



# UPDATE

## **2025 State Legislative Update: Elder Law and Special Needs Section**

We've come to the end of the 2025 Legislative year, with several actions taken by the Legislature and the Governor 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 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 2026 legislative session.

### **Legislation of Interest**

#### **Chaptered or Vetoed by the Governor:**

- A136(Paulin)/S138(Hoylman-Sigal): AN ACT to amend the public health law, in relation to a terminally ill patient's request for and use of medication for medical aid in dying (MAID). This bill was a priority for NYSBA this legislative session and the Association advocated strongly for its passage. The bill will be signed by the Governor in January of 2026 and will go into effect six months later.
- A7856-A(Lavine)/S7416-A(Hoylman-Sigal): Relates to enacting provisions for the execution of electronic wills. The Trust and Estates Law Section actively worked with the sponsor on this bill and supported it with a memo. This bill was chaptered by the Governor and will go into effect June of 2027.
- A2027(Paulin)/S3361(Rivera): Requires medical evaluations for assisted living eligibility to be conducted within thirty days prior to the date of admission. This bill was chaptered by the Governor and will go into effect immediately.
- A8090(Seawright)/S7671(Cleare): Requires the commissioner of health to produce a report on the utilization and activity of the elderly pharmaceutical insurance coverage program. This bill was vetoed by the Governor.
- A8113(Seawright)/S7737(Cleare): Extends provisions of the long-term care ombudsman to assisted living facilities. This bill was chaptered by the Governor and went into effect August 2025.
- A3939-A(Paulin)/S4351-A(Cleare): AN ACT to amend the elder law, in relation to publishing a guide to actions when someone close dies. This bill was chaptered by the Governor and will go into effect immediately.
- A7907(Seawright)/S7077(Cleare): Provides for expanded non-medical in-home services, non-institutional respite services, case management services, and ancillary services without a prescription or physician's order; repealer. This bill was vetoed by the Governor.

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- A384(Eichenstein)/S6035(Parker): Relates to reporting unmet need for programs and services for the aging. This bill was vetoed by the Governor.

**Not Passed:**

- A1907(Paulin)/S4786(Skoufis): 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 showed some movement in the Senate but did not pass in either house. The Section submitted a [memo in support](#) of this legislation.
- S358(Rivera)/A1198(Paulin): Relates to eligibility for home care services under medicaid; repealer. This bill showed some movement in the Senate but did not move in the Assembly. The Section submitted a [memo in support](#) of this bill.
- S4549(Skoufis)/A8430(Carroll P): Relates to requiring principals to notify co-trustees and co-beneficiaries of the signing of a power of attorney. This bill showed some movement in the Senate but did not pass either house. The Section submitted [a memo in opposition](#) of this bill.
- A3328(Bronson)/S1015(Brouk): Prohibits an individual convicted of a crime involving elder abuse from inheriting from the elder's estate as a distributee. This bill passed the Senate but did not move in the Assembly.
- A3603(Seawright)/S903(Sanders): Relates to informal caregiver training. This bill passed the Senate but did not move in the Assembly.
- A582(Steck)/S3180(Sanders): Provides for elder abuse prevention training. This bill passed the Senate but did not move in the Assembly.
- A1043(Kim)/S3554(Cleare): Increases the amount of the savings exemption for eligibility for Medicaid. This bill showed some movement in the Senate but did not pass in either house.
- A1461-A(Paulin)/S893-A(Sepulveda): Relates to the use of psychotropic medications in nursing homes and adult care facilities. This bill showed some movement in both houses but did not pass in either.
- A1870(Dilan)/S2661(Comrie): Includes senior citizens as vulnerable populations eligible for supportive housing. This bill did not pass in either house.
- A1946(Rosenthal)/S6472(Cleare): Relates to the definition of income for tax abatement for rent-controlled and rent regulated property occupied by senior citizens or persons with disabilities. This bill did not show movement in either house.
- A1948(Rosenthal)/S956(Kavanagh): Establishes an affordable independent senior housing assistance program. This bill showed some movement in the Senate but did not pass in either house.
- A2018(Paulin): Relates to long term care options for Medicaid recipients; repealer. This bill was not introduced in the Senate and did not move in the Assembly.
- A2048(Solages): Increases personal needs allowance amounts. This bill was not introduced in the Senate and did not move in the Assembly.

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- A3350-A(Bronson): Relates to educating nursing home residents about the role of legal counsel in applying for Medicaid and Medicare benefits. This bill showed some movement in the Assembly but was not introduced in the Senate.
- A7019(Seawright)/S6379(Cleare): Establishes protections for eligible adults from financial exploitation. This bill did not show any movement in either house.
- A8549-A(Lavine): Relates to joint spousal and non-spousal accounts and convenience accounts. This bill was not introduced in the Senate and did not move in the Assembly.
- S1293(Borrello): Prevents the financial exploitation of older and vulnerable adults. This bill was not introduced in the Assembly and did not move in the Senate.
- S2332(Rivera): Relates to long term care options for medicaid recipients; repealer. This bill was not introduced in the Assembly and did not move in the Senate.

See [here](#) for NYSBA's Government Relation's End of Year Legislative Update.

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