

Legislative Bill Drafting Commission
12002-01-5

S. -----
Senate

IN SENATE--Introduced by Sen

--read twice and ordered printed,
and when printed to be committed
to the Committee on

----- A.
Assembly

IN ASSEMBLY--Introduced by M. of A.

with M. of A. as co-sponsors

--read once and referred to the
Committee on

APPR
(Provides for emergency appropri-
ation for the period April 1, 2025
through April 3, 2025)

Emergency Approp. 4/1-4/3

AN ACT

making appropriations for the
support of government; and providing
for the repeal of such provisions
upon expiration thereof

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

IN SENATE

Senate introducer's signature

The senators whose names are circled below wish to join me in the sponsorship
of this proposal:

s15 Addabbo	s46 Fahy	s27 Kavanagh	s01 Palumbo	s29 Serrano
s43 Ashby	s22 Felder	s28 Krueger	s21 Parker	s42 Skoufis
s36 Bailey	s34 Fernandez	s24 Lanza	s19 Persaud	s11 Stavisky
s63 Baskin	s60 Gallivan	s16 Liu	s13 Ramos	s45 Stec
s57 Borrello	s12 Gianaris	s04 Martinez	s05 Rhoads	s35 Stewart- Cousins
s25 Brisport	s59 Gonzalez	s07 Martins	s33 Rivera	s44 Tedisco
s55 Brouk	s26 Gouardes	s02 Mattera	s39 Rolison	s49 Walczyk
s06 Bynoe	s53 Griffo	s48 May	s50 Ryan, C.	s52 Webb
s09 Canzoneri- Fitzpatrick	s40 Harckham	s37 Mayer	s61 Ryan, S.	s38 Weber
s17 Chan	s54 Helming	s03 Murray	s18 Salazar	s08 Weik
s30 Cleare	s41 Hinchey	s20 Myrie	s10 Sanders	
s14 Comrie	s47 Hoylman- Sigal	s51 Oberacker	s23 Scarella- Spanton	
s56 Cooney	s31 Jackson	s62 Ortt	s32 Sepulveda	

IN ASSEMBLY

Assembly introducer's signature

The Members of the Assembly whose names are circled below wish to join me in the
multi-sponsorship of this proposal:

a078 Alvarez	a136 Clark	a083 Heastie	a150 Molitor	a052 Simon
a031 Anderson	a047 Colton	a028 Hevesi	a145 Morinello	a075 Simone
a121 Angelino	a140 Conrad	a035 Hooks	a016 Norber	a114 Simpson
a133 Bailey	a032 Cook	a128 Hunter	a045 Novakhov	a094 Slater
a120 Barclay	a039 Cruz	a029 Hyndman	a011 O'Pharrow	a005 Smith
a106 Barrett	a043 Cunningham	a079 Jackson	a091 Otis	a118 Smullen
a105 Beephan	a077 Dais	a104 Jacobson	a132 Palmesano	a022 Solages
a107 Bendett	a053 Davila	a134 Jensen	a088 Paulin	a110 Steck
a082 Benedetto	a072 De Los Santos	a115 Jones	a141 Peoples- Stokes	a010 Stern
a027 Berger	a003 DeStefano	a004 Kassay	a023 Pheffer	a127 Stirpe
a042 Bichotte	a054 Dilan	a100 Kay	Amato	a102 Tague
Hermelyn	a081 Dinowitz	a125 Kelles	a063 Pirozolo	a064 Tannousis
a117 Blankenbush	a147 DiPietro	a040 Kim	a089 Pretlow	a086 Tapia
a015 Blumencranz	a009 Durso	a069 Lasher	a019 Ra	a071 Taylor
a144 Bologna	a099 Eachus	a013 Lavine	a030 Raga	a085 Torres
a073 Bores	a048 Eichenstein	a065 Lee	a038 Rajkumar	a037 Valdez
a098 Brabenc	a074 Epstein	a126 Lemondes	a006 Ramos	a033 Vanel
a026 Braunstein	a061 Fall	a095 Levenberg	a062 Reilly	a055 Walker
a138 Bronson	a008 Fitzpatrick	a060 Lucas	a087 Reyes	a112 Walsh
a046 Brook-Krasny	a057 Forrest	a135 Lunsford	a149 Rivera	a024 Weprin
a020 Brown, E.	a124 Friend	a123 Lupardo	a109 Romero	a097 Wieder
a012 Brown, K.	a050 Gallagher	a129 Magnarelli	a067 Rosenthal	a059 Williams
a093 Burdick	a131 Gallahan	a101 Maher	a025 Rozic	a113 Woerner
a142 Burke	a007 Gandolfo	a036 Mamdani	a111 Santabarbara	a070 Wright
a018 Burroughs	a068 Gibbs	a130 Manktelow	a090 Sayegh	a041 Yeger
a119 Buttenschon	a002 Giglio	a108 McDonald	a001 Schiavoni	a080 Zaccaro
a096 Carroll, P.	a066 Glick	a014 McDonough	a076 Seawright	a056 Zinerman
a044 Carroll, R.	a034 Gonzalez- Rojas	a146 McMahan	a137 Meeks	
a058 Chandler- Waterman	a116 Gray	a017 Mikulin	a148 Sempolinski	
a049 Chang	a021 Griffin	a122 Miller	a084 Septimo	
a143 Chludzinski	a139 Hawley	a051 Mitaynes	a092 Shimsky	
			a103 Shrestha	

1) Single House Bill (introduced and printed separately in either or
both houses). Uni-Bill (introduced simultaneously in both houses and printed
as one bill. Senate and Assembly introducer sign the same copy of the bill).

2) Circle names of co-sponsors and return to introduction clerk with 1
signed copy of bill and 1 copy of memorandum in support (single house);
or 2 signed copies of bill and 2 copies of memorandum in support (uni-bill).

1 Section 1. Legislative intent. The legislature hereby finds and
 2 declares that the enactment of these appropriations provides sufficient
 3 authority to the comptroller for the purpose of making payments for the
 4 purposes described herein until such time as appropriation bills submit-
 5 ted by the governor pursuant to article VII of the state constitution
 6 for the support of government for the state fiscal year beginning April
 7 1, 2025 are enacted.

8 § 2. The amounts specified in this section, or so much thereof as
 9 shall be sufficient to accomplish the purposes designated, is hereby
 10 appropriated and authorized to be paid as hereinafter provided, to the
 11 public officers and for the purpose specified, which amount shall be
 12 available for the state fiscal year beginning April 1, 2025.

