



# Legislative Update

## from Assemblywoman Ellen Jaffee



2013 Year End Report

Dear Neighbors,

It's hard to believe 2014 has arrived. The past year was a busy one. I am pleased to report that during the 2013 session we passed a budget and legislation that helps seniors by fully funding the EPIC prescription drug program and delivering property tax relief to senior homeowners as part of the Enhanced STAR program.

I appreciate those of you who took the time to contact my office about senior scams. I continue to stay on top of what New York State is doing to reduce the incidence of elder fraud. You'll find more detailed information about what we accomplished during the 2013 legislative session in this newsletter.

I look forward to hearing your thoughts and concerns. Phone me at 845-624-4601 or email me at [jaffeee@assembly.state.ny.us](mailto:jaffeee@assembly.state.ny.us).

Best wishes for a happy, healthy New Year.

Ellen C. Jaffee  
NYS Assemblymember, 97th District



Assemblywoman Jaffee with Rockland County Civil Rights Hall of Fame members, Drs. Susan and Edmund Gordon, at the Rockland Historical Society Gala. The Gordons were awarded the Living Landmark Award for their commitment to making a difference in our community.



Assemblywoman Jaffee with Dr. Bella Shore at the Nyack Center's Women of Leadership and Vision Brunch. As a young teen in Poland, Dr. Shore ran from Nazis until she reached Denmark. She went on to become a mother, to earn a Ph.D. in virology, and to serve as a key contributor to many organizations in Rockland.



Assemblywoman Jaffee with residents of Esther Gitlow Towers.

## Ellen Jaffee fought for Rockland seniors in 2013 state budget

This year's third, consecutive on-time budget put more money in the pockets of older adults.

### Property tax relief

The budget includes a record \$3.4 billion in property tax relief under the STAR program, the highest level ever. Of the \$3.4 billion, \$912 million goes to Enhanced STAR property tax relief for senior homeowners 65 and older. STAR exemptions apply only to school district taxes.

### ENHANCED STAR PROVIDES:

- an increased benefit for the primary residences of homeowners 65 and older with qualifying incomes
- exempts the first \$63,300 of the full value of a home from school taxes as of 2013-14 school tax bills, up from \$62,200 in 2012-13

*Nothing changes in the process for senior citizens 65 and older receiving Enhanced STAR. In order to continue receiving Enhanced STAR, seniors must continue to apply annually. The income threshold for 2014 applications is \$81,900.*

*For more information on STAR eligibility visit: <http://www.tax.ny.gov/pit/property/star/eligibility.htm>*

### More tax breaks included in the budget:

- Extends the middle-class personal income tax cut for three more years—the lowest rate in 60 years
- Reduces energy taxes and saves customers a total \$500 million statewide by fiscal year 2017

## Jaffee gets \$195.9 million for EPIC low-cost prescription drugs

Assemblywoman Jaffee made sure that nearly \$200 million was restored to the EPIC program, so that more than 270,000 older adults will continue to get the low-cost prescription drug coverage they count on.

Have questions about EPIC? Call the toll-free EPIC helpline which is available from 8:30 a.m. to 5:00 p.m., Monday through Friday. Call 1-800-332-3742 (TTY 1-800-290-9138), or email [epic@health.state.ny.us](mailto:epic@health.state.ny.us)

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# Assemblywoman Jaffee's bills become law helping to improve life in Rockland and throughout New York State

## Jaffee sponsors hikes in minimum wage and unemployment benefits

The 2013-14 state budget increases the state's minimum wage to \$9.00 per hour by 2016. Additionally, an increase that grows over time in unemployment benefits will provide some assistance to those who are out of work or underemployed – a \$450 per week maximum. A schedule sets up regular increases until the benefit reaches \$450 in 2018.



**East Ramapo Save Our Schools in Albany with Assemblywoman Jaffee and Assemblywoman Nolan, chair of the Education Committee.**

## Jaffee's Lottery "Spin-up" bill to help East Ramapo school district

Governor Cuomo signed the East Ramapo Lottery "Spin-up" bill (A. 7514) into law, legislation that Assemblywoman Jaffee co-authored. The law will help the East Ramapo Central School District students by providing an advance of \$3.5 million, interest-free from the New York State Lottery funds the district receives. The bill would restore some of the devastating cuts and help the students by:

- Providing funds to help the district work toward financial stability;
- Restoring some programs for students, including extracurricular activities;
- Paying for some teachers and security staff who were impacted by the cuts;
- Providing oversight for all expenses that the lottery money will cover.

