

January 8, 2025

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

AN ACT to amend the elder law, in relation to information regarding the home energy assistance program for participants in the elderly pharmaceutical insurance coverage program

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

1 Section 1. Section 245 of the elder law, as added by a chapter of the
2 laws of 2024 amending the elder law relating to the automatic identifi-
3 cation and enrollment of elderly pharmaceutical insurance coverage
4 program enrollees in the home energy assistance program, as proposed in
5 legislative bills numbers S. 8760-A and A. 9369-A, is amended to read as
6 follows:

7 § 245. [~~Automated identification of~~] Information regarding the home
8 energy assistance program for program participants. 1. For the purposes
9 of this section, the following terms shall have the following meanings:

10 (a) [~~"Office"~~] "OTDA" shall mean the state office of temporary and
11 disability assistance.

12 (b) "Home energy assistance program" or "HEAP" shall mean the low-in-
13 come home energy assistance program implemented pursuant to section
14 ninety-seven of the social services law.

15 2. The department of health shall [~~update the elderly pharmaceutical~~
16 ~~insurance coverage program application to allow~~] notify program partic-
17 ipants [~~to consent, in a manner that is separate and apart from other~~
18 ~~requests for consent contained in the application, to the exchange of~~
19 ~~such participant's information to verify such enrollee's~~] and provide
20 information regarding eligibility and how to apply for the home energy
21 assistance program. [~~Upon receipt of such consent, the department of~~
22 ~~taxation and finance shall confirm such participant's income at the time~~
23 ~~of enrollment~~] Such information shall be provided with each elderly

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

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1 pharmaceutical insurance coverage paper application that is distributed
2 and also annually to all program participants.

3 3. The department of health shall [~~coordinate~~] consult with OTDA and
4 the office [~~to facilitate the secure transmission of data through an~~
5 ~~interface with the office's information technology infrastructure~~] on
6 the development of the notification to program participants referenced
7 in subdivision two of this section.

8 4. [~~No less than once per month, the office, upon receipt of the~~
9 ~~required data elements from the department of health and the department~~
10 ~~of taxation and finance, as such data elements are defined by the~~
11 ~~office, shall conduct automated file matching to identify elderly phar-~~
12 ~~maceutical insurance coverage program participants who are eligible for~~]
13 If a participant's household applies for and is enrolled in the home
14 energy assistance program[~~. Within sixty days of receipt that an elder-~~
15 ~~ly pharmaceutical insurance coverage program participant's eligibility~~
16 ~~for the home energy assistance program is confirmed, the office shall~~
17 ~~enroll such elderly pharmaceutical insurance coverage program partic-~~
18 ~~ipant in the home energy assistance program.~~

19 5. ~~Upon automatic enrollment in the home energy assistance program,~~
20 ~~the department of health],~~ the applicable local social services district
21 shall provide written notification and information to the [~~elderly phar-~~
22 ~~maceutical insurance coverage program participant of their enrollment in~~
23 ~~such program and shall provide information regarding the program's bene-~~
24 ~~fits~~] participant's household in accordance with OTDA regulations.

25 [~~6. The office, in consultation with~~] 5. OTDA and the department of
26 health, [~~is~~] in consultation with each other, are authorized to promul-
27 gate any rules and regulations necessary to carry out the provisions of
28 this section.

29 § 2. This act shall take effect on the same date and in the same
30 manner as a chapter of the laws of 2024 amending the elder law relating
31 to the automatic identification and enrollment of elderly pharmaceutical
32 insurance coverage program enrollees in the home energy assistance
33 program, as proposed in legislative bills numbers S. 8760-A and A.
34 9369-A, takes effect.