13 ALL STATE DEPARTMENTS AND AGENCIES

14 For the purpose of making payments for
 15 personal service, including liabilities
 16 incurred prior to April 1, 2025, on the
 17 payrolls scheduled to be paid during the
 18 period April 1 through April 3, 2025 to
 19 state officers and employees of the execu-
 20 tive branch. This appropriation also
 21 includes payments for services performed
 22 by mentally ill or developmentally disa-
 23 bled persons who are employed in state-op-
 24 erated special employment, work-for-pay or
 25 sheltered workshop programs 279,930,000

26

1 § 3. The amount specified in this section, or so much thereof as shall
2 be sufficient to accomplish the purpose designated, is hereby appropri-
3 ated and authorized to be paid as hereinafter provided, to the public
4 officers and for the purpose specified, which amount shall be available
5 for the state fiscal year beginning April 1, 2025.

6 ALL STATE DEPARTMENTS AND AGENCIES

7 For the payment of state operations non
8 personal service liabilities to the execu-
9 tive branch, including the comptroller,
10 and the attorney general, incurred in the
11 ordinary course of business, during the
12 period April 1 through April 3, 2025,
13 pursuant to existing state law and for
14 purposes for which the legislature author-
15 ized the expenditure of moneys during the
16 2024-2025 state fiscal year; provided,
17 however, that nothing contained herein
18 shall be deemed to limit or restrict the
19 power or authority of state departments or
20 agencies to conduct their activities or
21 operations in accordance with existing
22 law, and further provided that nothing
23 contained herein shall be deemed to super-
24 sede, nullify or modify the provisions of
25 section 40 of the state finance law
26 prescribing when appropriations made for

1 the 2024-2025 state fiscal year shall have
 2 ceased to have force and effect 10,000,000
 3

4 § 4. The amounts specified in this section, or so much thereof as
 5 shall be sufficient to accomplish the purposes designated, is hereby
 6 appropriated and authorized to be paid as hereinafter provided, to the
 7 public officers and for the purposes specified, which amount shall be
 8 available for the state fiscal year beginning April 1, 2025.

9 MISCELLANEOUS -- ALL STATE DEPARTMENTS AND AGENCIES

10 GENERAL STATE CHARGES

11 STATE OPERATIONS

12 GENERAL STATE CHARGES 20,650,000
 13

14 General Fund

15 State Purposes Account - 10050

16 For employee fringe benefits according to
 17 the following project schedule including
 18 those benefits which are related to
 19 employees paid from funds, accounts, or
 20 programs where the division of the budget
 21 has issued waivers 20,650,000

1 Project Schedule

2 PROJECT AMOUNT

3

4 For the state's contribution

5 to the social security

6 contribution fund 20,300,000

7 For the payment of the metro-

8 politan commuter transporta-

9 tion mobility tax pursuant

10 to article 23 of the tax

11 law, as added by chapter 25

12 of the laws of 2009, on

13 behalf of the state employ-

14 ees employed in the metro-

15 politan commuter transporta-

16 tion district 350,000

17

18 Project schedule total 20,650,000

19

20 § 5. The amounts specified in this section, or so much thereof as
21 shall be sufficient to accomplish the purposes designated, is hereby
22 appropriated and authorized to be paid as hereinafter provided, to the
23 public officers and for the purposes specified, which amount shall be
24 available for the state fiscal year beginning April 1, 2025.

1 DEPARTMENT OF HEALTH

2 AID TO LOCALITIES

3 CENTER FOR COMMUNITY HEALTH PROGRAM 3,210,000

4

5 Special Revenue Funds - Federal

6 Federal USDA-Food and Nutrition Services Fund

7 Federal Food and Nutrition Services Account - 25022

8 For various federal food and nutritional
9 services. The moneys hereby appropriated
10 shall be available for payment of finan-
11 cial assistance heretofore accrued (26986) ... 3,210,000

12

13 MEDICAL ASSISTANCE PROGRAM 1,111,204,000

14

15 General Fund

16 Local Assistance Account - 10000

17 For the medical assistance program, includ-
18 ing administrative expenses, for local
19 social services districts, and for medical
20 care rates for authorized child care agen-
21 cies.

1 Notwithstanding section 40 of the state
2 finance law or any provision of law to the
3 contrary, subject to federal approval,
4 department of health state funds medicaid
5 spending, excluding payments for medical
6 services provided at state facilities
7 operated by the office of mental health,
8 the office for people with developmental
9 disabilities and the office of addiction
10 services and supports and further exclud-
11 ing any payments which are not appropri-
12 ated within the department of health, in
13 the aggregate, for the period April 1,
14 2025 through March 31, 2026, shall not
15 exceed \$33,417,285,000 except as provided
16 below provided, however, such aggregate
17 limits may be adjusted by the director of
18 the budget to account for any changes in
19 the New York state federal medical assist-
20 ance percentage amount established pursu-
21 ant to the federal social security act,
22 increases in provider revenues, reductions
23 in local social services district payments
24 for medical assistance administration,
25 minimum wage increases, and beginning
26 April 1, 2012 the operational costs of the
27 New York state medical indemnity fund,
28 pursuant to chapter 59 of the laws of

1 2011, and state costs or savings from the
2 essential plan program. Such projections
3 may be adjusted by the director of the
4 budget to account for increased or expe-
5 dited department of health state funds
6 medicaid expenditures as a result of a
7 natural or other type of disaster, includ-
8 ing a governmental declaration of emergen-
9 cy.

10 The director of the budget, in consultation
11 with the commissioner of health, shall
12 assess on a quarterly basis known and
13 projected medicaid expenditures by catego-
14 ry of service and by geographic region, as
15 defined by the commissioner, incurred both
16 prior to and subsequent to such assessment
17 for each such period, and if the director
18 of the budget determines that such expend-
19 itures are expected to cause medicaid
20 spending for such period to exceed the
21 aggregate limit specified herein for such
22 period, the state medicaid director, in
23 consultation with the director of the
24 budget and the commissioner of health,
25 shall develop a medicaid savings allo-
26 cation adjustment to limit such spending
27 to the aggregate limit specified herein
28 for such period.