Ellen Jaffee hopes this will help the district restore programs in order to provide high-quality educational opportunities that the students deserve and are guaranteed under our state Constitution.

## Jaffee law bans secondhand smoke on hospital and nursing home grounds

The dangers of secondhand smoke are well-documented. Jaffee's bill (A.115-A/S.1987-A) prohibits smoking on hospital and nursing home grounds throughout New York State and within 15 feet of the facilities' property lines. The law, which went into effect in October protects everyone who comes to hospitals and nursing homes - patients, staff, and visitors.

Secondhand smoke exposure is responsible for 2,500 deaths a year in New York State.

## Jaffee sponsors anti-texting while driving law to make our roads safer

A bill (A.7739/S.5656) quickly signed into law by Governor Cuomo enforces tough penalties for new drivers who are caught texting while driving.

**It is illegal in New York State to hold a mobile phone in your hand or send a text or an email while you are driving except to call 911 or medical, fire or police services for an emergency.**

For more new rules, go to <http://www.dmv.ny.gov/cellphone.htm> or contact Assemblywoman Jaffee's office at 845-624-4601.

## NY SAFE Law aims to lower gun violence and make our communities safer

Assemblywoman Jaffee co-sponsored the SAFE Act, which Governor Cuomo signed into law on January 15th. These gun safety measures, designed to reduce violent crime and protect our children, families and communities, include background checks, an assault weapons ban, and mental health screenings for those who seek to purchase guns.

Jaffee said, "The law's intent is to save lives and to avoid future tragedies like the massacre of school children and their teachers at Sandy Hook or the murders of first responders in Webster, NY."

## Jaffee's Breast Density Inform Law in effect

Ellen Jaffee's lifesaving Breast Density Inform Law went into effect in January of this year. The new law requires that every mammography report given to a patient with dense breast tissue will inform her in clear language that she has dense breasts. Density can hide cancers on a mammogram and may increase a woman's risk of developing breast cancer. The law provides a patient with this medical finding and encourages a follow-up conversation with her doctor about the benefits of supplemental screening. New York's Breast Density Inform Law, the most comprehensive in the nation, serves as a template to other states as they draft similar legislation.



**Assemblywoman Jaffee hosted an October event at Nyack Hospital to share information about breast density and to support Breast Cancer Awareness month. With her are Dr. Patricia Joseph, MD, Director of Breast and Women's Health Prevention Services at Nyack Hospital (l), Radiologist Dr. Shari Siegel-Goldman, MD, Director of Breast Imaging at Hudson Valley Radiology Associates (HVRA) and Nyack Hospital (r) and breast cancer survivor-turned-advocate, Joann Pushkin, and cofounder of D.E.N.S.E. (Density Education National Survivors' Effort).**

## Bill requiring hospitals to tell patients they are in observation status is law

Ellen Jaffee co-sponsored a bill (A.7257-A/S.3926-A) that will require hospitals to tell patients, within 24 hours, with both oral and written notification, that they are in "observation status" and have not been admitted to the hospital, even if they have been moved from the emergency room to a room. The signature of the patient or their legal representative must be obtained to confirm the notification was received.

The notice must state that observation status may affect the patient's Medicare, Medicaid, and/or private insurance coverage for the current hospital services, and advise the patient to contact his or her insurance plan to better understand the implications of being placed under observation status rather than being admitted to the hospital.

Patients considered to be under observation lose important Medicare benefits, including hospital insurance coverage, leaving them with out-of-pocket costs for their nursing care.

This notification will inform patients about what kind of reimbursement they will receive when they leave the hospital and also what kind of care they will receive during their stay. The new law went into effect when it was signed by the Governor in October.

## Bills to help older adults passed the Assembly

### Jaffee stands up to stop price gouging on life-saving medicines

The Assembly passed a bill to protect New Yorkers by banning price gouging of critical medicines that are in short supply, which then contributes to already skyrocketing health-care costs. The bill (A.3751-B/S.2138-B), which Jaffee sponsored, establishes a system for courts to use when determining if the price for medications used to treat cancer and other life-threatening illnesses, including infections, is excessive. The average markup on drugs sold by secondary distributors, and commonly used by hospitals, is a staggering 650 percent. The bill is in the Consumer Protection Committee in the Senate.

