

01 INF 28 Attachment

**DIGEST OF LAWS OF 2001
RELATING TO PROGRAMS OF THE OFFICE
OF TEMPORARY AND DISABILITY ASSISTANCE**

NOTICE

The purpose of this Digest is to highlight provisions of the Laws of 2001 and to direct interested persons to the appropriate provisions of the law. This Digest is neither designed nor intended to be used as a substitute for the law itself nor is it intended to be considered as the Office's interpretation of these laws for the purposes of implementation.

**DEPARTMENT OF FAMILY ASSISTANCE
OFFICE OF TEMPORARY AND DISABILITY ASSISTANCE
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ALBANY, NEW YORK 12243**

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TEMPORARY ASSISTANCE

Chapter 12 - Eligibility for Child Assistance
[Senate 1445 by Senator Meier, et al.]

Provides that persons eligible for both the Child Assistance Program and the Medical Assistance Program (MA) who lose eligibility for MA solely due to increased earnings or loss of earned income disregards will remain eligible for MA until March 31, 2003.

Statutes Involved:

Social Services Law

Section 131-z, subd. 6 para. (b), amended

Effective date: March 30, 2001

Chapter 89 - Standard of Monthly Need, Personal Needs Allowance
[Senate 4094-A by Senator Meier, et al.]

Increases the standards of monthly need for determining eligibility and payment of federal Supplemental Security Income (SSI) and additional State payments to the aged, blind and disabled to reflect SSI benefit increases that may result from any cost-of-living adjustment occurring between January 1, 2001 and June 30, 2001 and makes corresponding changes to personal allowances provided to residents of congregate care facilities.

Statutes involved:

Social Services Law

Section 131-o, subd. 1, paras. (a), (b), (c) and (d), amended

**Section 209, subd. 2, paras. (a), (b), (c), (d), (e), (f) and (g),
 amended**

Section 210, subd. 1, amended

Effective date: December 31, 2001

Chapter 95 - Medical Parole Program
[Senate 5544-A by Senator Nozzolio, et al.]

Extends from September 1, 2001 until September 1, 2003 the expiration of the medical parole program. That program authorizes the Division of Parole to release certain inmates who are certified to be suffering from a terminal condition, disease or syndrome and to be so debilitated or incapacitated as to create a reasonable probability that the inmate is physically incapable of presenting any danger to society. Section 62(g)(2) of the Social Services Law provides that upon receipt of an application for public assistance forwarded by the State Department of Correctional Services for persons meeting the conditions of medical parole, financial eligibility for such assistance shall be determined by the Office of Temporary and Disability Assistance.

Statutes involved:

Laws 1992, Chapter 55, sect. 427, subd. (r), amended

Effective date: July 13, 2001.

Chapter 207 - Automobile Exemption
[Senate 4859-A by Senator Meier]

Provides that an amount up to \$4650 will be disregarded if set aside in a separate bank account established for the sole purpose of enabling a recipient of public assistance to purchase a new or replacement vehicle for the recipient to seek, obtain or maintain employment. The Chapter also (i) deletes a provision in section 131-n of the Social Services Law that increases the exempt amount to maintain equivalence with the amount exempted in the food stamp program: and (ii) deletes a provision that raises the value of the exemption to twice the amount exempted in the food stamp program if the vehicle is needed for the applicant or recipient to seek or retain employment or to travel to or from work activities and provides instead that the exemption in that situation will be \$9300. The Chapter also extends the current expiration date of section 131-n of the Social Services Law from August 22,2001 until August 22, 2003.

Statutes involved:**Social Services Law**

Section 131-n, subds. 1 and 3, amended

Laws 1997, Chapter 436, Part B, sect. 153, subd. (c), amended

Effective date: August 22, 2001

Chapter 362 - Food Assistance Program
[Senate 4863-B by Senator Meier]

Extends the expiration date of the Food Assistance Program (FAP) from September 30, 2001 to September 30, 2003. The Chapter also expands eligibility for FAP benefits to certain victims of domestic violence and persons classified as qualified aliens.

Statutes involved:**Social Services Law**

Section 95, subd. 10, para. (b), amended

Section 95, subd. 10, para. (k), amended

Effective date: October 3, 2001

Chapter 433 – County Responsibility for Medical Assistance and Public Assistance
[Senate 199 by Senator Morahan, et al.]

Includes adult homes, enriched housing programs and residences for adults among those facilities whose residents would receive Medical Assistance from the county from which the resident was admitted rather than the county in which the facility is located. This responsibility would continue after the person is discharged from the facility. The chapter also requires the county of origin to assume responsibility for providing and paying for other types of public assistance or care that a person may need while receiving medical care in the facility or thereafter.

Statutes involved:

Social services Law

Section 62, subd. 5, para.(d), amended

Effective date: November 13, 2001

CHILD SUPPORT

Chapter 68 - Enforcement of Child Support Orders **[Assembly 7923 by Assemblywoman Weinstein, et al.]**

Extends from June 30, 2001 until June 30, 2003 the expiration date of the authority for the referral to the Department of Taxation and Finance of cases for enforcement of non-payment of child support.

Statutes involved:

Laws 1996, Chapter 706, sect. 5, amended

Effective date: June 27, 2001

Chapter 72 - Drivers = Licenses Suspension **[Senate 3613 by Senator Saland, et al.]**

Extends from June 30, 2001 until June 30, 2003 the expiration date of the authority for the administrative suspension of drivers = licenses for non-payment of child support.

Statutes involved:

Laws 1995, Chapter 81, sect. 246, subd. 19, amended

Effective date: June 29, 2001

STATUTES AFFECTED

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