1 Such medicaid savings allocation adjustment
2 shall be designed, to reduce the expendi-
3 tures authorized by the appropriations
4 herein in compliance with the following
5 guidelines: (1) reductions shall be made
6 in compliance with applicable federal law,
7 including the provisions of the Patient
8 Protection and Affordable Care Act, Public
9 Law No. 111-148, and the Health Care and
10 Education Reconciliation Act of 2010,
11 Public Law No. 111-152 (collectively
12 "Affordable Care Act") and any subsequent
13 amendments thereto or regulations promul-
14 gated thereunder; (2) reductions shall be
15 made in a manner that complies with the
16 state medicaid plan approved by the feder-
17 al centers for medicare and medicaid
18 services, provided, however, that the
19 commissioner of health is authorized to
20 submit any state plan amendment or seek
21 other federal approval, including waiver
22 authority, to implement the provisions of
23 the medicaid savings allocation adjustment
24 that meets the other criteria set forth
25 herein; (3) reductions shall be made in a
26 manner that maximizes federal financial
27 participation, to the extent practicable,
28 including any federal financial partic-

1 ipation that is available or is reasonably
2 expected to become available, in the
3 discretion of the commissioner, under the
4 Affordable Care Act; (4) reductions shall
5 be made uniformly among categories of
6 services and geographic regions of the
7 state, to the extent practicable, and
8 shall be made uniformly within a category
9 of service, to the extent practicable,
10 except where the commissioner determines
11 that there are sufficient grounds for
12 non-uniformity, including but not limited
13 to: the extent to which specific catego-
14 ries of services contributed to department
15 of health medicaid state funds spending in
16 excess of the limits specified herein; the
17 need to maintain safety net services in
18 underserved communities; or the potential
19 benefits of pursuing innovative payment
20 models contemplated by the Affordable Care
21 Act, in which case such grounds shall be
22 set forth in the medicaid savings allo-
23 cation adjustment; and (5) reductions
24 shall be made in a manner that does not
25 unnecessarily create administrative
26 burdens to medicaid applicants and recipi-
27 ents or providers.

1 The commissioner shall seek the input of the
2 legislature, as well as organizations
3 representing health care providers,
4 consumers, businesses, workers, health
5 insurers, and others with relevant exper-
6 tise, in developing such medicaid savings
7 allocation adjustment, to the extent that
8 all or part of such adjustment, in the
9 discretion of the commissioner, is likely
10 to have a material impact on the overall
11 medicaid program, particular categories of
12 service or particular geographic regions
13 of the state.

14 (a) The commissioner shall post the medicaid
15 savings allocation adjustment on the
16 department of health's website and shall
17 provide written copies of such adjustment
18 to the chairs of the senate finance and
19 the assembly ways and means committees at
20 least 30 days before the date on which
21 implementation is expected to begin.

22 (b) The commissioner may revise the medicaid
23 savings allocation adjustment subsequent
24 to the provisions of notice and prior to
25 implementation but needs to provide a new
26 notice pursuant to subparagraph (i) of
27 this paragraph only if the commissioner
28 determines, in his or her discretion, that

1 such revisions materially alter the
2 adjustment.

3 Notwithstanding the provisions of paragraphs
4 (a) and (b) of this subdivision, the
5 commissioner need not seek the input
6 described in paragraph (a) of this subdivi-
7 sion or provide notice pursuant to para-
8 graph (b) of this subdivision if, in the
9 discretion of the commissioner, expedited
10 development and implementation of a medi-
11 caid savings allocation adjustment is
12 necessary due to a public health emergen-
13 cy.

14 For purposes of this section, a public
15 health emergency is defined as: (i) a
16 disaster, natural or otherwise, that
17 significantly increases the immediate need
18 for health care personnel in an area of
19 the state; (ii) an event or condition that
20 creates a widespread risk of exposure to a
21 serious communicable disease, or the
22 potential for such widespread risk of
23 exposure; or (iii) any other event or
24 condition determined by the commissioner
25 to constitute an imminent threat to public
26 health.

27 Nothing in this paragraph shall be deemed to
28 prevent all or part of such medicaid

1 savings allocation adjustment from taking
2 effect retroactively to the extent permit-
3 ted by the federal centers for medicare
4 and medicaid services.

5 In accordance with the medicaid savings
6 allocation adjustment, the commissioner of
7 the department of health shall reduce
8 department of health state funds medicaid
9 spending by the amount of the projected
10 overspending through, actions including,
11 but not limited to modifying or suspending
12 reimbursement methods, including but not
13 limited to all fees, premium levels and
14 rates of payment, notwithstanding any
15 provision of law that sets a specific
16 amount or methodology for any such
17 payments or rates of payment; modifying or
18 discontinuing medicaid program benefits;
19 seeking all necessary federal approvals,
20 including, but not limited to waivers,
21 waiver amendments; and suspending time
22 frames for notice, approval or certif-
23 ication of rate requirements, notwith-
24 standing any provision of law, rule or
25 regulation to the contrary, including but
26 not limited to sections 2807 and 3614 of
27 the public health law, section 18 of chap-

1 ter 2 of the laws of 1988, and 18 NYCRR
2 505.14(h).

3 The department of health shall prepare a
4 quarterly report that sets forth: (a)
5 known and projected department of health
6 medicaid expenditures as described in
7 subdivision (1) of this section, and
8 factors that could result in medicaid
9 disbursements for the relevant state
10 fiscal year to exceed the projected
11 department of health state funds disburse-
12 ments in the enacted budget financial plan
13 pursuant to subdivision 3 of section 23 of
14 the state finance law, including spending
15 increases or decreases due to: enrollment
16 fluctuations, rate changes, utilization
17 changes, MRT investments, and shift of
18 beneficiaries to managed care; and vari-
19 ations in offline medicaid payments; and
20 (b) the actions taken to implement any
21 medicaid savings allocation adjustment
22 implemented pursuant to subdivision (4) of
23 this section, including information
24 concerning the impact of such actions on
25 each category of service and each
26 geographic region of the state. Each such
27 quarterly report shall be provided to the
28 chairs of the senate finance and the

1 assembly ways and means committees and
2 shall be posted on the department of
3 health's website in a timely manner.

4 The money hereby appropriated is to be
5 available for payment of aid heretofore
6 accrued or hereafter accrued to munici-
7 palities, and to providers of medical
8 services pursuant to section 367-b of the
9 social services law, and for payment of
10 state aid to municipalities and to provid-
11 ers of family care where payment systems
12 through the fiscal intermediaries are not
13 operational.