### Jaffee co-sponsors bill to protect older adults from financial scams

Financial exploitation is a large and quickly growing segment of elder abuse.

Employees at financial institutions like banks are often in the best position to notice suspicious patterns of withdrawals and investments. Previously, these financial institutions have been hesitant to report cases of suspected financial misconduct for fear of being sued or retaliation. This legislation (A.1783-B/S.5675), which passed the Assembly, will protect employees who report suspected unsavory financial deals to better protect unsuspecting targets like older adults.

### Jaffee supports hiring and retraining older workers

This bill (A.1857-A/ S.0314), which passed the Assembly, would direct the State Office of the Aging (SOFA), along with the NYS Department of Labor, to develop and update annually a guide for businesses to hire, retain and retrain older workers. The guide will be available on the websites of SOFA, The Department of Labor and the Department of State, as well as to businesses that obtain licensure or certification from these agencies. This legislation did not pass in the Senate.

### Jaffee votes yes on local programs to assist seniors

The Assembly passed a bill (A.1860/ S.148), co-sponsored by Assemblywoman Jaffee, which would require the State Office of the Aging (SOFA) to develop model community programs, including a model telephone reassurance program and a model visiting program, that could be used by local agencies on aging as well as community-based organizations to assist them in developing local programs that would be more effective than those currently administered at the state level.

### Jaffee testifies at Public Service Commission hearing on proposed desalination plant

United Water New York has proposed a water treatment plant that would remove salt and pollutants from the Hudson River to provide Rockland's drinking water. The process is called desalination or desal. In October, the Public Service Commission (PSC) held hearings to ask if Rockland really needs the amount of water the desal plant would provide. Assemblywoman Jaffee testified that all the ways in which Rockland's water needs can be met must be considered before undertaking an enormous, costly project.

At the hearing, United Water testified that Rockland needs a water supply project, while water experts testified that Rockland could solve this problem without a large supply project and instead could get millions of gallons a day by fixing leaks in the system, taking serious water conservation steps, and sending less water to New Jersey. The PSC's decision could come at any time. There is no deadline.

Rockland County currently sends 7.5 million gallons of water a day to New Jersey because of a law, which requires that when a reservoir or dam is built, the flow of water must be maintained to ensure the health of downstream waterways. Assemblywoman Jaffee said, "Before we build a desal plant that will raise our rates, the Department of Environmental Conservation (DEC) must make sure we're not paying to send millions of excess gallons of water to New Jersey."

Even if the PSC finds that Rockland needs the water, the debate continues over whether desalination is the best option for the county. Assemblywoman Jaffee joins the entire bipartisan state delegation



Assemblywoman Jaffee at the Veterans Day 2013 memorial ceremony in Suffern.

in calling for an issues conference, which would allow a judge to hear reasons why the option chosen is the best. If the judge decides that the reasons against desalination are compelling there would be a procedure where both sides would present evidence before a judge. The issues conference has overwhelming support including that of former County Executive Scott Vanderhoef, the Rockland County Legislature and four out of five of Rockland's towns.

### State investigation finds more than \$665 million in unclaimed life insurance benefits

Thanks to new regulations created by the Department of Financial Services in 2012, insurance companies are now required to inform loved ones if they are a beneficiary of an insurance policy after the policyholder passes away. Governor Cuomo expanded this legislation by signing a law in December 2012 that obligates insurance companies to search the records of a deceased policyholder to check for beneficiaries. As a result of this legislation, more than \$665 million was awarded to 81,171 people who had previously not known that they were named in a life insurance policy.

### Senior scam update

It was eye-opening to hear from so many of you after my 2012 newsletter with information about senior scams was mailed. Older adults are disproportionately targeted by scam artists and are often the victims of fraud. This exploitation is growing at an alarming rate. Our state attorney general's office has been vigilant about prosecuting when there is evidence.

To avoid becoming a victim, here are a few quick tips:

- Never give out billing or other personal information over the phone, especially if you receive an unsolicited telephone call from a stranger.
- Never cash a check from an unknown source, especially if you are being asked to wire a portion of the proceeds to a stranger.
- Never wire money to someone you don't know who contacts you -- it's the same as handing over cash.

If you feel you've been a victim of this type of scam or any other type of consumer fraud, call the Attorney General's toll-free Consumer Helpline: (800) 771-7755.

