

STATE OF NEW YORK

2798

2019-2020 Regular Sessions

IN ASSEMBLY

January 25, 2019

Introduced by M. of A. GOTTFRIED, LUPARDO, RAIA, D'URSO, WOERNER --
Multi-Sponsored by -- M. of A. RAMOS -- read once and referred to the
Committee on Health

AN ACT to amend the social services law, in relation to the provision of
services to certain persons suffering from traumatic brain injuries or
qualifying for nursing home diversion and transition services

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

1 Section 1. Paragraph (d-2) of subdivision 3 of section 364-j of the
2 social services law, as amended by section 10 of part B of chapter 57 of
3 the laws of 2018, is amended to read as follows:

4 (d-2) Services provided pursuant to waivers, granted pursuant to
5 subsection (c) of section 1915 of the federal social security act, to
6 persons suffering from traumatic brain injuries or qualifying for nurs-
7 ing home diversion and transition services, shall not be provided to
8 medical assistance recipients through managed care programs [~~until at~~
9 ~~least January first, two thousand twenty-two~~] established pursuant to
10 this section, and shall continue to be provided outside of managed care
11 programs and in accordance with such waiver programs as they existed on
12 January first, two thousand fifteen; provided, further that the commis-
13 sioner of health is hereby directed to take any action required, includ-
14 ing but not limited to filing waivers and waiver extensions as necessary
15 with the federal government, to continue the provision of such services.

16 § 2. This act shall take effect immediately, provided that the amend-
17 ments to section 364-j of the social services law, made by section one
18 of this act, shall not affect the expiration and repeal of such section,
19 and shall expire and be deemed repealed therewith.

EXPLANATION--Matter in italics (underscored) is new; matter in brackets
[~~-~~] is old law to be omitted.

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