14 Notwithstanding any inconsistent provision
15 of law to the contrary, funds may be used
16 by the department for outside legal
17 assistance on issues involving the federal
18 government, the conduct of preadmission
19 screening and annual resident reviews
20 required by the state's medicaid program,
21 computer matching with insurance carriers
22 to insure that medicaid is the payer of
23 last resort and activities related to the
24 management of the pharmacy benefit avail-
25 able under the medicaid program.

26 Notwithstanding any inconsistent provision
27 of law, in lieu of payments authorized by
28 the social services law, or payments of

1 federal funds otherwise due to the local
2 social services districts for programs
3 provided under the federal social security
4 act or the federal food stamp act, funds
5 herein appropriated, in amounts certified
6 by the state commissioner of temporary and
7 disability assistance or the state commis-
8 sioner of health as due from local social
9 services districts each month as their
10 share of payments made pursuant to section
11 367-b of the social services law may be
12 set aside by the state comptroller in an
13 interest-bearing account in order to
14 ensure the orderly and prompt payment of
15 providers under section 367-b of the
16 social services law pursuant to an esti-
17 mate provided by the commissioner of
18 health of each local social services
19 district's share of payments made pursuant
20 to section 367-b of the social services
21 law.

22 Notwithstanding any inconsistent provision
23 of law, funding made available by these
24 appropriations shall support direct salary
25 costs and related fringe benefits within
26 the medical assistance program associated
27 with any minimum wage increase that takes
28 effect during the timeframe of these

1 appropriations, pursuant to section 652 of
2 the labor law. Each eligible organization
3 in receipt of funding made available by
4 these appropriations may be required to
5 submit written certification, in such form
6 and at such time the commissioner may
7 prescribe, attesting to the total amount
8 of funds used by the eligible organiza-
9 tion, how such funding will be or was used
10 for purposes eligible under these appro-
11 priations and any other reporting deemed
12 necessary by the commissioner. The amounts
13 appropriated herein may include advances
14 to organizations authorized to receive
15 such funds to accomplish this purpose.

16 Notwithstanding any other provision of law,
17 the money hereby appropriated may be
18 increased or decreased by interchange or
19 transfer, with any appropriation of the
20 department of health and the office of
21 medicaid inspector general and may be
22 increased or decreased by transfer or
23 suballocation between these appropriated
24 amounts and appropriations of the depart-
25 ment of health state purpose account, the
26 office of mental health, office for people
27 with developmental disabilities, the
28 office of addiction services and supports,

1 the department of family assistance office
2 of temporary and disability assistance,
3 the department of corrections and communi-
4 ty supervision, the office of information
5 technology services, the state university
6 of New York, and office of children and
7 family services, the office of medicaid
8 inspector general, the state education
9 department, and the state office for the
10 aging with the approval of the director of
11 the budget, who shall file such approval
12 with the department of audit and control
13 and copies thereof with the chairman of
14 the senate finance committee and the
15 chairman of the assembly ways and means
16 committee.

17 Notwithstanding any inconsistent provision
18 of law to the contrary, the moneys hereby
19 appropriated may be used for payments to
20 the centers for medicaid and medicare
21 services for obligations incurred related
22 to the pharmaceutical costs of dually
23 eligible medicare/medicaid beneficiaries
24 participating in the medicare drug benefit
25 authorized by P.L. 108-173.

26 Notwithstanding any inconsistent provision
27 of law, the moneys hereby appropriated
28 shall not be used for any existing rates,

1 fees, fee schedule, or procedures which
2 may affect the cost of care and services
3 provided by personal care providers, case
4 managers, health maintenance organiza-
5 tions, out of state medical facilities
6 which provide care and services to resi-
7 dents of the state, providers of transpor-
8 tation services, that are altered,
9 amended, adjusted or otherwise changed by
10 a local social services district unless
11 previously approved by the department of
12 health and the director of the budget.

13 Notwithstanding any inconsistent provision
14 of law to the contrary, funds shall be
15 made available to the commissioner of the
16 office of mental health or the commission-
17 er of the office of addiction services and
18 supports, in consultation with the commis-
19 sioner of health and approved by the
20 director of the budget, and consistent
21 with appropriations made therefor, to
22 implement allocation adjustment developed
23 by each such commissioner which shall
24 describe mental health or substance use
25 disorder services that should be developed
26 to meet service needs resulting from the
27 reduction of inpatient behavioral health
28 services provided under the medicaid

1 program, by programs licensed pursuant to
2 article 31 or 32 of the mental hygiene
3 law. Such programs may include programs
4 that are licensed pursuant to both article
5 31 of the mental hygiene law and article
6 28 of the public health law, or certified
7 under both article 32 of the mental
8 hygiene law and article 28 of the public
9 health law.

10 Notwithstanding any inconsistent provision
11 of law, the moneys hereby appropriated may
12 be available for payments associated with
13 the resolution by settlement agreement or
14 judgment of rate appeals and/or litigation
15 where the department of health is a party.

16 For services and expenses of the medical
17 assistance program including hospital
18 inpatient services and general hospitals
19 that are safety-net providers that evince
20 severe financial distress, pursuant to
21 criteria determined by the commissioner,
22 shall be eligible for awards for amounts
23 appropriated herein, to enable such
24 providers to maintain operations and vital
25 services while establishing long term
26 solutions to achieve sustainable health
27 services.

1 Notwithstanding any inconsistent provisions
 2 of law, no expenditures shall be used for
 3 the medical assistance program for any
 4 expenses not explicitly authorized in law
 5 without the approval of the director of
 6 the budget.

7 Notwithstanding any provision of law to the
 8 contrary, the portion of this appropri-
 9 ation covering fiscal year 2025-26 shall
 10 supersede and replace any duplicative (i)
 11 reappropriation for this item covering
 12 fiscal year 2025-26, and (ii) appropri-
 13 ation for this item covering fiscal year
 14 2025-26 set forth in chapter 53 of the
 15 laws of 2024 (26947) 20,200,000

16 For services and expenses of the medical
 17 assistance program including hospital
 18 outpatient and emergency room services.