### Jaffee helps restore \$90 million in funds to the Office for People with Developmental Disabilities

Thanks to the efforts of Assemblywoman Jaffee and her Assembly colleagues, up to \$90 million will be restored to the Office for People with Developmental Disabilities (OPWDD) in order to fund the non-profits that provide life-changing services for those with developmental disabilities.

## New Year's Resolution: Power up with fatigue-fighting foods

Since her appointment as chair of the Food, Farm and Nutrition Policy task force, Assemblywoman Jaffee has picked up some good pointers from nutrition experts. Here are her favorites:

Feeling tired is a common complaint among older adults—and even younger folks, too. Feeling tired is normal, but sometimes all it takes are a few small changes in your diet to get you back to 100 percent. High-protein foods can give us that extra boost we need. Always check with your doctor first to rule out any possible medical or psychological causes of fatigue. Ask your doctor if adding more protein to your diet would be safe for you and if you need to adjust your fluid intake with increased protein. Aim for 100% with these great examples of high-protein foods:

% Daily Value	Portion
40% (each)	1 chicken breast, 1 small steak
30-40%	1 can of tuna, drained
20% (each)	1 oz nuts, 2 tbsp peanut butter
20%	1 cup split-pea or bean soup
10%	1/2 cup black beans
10% (each)	1 egg, 1 oz low-fat cheese, glass of skim milk

Here are a few additional tips from Rockland County Department of Health, Public Health Nutritionist Michelle Kleinman:

- *Half your plate should include vegetables and/or fruit.*
- *Your sense of taste and smell can change with age. Medicines can change how food tastes or make you feel less hungry. Try adding spices or fresh herbs to your food.*
- *Empty calorie foods taste good and are often convenient, but they contribute to that dragged out feeling. Avoid a tea and toast diet, crackers, chips and sugar-filled cereals.*

Before making any changes to your diet, speak to your doctor about dietary restrictions based on any medications you take or medical conditions you have such as high cholesterol or high blood pressure.

## Jaffee appointed to chair Assembly Task Force on Food, Farm and Nutrition Policy

Jaffee's priorities as task force chair include:

- More meal programs for older adults to help maintain health and reduce nursing home stays;
- Programs to improve nutrition and health, especially in underserved communities;
- Support for the Hunger Prevention Nutrition Assistance Programs (HPNAP) that supply food pantries;

"I'm so fortunate to be joined by food and farm advocates in Rockland who have been national leaders in creating innovative ways to access fresh food. We are especially lucky to have Joan Gussow, a pioneer of the 'Eat local, think global' movement, who lives right here in Rockland," Jaffee said. Gussow is a nationally-known author whose most recent book is titled, *Growing Older*.



**Jaffee holds Assembly Roundtable on Farming in Suburban Communities.**

Assemblywoman Jaffee has introduced a bill to help local food producers preserve our farmland and make it easier for all of us to get affordable farm-fresh foods. Suburban agriculture policy forum attendees, standing left to right: Assemblywoman Galef, Michelle Kleinman, John McDowell, Assemblywoman Jaffee, Joan Gussow and Mary Hegarty. Seated left to right: Julia della Croce, Susan Jaffe and Linda Concklin Hill. (Photo Credit: Donna Schmidt)



## Legislative Update

from Assemblywoman  
Ellen Jaffee

2013 Year End Report

### The Affordable Care Act (ACA)/New York Health Benefit Exchange

For those of you who have questions about the Affordable Care Act (ACA)/New York Health Benefit Exchange and your Medicare coverage, here are some important answers from NYS Attorney General Eric T. Schneiderman:

The exchange does NOT affect anyone's Medicare coverage. The exchange is intended to help New Yorkers who aren't eligible for Medicare get health coverage.

- Selling a marketplace plan on the exchange to someone with Medicare is illegal.
- The exchange doesn't affect your Medicare choices, whether you get coverage through Original Medicare or a Medicare Advantage Plan.

Your Medicare benefits have expanded under the ACA. Here's how:

- Includes free preventive benefits, cancer screenings and annual wellness visits;
- Reduces the Medicare coverage gap, known as the "doughnut hole" by extending discounts on Medicare Part D-covered prescription drugs, until the coverage gap is eliminated in 2020;
- Saves money through discounts on brand-name prescription drugs.

For updates from my office email me at: [jaffee@assembly.state.ny.us](mailto:jaffee@assembly.state.ny.us)