



2024 State Legislative Update: Elder Law and Special Needs Section

We've come to the end of the 2024, with several actions taken by the Legislature and Executive that may be of interest to your section. Please reach out to the GR team with any questions about any particular legislation of interest that you don't see on the following list. Any memoranda and letters drafted by the section in support of or opposition to legislation were shared by the Government Relations team, and the team looks forward to working with the section as we move into the 2025 legislative session.

Legislation of Interest

Signed by the Governor:

- A9369-A(McDonald)/S8760-A(Cleare): Relates to the automatic identification of elderly pharmaceutical insurance coverage program participants who are eligible for HEAP. This bill was signed by the Governor and will take effect in June of 2025.

Vetoed by the Governor:

- A10142(Kim)/S9356(Cleare): Relates to social model adult day services programs.
- A9718-B(Paulin)/S9067-A(Krueger): Requires hospitals and residential health care facilities to implement a pressure ulcer prevention program. The Section's letter in support can be found [here](#).

Not Passed:

- A5485-A(Paulin)/S5472-A(Rivera): Expands protections regarding violations of safety conditions in adult care facilities. This bill did not pass either house this session. The Section's Memo in Support can be found [here](#).
- A6346(Paulin)/S328(Rivera): Relates to eligibility for home care services under Medicaid; repealer. This bill was advanced to third reading in the Senate but did not move in the Assembly. The Section's Memo in Support can be found [here](#).
- S3503-A(Skoufis)/A7708-A(Zebrowski): Relates to requiring principals to notify co-trustees and co-beneficiaries of the signing of a power of attorney. This bill was advanced to third-reading and committed to the Rules committee in the Senate but did not move in the Assembly. The Section's Memo in Opposition can be found [here](#).
- S5470(Rivera): No same as; Provides for eligibility for medical assistance for personal care services for persons with traumatic brain injury, developmental disability, cognitive impairments, blindness, or visual impairment.

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UPDATE

- A7467(Paulin)/S466(Sepulveda): Relates to the use of psychotropic medications in nursing homes and adult care facilities. This bill was advanced to third reading in the Assembly but did not move in the Senate.
- A7708(Zebrowski)/ S3503-A(Skoufis): Relates to requiring principals to notify co-trustees and co-beneficiaries of the signing of a power of attorney. This bill was advanced to third reading in the Senate but did not move in the Assembly.
- S6414(Skoufis)/A9278(Paulin): Eliminates a look-back period for home care for non-institutionalized Medicaid applicants; and repeals a certain provision of the social services law relating thereto. This bill was reported out of committee in the Senate but did not move in the Assembly. The Section's Memo in Support can be found [here](#).
- S2125(Rivera): Relates to the definition of the "look-back" period for the determination of eligibility of an individual for medical assistance benefits. This bill has no same-as and did not move in the Senate.
- A5917(Dinowitz)/S5642(Mannion): Relating to notice of a tax exemption for persons with disabilities and limited incomes. This bill passed the Senate but did not move in the Assembly.
- A8401(Kim)/S714(Cleare): Enacts the "independent senior housing resident freedom of choice act" to authorize persons in independent housing to receive services they could get at home. This bill did not move in either house.
- A8470(Paulin)/S7800(Rivera): Relates to long term care options for Medicaid recipients; repealer. This bill did not move in either house. The Section's Memo in Support can be found [here](#).

Updates on Association policy can be found on the Government Relations page [here](#).