19 Notwithstanding any provision of law to the
 20 contrary, the portion of this appropri-
 21 ation covering fiscal year 2025-26 shall
 22 supersede and replace any duplicative (i)
 23 reappropriation for this item covering
 24 fiscal year 2025-26, and (ii) appropri-
 25 ation for this item covering fiscal year
 26 2025-26 set forth in chapter 53 of the
 27 laws of 2024 (26948) 5,216,000

1 For services and expenses of the medical
2 assistance program including clinic
3 services.

4 Notwithstanding any provision of law to the
5 contrary, the portion of this appropri-
6 ation covering fiscal year 2025-26 shall
7 supersede and replace any duplicative (i)
8 reappropriation for this item covering
9 fiscal year 2025-26, and (ii) appropri-
10 ation for this item covering fiscal year
11 2025-26 set forth in chapter 53 of the
12 laws of 2024 (26949) 9,513,000

13 For services and expenses of the medical
14 assistance program including nursing home
15 services.

16 Notwithstanding any provision of law to the
17 contrary, the portion of this appropri-
18 ation covering fiscal year 2025-26 shall
19 supersede and replace any duplicative (i)
20 reappropriation for this item covering
21 fiscal year 2025-26, and (ii) appropri-
22 ation for this item covering fiscal year
23 2025-26 set forth in chapter 53 of the
24 laws of 2024 (26950) 25,468,000

25 For services and expenses of the medical
26 assistance program including other long
27 term care services.

1 Notwithstanding any provision of law to the
 2 contrary, the portion of this appropri-
 3 ation covering fiscal year 2025-26 shall
 4 supersede and replace any duplicative (i)
 5 reappropriation for this item covering
 6 fiscal year 2025-26, and (ii) appropri-
 7 ation for this item covering fiscal year
 8 2025-26 set forth in chapter 53 of the
 9 laws of 2024 (26951) 70,389,000

10 For services and expenses of the medical
 11 assistance program including managed care
 12 services including regional planning
 13 activities of the finger lakes health
 14 systems agency, including statewide coor-
 15 dination and demonstration of best prac-
 16 tices. The department shall make grants
 17 within amounts appropriated therefor, to
 18 assure high-quality and accessible primary
 19 care, to provide technical assistance to
 20 support financial and business planning
 21 for integrated systems of care, and to
 22 assist primary care providers in the
 23 adoption, implementation, and meaningful
 24 use of electronic health record technolo-
 25 gy.

26 Notwithstanding any provision of law to the
 27 contrary, the portion of this appropri-
 28 ation covering fiscal year 2025-26 shall

1 supersede and replace any duplicative (i)
 2 reappropriation for this item covering
 3 fiscal year 2025-26, and (ii) appropri-
 4 ation for this item covering fiscal year
 5 2025-26 set forth in chapter 53 of the
 6 laws of 2024 (26952) 43,431,000

7 For services and expenses for health homes
 8 including grants to health homes.

9 Notwithstanding any provision of law to the
 10 contrary, the portion of this appropri-
 11 ation covering fiscal year 2025-26 shall
 12 supersede and replace any duplicative (i)
 13 reappropriation for this item covering
 14 fiscal year 2025-26, and (ii) appropri-
 15 ation for this item covering fiscal year
 16 2025-26 set forth in chapter 53 of the
 17 laws of 2024 (29548) 3,016,000

18 For services and expenses of the medical
 19 assistance program including pharmacy
 20 services provided, however, that no funds
 21 shall be made available pursuant to this
 22 appropriation for any drug not explicitly
 23 authorized in any enacted law, rule, or
 24 regulation without approval from the
 25 director of the budget.

26 Notwithstanding any provision of law to the
 27 contrary, the portion of this appropri-
 28 ation covering fiscal year 2025-26 shall

1 supersede and replace any duplicative (i)
 2 reappropriation for this item covering
 3 fiscal year 2025-26, and (ii) appropri-
 4 ation for this item covering fiscal year
 5 2025-26 set forth in chapter 53 of the
 6 laws of 2024 (26953) 48,476,000

7 For services and expenses of the medical
 8 assistance program including transporta-
 9 tion services.

10 Notwithstanding any provision of law to the
 11 contrary, the portion of this appropri-
 12 ation covering fiscal year 2025-26 shall
 13 supersede and replace any duplicative (i)
 14 reappropriation for this item covering
 15 fiscal year 2025-26, and (ii) appropri-
 16 ation for this item covering fiscal year
 17 2025-26 set forth in chapter 53 of the
 18 laws of 2024 (26954) 7,172,000

19 For services and expenses of the medical
 20 assistance program including dental
 21 services.

22 Notwithstanding any provision of law to the
 23 contrary, the portion of this appropri-
 24 ation covering fiscal year 2025-26 shall
 25 supersede and replace any duplicative (i)
 26 reappropriation for this item covering
 27 fiscal year 2025-26, and (ii) appropri-
 28 ation for this item covering fiscal year

1 2025-26 set forth in chapter 53 of the
 2 laws of 2024 (26955) 82,000

3 For services and expenses of the medical
 4 assistance program including non-institu-
 5 tional and other spending.

6 The money hereby appropriated is available
 7 for payment of liabilities heretofore
 8 accrued or hereafter accrued.

9 Notwithstanding any inconsistent provision
 10 of law, the money hereby appropriated may
 11 be available for payments to any county or
 12 public school districts associated with
 13 additional claims for school supportive
 14 health services.

15 Notwithstanding any provision of law to the
 16 contrary, the portion of this appropri-
 17 ation covering fiscal year 2025-26 shall
 18 supersede and replace any duplicative (i)
 19 reappropriation for this item covering
 20 fiscal year 2025-26, and (ii) appropri-
 21 ation for this item covering fiscal year
 22 2025-26 set forth in chapter 53 of the
 23 laws of 2024 (26956) 19,802,000

24 For services and expenses of the medical
 25 assistance program including medical
 26 services provided at state facilities
 27 operated by the office of mental health,
 28 the office for people with developmental

1 disabilities and the office of addiction
2 services and supports.

3 Notwithstanding any provision of law to the
4 contrary, the portion of this appropri-
5 ation covering fiscal year 2025-26 shall
6 supersede and replace any duplicative (i)
7 reappropriation for this item covering
8 fiscal year 2025-26, and (ii) appropri-
9 ation for this item covering fiscal year
10 2025-26 set forth in chapter 53 of the
11 laws of 2024 (26961) 83,400,000
12 -----

13 Special Revenue Funds - Federal
14 Federal Health and Human Services Fund
15 Medicaid Direct Account - 25106

16 For services and expenses for the medical
17 assistance program, including administra-
18 tive expenses for local social services
19 districts, pursuant to title XIX of the
20 federal social security act or its succes-
21 sor program.

22 The moneys hereby appropriated are to be
23 available for payment of aid heretofore
24 accrued or hereafter accrued to munici-
25 palities, and to providers of medical
26 services pursuant to section 367-b of the

1 social services law, and for payment of
2 state aid to municipalities and to provid-
3 ers of family care where payment systems
4 through the fiscal intermediaries are not
5 operational.

6 Notwithstanding any inconsistent provision
7 of law, funding made available by these
8 appropriations shall support direct salary
9 costs and related fringe benefits within
10 the medical assistance program associated
11 with any minimum wage increase that takes
12 effect during the timeframe of these
13 appropriations, pursuant to section 652 of
14 the labor law. Each eligible organization
15 in receipt of funding made available by
16 these appropriations may be required to
17 submit written certification, in such form
18 and at such time the commissioner may
19 prescribe, attesting to the total amount
20 of funds used by the eligible organiza-
21 tion, how such funding will be or was used
22 for purposes eligible under these appro-
23 priations and any other reporting deemed
24 necessary by the commissioner. The amounts
25 appropriated herein may include advances
26 to organizations authorized to receive
27 such funds to accomplish this purpose.

1 Notwithstanding any other provision of law,
2 the money hereby appropriated may be
3 increased or decreased by interchange or
4 transfer, with any appropriation of the
5 department of health and the office of
6 medicaid inspector general and may be
7 increased or decreased by transfer or
8 suballocation between these appropriated
9 amounts and appropriations of the office
10 of mental health, office for people with
11 developmental disabilities, the office of
12 addiction services and supports, the
13 department of family assistance office of
14 temporary and disability assistance,
15 office of children and family services,
16 the department of financial services,
17 department of corrections and community
18 supervision, the office of information
19 technology services, the state university
20 of New York, the state education depart-
21 ment, and the state office for the aging
22 with the approval of the director of the
23 budget, who shall file such approval with
24 the department of audit and control and
25 copies thereof with the chairman of the
26 senate finance committee and the chairman
27 of the assembly ways and means committee.

1 Notwithstanding any inconsistent provision
2 of law, in lieu of payments authorized by
3 the social services law, or payments of
4 federal funds otherwise due to the local
5 social services districts for programs
6 provided under the federal social security
7 act or the federal food stamp act, funds
8 herein appropriated, in amounts certified
9 by the state commissioner of temporary and
10 disability assistance or the state commis-
11 sioner of health as due from local social
12 services districts each month as their
13 share of payments made pursuant to section
14 367-b of the social services law may be
15 set aside by the state comptroller in an
16 interest-bearing account in order to
17 ensure the orderly and prompt payment of
18 providers under section 367-b of the
19 social services law pursuant to an esti-
20 mate provided by the commissioner of
21 health of each local social services
22 district's share of payments made pursuant
23 to section 367-b of the social services
24 law.

25 Notwithstanding any inconsistent provision
26 of law to the contrary, funds shall be
27 made available to the commissioner of the
28 office of mental health or the commission-

1 er of the office of addiction services and
2 supports, in consultation with the commis-
3 sioner of health and approved by the
4 director of the budget, and consistent
5 with appropriations made therefor, to
6 implement allocation adjustment developed
7 by each such commissioner which shall
8 describe mental health or substance use
9 disorder services that should be developed
10 to meet service needs resulting from the
11 reduction of inpatient behavioral health
12 services provided under the medicaid
13 program, by programs licensed pursuant to
14 article 31 or 32 of the mental hygiene
15 law. Such programs may include programs
16 that are licensed pursuant to both article
17 31 of the mental hygiene law and article
18 28 of the public health law, or certified
19 under both article 32 of the mental
20 hygiene law and article 28 of the public
21 health law.

22 Notwithstanding any inconsistent provision
23 of law, the moneys hereby appropriated may
24 be available for payments associated with
25 the resolution by settlement agreement or
26 judgment of rate appeals and/or litigation
27 where the department of health is a party.
28 Notwithstanding any inconsistent

1 provisions of law, no expenditures shall
2 be used for the medical assistance program
3 for any expenses not explicitly authorized
4 in law without the approval of the direc-
5 tor of the budget.

6 For services and expenses of the medical
7 assistance program including hospital
8 inpatient services.

9 Notwithstanding any provision of law to the
10 contrary, the portion of this appropri-
11 ation covering fiscal year 2025-26 shall
12 supersede and replace any duplicative (i)
13 reappropriation for this item covering
14 fiscal year 2025-26, and (ii) appropri-
15 ation for this item covering fiscal year
16 2025-26 set forth in chapter 53 of the
17 laws of 2024 (26947) 57,814,000

18 For services and expenses of the medical
19 assistance program including hospital
20 outpatient and emergency room services.

21 Notwithstanding any provision of law to the
22 contrary, the portion of this appropri-
23 ation covering fiscal year 2025-26 shall
24 supersede and replace any duplicative (i)
25 reappropriation for this item covering
26 fiscal year 2025-26, and (ii) appropri-
27 ation for this item covering fiscal year

1 2025-26 set forth in chapter 53 of the
 2 laws of 2024 (26948) 10,372,000

3 For services and expenses of the medical
 4 assistance program including clinic
 5 services.

6 Notwithstanding any provision of law to the
 7 contrary, the portion of this appropri-
 8 ation covering fiscal year 2025-26 shall
 9 supersede and replace any duplicative (i)
 10 reappropriation for this item covering
 11 fiscal year 2025-26, and (ii) appropri-
 12 ation for this item covering fiscal year
 13 2025-26 set forth in chapter 53 of the
 14 laws of 2024 (26949) 16,967,000

15 For services and expenses of the medical
 16 assistance program including nursing home
 17 services.

18 Notwithstanding any provision of law to the
 19 contrary, the portion of this appropri-
 20 ation covering fiscal year 2025-26 shall
 21 supersede and replace any duplicative (i)
 22 reappropriation for this item covering
 23 fiscal year 2025-26, and (ii) appropri-
 24 ation for this item covering fiscal year
 25 2025-26 set forth in chapter 53 of the
 26 laws of 2024 (26950) 79,359,000

1 For services and expenses of the medical
2 assistance program including other long
3 term care services.

4 Notwithstanding any provision of law to the
5 contrary, the portion of this appropri-
6 ation covering fiscal year 2025-26 shall
7 supersede and replace any duplicative (i)
8 reappropriation for this item covering
9 fiscal year 2025-26, and (ii) appropri-
10 ation for this item covering fiscal year
11 2025-26 set forth in chapter 53 of the
12 laws of 2024 (26951) 132,394,000

13 For services and expenses of the medical
14 assistance program including managed care
15 services including regional planning
16 activities of the finger lakes health
17 systems agency, including statewide coor-
18 dination and demonstration of best prac-
19 tices. The department shall make grants
20 within amounts appropriated therefor, to
21 assure high-quality and accessible primary
22 care, to provide technical assistance to
23 support financial and business planning
24 for integrated systems of care, and to
25 assist primary care providers in the
26 adoption, implementation, and meaningful
27 use of electronic health record technolo-
28 gy.

1 Notwithstanding any provision of law to the
 2 contrary, the portion of this appropri-
 3 ation covering fiscal year 2025-26 shall
 4 supersede and replace any duplicative (i)
 5 reappropriation for this item covering
 6 fiscal year 2025-26, and (ii) appropri-
 7 ation for this item covering fiscal year
 8 2025-26 set forth in chapter 53 of the
 9 laws of 2024 (26952) 150,829,000

10 For services and expenses of the medical
 11 assistance program including pharmacy
 12 services, provided, however, that no funds
 13 shall be made available pursuant to this
 14 appropriation for any drug not explicitly
 15 authorized in any heretofore enacted law,
 16 rule, or regulation without approval from
 17 the director of the budget.

18 Notwithstanding any provision of law to the
 19 contrary, the portion of this appropri-
 20 ation covering fiscal year 2025-26 shall
 21 supersede and replace any duplicative (i)
 22 reappropriation for this item covering
 23 fiscal year 2025-26, and (ii) appropri-
 24 ation for this item covering fiscal year
 25 2025-26 set forth in chapter 53 of the
 26 laws of 2024 (26953) 92,616,000

1 For services and expenses of the medical
 2 assistance program including transporta-
 3 tion services.

4 Notwithstanding any provision of law to the
 5 contrary, the portion of this appropri-
 6 ation covering fiscal year 2025-26 shall
 7 supersede and replace any duplicative (i)
 8 reappropriation for this item covering
 9 fiscal year 2025-26, and (ii) appropri-
 10 ation for this item covering fiscal year
 11 2025-26 set forth in chapter 53 of the
 12 laws of 2024 (26954) 12,235,000

13 For services and expenses of the medical
 14 assistance program including dental
 15 services.

16 Notwithstanding any provision of law to the
 17 contrary, the portion of this appropri-
 18 ation covering fiscal year 2025-26 shall
 19 supersede and replace any duplicative (i)
 20 reappropriation for this item covering
 21 fiscal year 2025-26, and (ii) appropri-
 22 ation for this item covering fiscal year
 23 2025-26 set forth in chapter 53 of the
 24 laws of 2024 (26955) 1,422,000

25 For services and expenses of the medical
 26 assistance program including noninstitu-
 27 tional and other spending.

1 The money hereby appropriated is available
 2 for payment of liabilities heretofore
 3 accrued or hereafter accrued.

4 Notwithstanding any provision of law to the
 5 contrary, the portion of this appropri-
 6 ation covering fiscal year 2025-26 shall
 7 supersede and replace any duplicative (i)
 8 reappropriation for this item covering
 9 fiscal year 2025-26, and (ii) appropri-
 10 ation for this item covering fiscal year
 11 2025-26 set forth in chapter 53 of the
 12 laws of 2024 (26956) 137,631,000

13 For services and expenses of the medical
 14 assistance program including medical
 15 services provided at state facilities
 16 operated by the office of mental health,
 17 the office for people with developmental
 18 disabilities and the office of addiction
 19 services and supports.

20 Notwithstanding any provision of law to the
 21 contrary, the portion of this appropri-
 22 ation covering fiscal year 2025-26 shall
 23 supersede and replace any duplicative (i)
 24 reappropriation for this item covering
 25 fiscal year 2025-26, and (ii) appropri-
 26 ation for this item covering fiscal year
 27 2025-26 set forth in chapter 53 of the
 28 laws of 2024 (26961) 83,400,000

1
2

3 § 6. The amounts specified in this section, or so much thereof as
4 shall be sufficient to accomplish the purposes designated, is hereby
5 appropriated and authorized to be paid as hereinafter provided, to the
6 public officers and for the purposes specified, which amount shall be
7 available for the state fiscal year beginning April 1, 2025.

8 DEPARTMENT OF LABOR

9 AID TO LOCALITIES

10 UNEMPLOYMENT INSURANCE BENEFIT PROGRAM 165,000,000

11
12

13 Enterprise Funds

14 Unemployment Insurance Benefit Fund

15 Unemployment Insurance Benefit Account - 50650

16 For payment of unemployment insurance bene-
17 fits pursuant to article 18 of the labor
18 law or as authorized by the federal
19 government through the disaster unemploy-
20 ment assistance program, the emergency
21 unemployment compensation program, the
extended benefit program, the federal
additional compensation program or any

1 other federally funded unemployment bene-
 2 fit program (34787) 165,000,000
 3

4 § 7. The amounts specified in this section, or so much thereof as
 5 shall be sufficient to accomplish the purposes designated, is hereby
 6 appropriated and authorized to be paid as hereinafter provided, to the
 7 public officers and for the purposes specified, which amount shall be
 8 available for the state fiscal year beginning April 1, 2025.

9 OFFICE OF MENTAL HEALTH

10 AID TO LOCALITIES

11 ADULT SERVICES PROGRAM 94,917,000
 12

13 General Fund

14 Local Assistance Account - 10000

15 For services and expenses of various adult
 16 community mental health services, includ-
 17 ing transfer to the department of health
 18 to reimburse the department for the state
 19 and/or local share of medical assistance
 20 for various community mental health
 21 services.

1 For payment of state financial assistance,
2 net of disallowances, for community mental
3 health programs pursuant to article 41 and
4 other provisions of the mental hygiene
5 law. The moneys hereby appropriated for
6 allocation to local governments and volun-
7 tary agencies for services are available
8 to reimburse or advance funds to local
9 governments and voluntary agencies for
10 expenditures made or to be made during
11 local program years commencing January 1,
12 2025 or July 1, 2025 and for advances for
13 the period beginning January 1, 2026 for
14 local governments and voluntary agencies
15 with program years beginning January 1.
16 Notwithstanding any provision of law to
17 the contrary, the commissioner of the
18 office of mental health shall be author-
19 ized, subject to the approval of the
20 director of the budget, to continue
21 contracts and state aid letter payments to
22 support county contracts which were
23 executed on or before March 31, 2025 with
24 entities providing services to persons
25 with mental illness, without any addi-
26 tional requirements that such contracts be
27 subject to competitive bidding, a request

1 for proposals process or other administra-
2 tive procedures.

3 The state comptroller is hereby authorized
4 to receive funds from the office of mental
5 health that were returned from providers
6 in the current fiscal year in respect of a
7 settlement of local assistance funds from
8 prior fiscal years, and is authorized to
9 refund such moneys to the credit of the
10 local assistance account of the general
11 fund for the purpose of reimbursing the
12 2025-26 appropriation.

13 Notwithstanding any other provision of law
14 to the contrary, and consistent with
15 section 33.07 of the mental hygiene law,
16 the directors of facilities licensed but
17 not operated by the office of mental
18 health who act as federally appointed
19 representative payees and who assume
20 management responsibility over the funds
21 of a resident may continue to use such
22 funds for the cost of the resident's care
23 and treatment, consistent with federal law
24 and regulations.

25 Notwithstanding any other provision of law,
26 the commissioner of mental health shall,
27 until July 1, 2026, be solely authorized,
28 in his or her discretion, to designate

1 those general hospitals, local govern-
2 mental units and voluntary agencies which
3 may apply and be considered for the
4 approval and issuance of an operating
5 certificate pursuant to article 31 of the
6 mental hygiene law for the operation of a
7 comprehensive psychiatric emergency
8 program.

9 Notwithstanding any provision of section 21
10 of chapter 723 of the laws of 1989, as
11 amended, to the contrary, the provisions
12 of sections 1, 2 and 4-20 of such chapter
13 shall remain in full force and effect
14 until July 1, 2026, when upon such date
15 the amendments and additions made by such
16 sections of chapter 723 of the laws of
17 1989 shall expire and be deemed repealed,
18 and any provision of law amended by any
19 such sections shall revert to its text as
20 it existed prior to the effective date of
21 chapter 723 of the laws of 1989.

22 Notwithstanding any other provision of law
23 to the contrary, any of the amounts appro-
24 priated herein may be increased or
25 decreased by interchange or transfer with-
26 out limit, with any appropriation of the
27 office of mental health or by transfer or
28 suballocation to any department, agency or

1 public authority for expenditures incurred
2 in the operation of such programs with the
3 approval of the director of the budget:
4 For services and expenses of various commu-
5 nity mental health residential programs,
6 including but not limited to community
7 residences pursuant to sections 41.44 and
8 41.38 of the mental hygiene law. Notwith-
9 standing the provisions of section 31.03
10 of the mental hygiene law and any other
11 inconsistent provision of law, moneys
12 appropriated for family care shall be
13 available for, but not limited to, the
14 purchase of substitute caretakers up to a
15 maximum of 14 days and payments limited to
16 \$774 per year based upon financial need
17 for the personal needs of each client
18 residing in the family care home. Provided
19 further however, notwithstanding any
20 provision of law to the contrary, the
21 commissioner of the office of mental
22 health may appoint a temporary operator in
23 a manner consistent with part L of chapter
24 59 of the laws of 2016 to administer any
25 community mental health residential
26 program appropriated for herein for the
27 period for which this appropriation has
28 effect. Funds appropriated herein will be

1 made available to support the development
 2 of new transitional stepdown units to help
 3 individuals transitioning from various
 4 levels of care to community-based living
 5 (36911) 94,917,000

6 § 8. The amounts specified in this section, or so much thereof as
 7 shall be sufficient to accomplish the purposes designated, is hereby
 8 appropriated and authorized to be paid as hereinafter provided, to the
 9 public officers and for the purposes specified, which amount shall be
 10 available for the state fiscal year beginning April 1, 2025.

11 DEPARTMENT OF VETERANS' SERVICES

12 AID TO LOCALITIES

13 VETERANS' BENEFITS ADVISING PROGRAM 42,000
 14

15 Special Revenue Funds - Other
 16 Homeless Veterans Assistance Fund
 17 Homeless Veterans Assistance Account - 20204

18 For services and expenses related to home-
 19 less veterans' housing (54815) 42,000

20 § 9. No expenditure may be made from any appropriation in this act,
 21 until a certificate of approval has been issued by the director of the

1 budget and a copy of such certificate shall have been filed with the
2 state comptroller, the chairman of the senate finance committee and the
3 chairman of the assembly ways and means committee provided, however,
4 that any expenditures from any appropriation in this act made by the
5 legislature or judiciary shall not require such certificate.

6 § 10. All expenditures and disbursements made against the appropri-
7 ations in this act shall, upon final action by the legislature on appro-
8 priation bills submitted by the governor pursuant to article VII of the
9 state constitution for the support of government for the state fiscal
10 year beginning April 1, 2025, be transferred by the comptroller as
11 expenditures and disbursements to such appropriations for all state
12 departments and agencies, as applicable, in amounts equal to the amounts
13 charged against the appropriations in this act for each such department,
14 agency, and the legislature and the judiciary.

15 § 11. Severability clause. If any clause, sentence, paragraph, subdi-
16 vision, section or part of this act shall be adjudged by any court of
17 competent jurisdiction to be invalid, such judgment shall not affect,
18 impair, or invalidate the remainder thereof, but shall be confined in
19 its operation to the clause, sentence, paragraph, subdivision, section
20 or part thereof directly involved in the controversy in which such judg-
21 ment shall have been rendered. It is hereby declared to be the intent of
22 the legislature that this act would have been enacted even if such
23 invalid provisions had not been included herein.

24 § 12. This act shall take effect immediately and shall be deemed to
25 have been in full force and effect on and after April 1, 2025; provided,

1 however, that upon the transfer of expenditures and disbursements by the
2 comptroller as provided in section ten of this act, the appropriations
3 made by this act and subject to such section shall be deemed repealed.