

STATE OF NEW YORK

10007--B

IN ASSEMBLY

January 21, 2026

A BUDGET BILL, submitted by the Governor pursuant to article seven of the Constitution -- read once and referred to the Committee on Ways and Means -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- again reported from said committee with amendments, ordered reprinted as amended and recommitted to said committee

AN ACT to amend part H of chapter 59 of the laws of 2011 amending the public health law and other laws relating to general hospital reimbursement for annual rates, in relation to quarterly assessment of known and projected department of health state fund medicaid expenditures (Part A); to amend chapter 165 of the laws of 1991, amending the public health law and other laws relating to establishing payments for medical assistance, in relation to the effectiveness thereof; to amend chapter 710 of the laws of 1988, amending the social services law and the education law relating to medical assistance eligibility of certain persons and providing for managed medical care demonstration programs, in relation to the effectiveness thereof; to amend chapter 904 of the laws of 1984, amending the public health law and the social services law relating to encouraging comprehensive health services, in relation to the effectiveness thereof; to amend part X2 of chapter 62 of the laws of 2003, amending the public health law relating to allowing for the use of funds of the office of professional medical conduct for activities of the patient health information and quality improvement act of 2000, in relation to the effectiveness thereof; to amend part H of chapter 59 of the laws of 2011, amending the public health law relating to the statewide health information network of New York and the statewide planning and research cooperative system and general powers and duties, in relation to the effectiveness thereof; to amend part A of chapter 58 of the laws of 2008, amending the elder law and other laws relating to reimbursement to participating provider pharmacies and prescription drug coverage, in relation to the effectiveness thereof; to amend chapter 81 of the laws of 1995, amending the public health law and other laws relating to medical reimbursement and welfare reform, in relation to the effectiveness thereof; to amend the social services law, in relation to the effectiveness of certain provisions relating to negotiation of supplemental rebates relating to medication assisted treatment; to

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

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amend part B of chapter 57 of the laws of 2015, amending the social services law and other laws relating to supplemental rebates, in relation to the effectiveness thereof; to amend part KK of chapter 56 of the laws of 2020, amending the public health law relating to the designation of statewide general hospital quality and sole community pools and the reduction of capital related inpatient expenses, in relation to the effectiveness thereof; to amend chapter 779 of the laws of 1986, amending the social services law relating to authorizing services for non-residents in adult homes, residences for adults and enriched housing programs, in relation to the effectiveness thereof; to amend part R of chapter 59 of the laws of 2016, amending the public health law and the education law relating to electronic prescriptions, in relation to the effectiveness thereof; to amend the public health law, in relation to amending and extending the voluntary indigent care pool; to amend part H of chapter 57 of the laws of 2019, amending the public health law relating to waiver of certain regulations, in relation to the effectiveness thereof; to amend part C of chapter 57 of the laws of 2022, amending the public health law and the education law relating to allowing pharmacists to direct limited service laboratories and order and administer COVID-19 and influenza tests and modernizing nurse practitioners, in relation to the effectiveness thereof; to amend chapter 21 of the laws of 2011, amending the education law relating to authorizing pharmacists to perform collaborative drug therapy management with physicians in certain settings, in relation to the effectiveness thereof; to amend chapter 520 of the laws of 2024, amending the education law and the public health law relating to amending physician assistant practice standards, in relation to the effectiveness thereof; to amend part V of chapter 57 of the laws of 2022, amending the public health law and the insurance law relating to reimbursement for commercial and Medicaid services provided via telehealth, in relation to the effectiveness thereof; and to amend part II of chapter 54 of the laws of 2016 amending part C of chapter 58 of the laws of 2005 relating to authorizing reimbursements for expenditures made by or on behalf of social services districts for medical assistance for needy persons and administration thereof, in relation to the effectiveness thereof; and to amend part C of chapter 57 of the laws of 2018, amending the social services law and the public health law relating to health homes and the penalties for managed care providers, in relation to the effectiveness thereof (Part B); to amend the public health law, in relation to extending certain provisions relating to the distribution of pool allocations; to amend part A3 of chapter 62 of the laws of 2003 amending the public health law and other laws relating to enacting major components necessary to implement the state fiscal plan for the 2003-04 state fiscal year, in relation to extending the effectiveness of provisions thereof; to amend the New York Health Care Reform Act of 1996, in relation to extending certain provisions relating thereto; to amend the New York Health Care Reform Act of 2000, in relation to extending the effectiveness of provisions thereof; to amend the public health law and the state finance law, in relation to making technical corrections; to amend the public health law, in relation to extending certain provisions relating to health care initiative pool distributions; to amend the social services law, in relation to extending payment provisions for general hospitals; and to amend the public health law, in relation to extending certain provisions relating to the assessments on covered lives (Part C); to amend chapter 266 of the laws of

1986 amending the civil practice law and rules and other laws relating to malpractice and professional medical conduct, in relation to insurance coverage paid for by funds from the hospital excess liability pool and extending the effectiveness of certain provisions relating to insurance coverage; to amend part J of chapter 63 of the laws of 2001 amending chapter 266 of the laws of 1986 amending the civil practice law and rules and other laws relating to malpractice and professional medical conduct, in relation to extending certain provisions concerning the hospital excess liability pool; and to amend part H of chapter 57 of the laws of 2017 amending the New York Health Care Reform Act of 1996 and other laws relating to extending certain provisions relating thereto, in relation to extending provisions relating to excess coverage (Part D); intentionally omitted (Part E); to amend part JJ of chapter 57 of the laws of 2025 amending the public health law relating to reporting pregnancy losses and clarifying which agencies are responsible for such reports, in relation to the effectiveness thereof; to amend part P of chapter 57 of the laws of 2025 amending the public health law relating to requiring hospitals to provide stabilizing care to pregnant individuals, in relation to the effectiveness thereof; to amend the public health law, in relation to making technical corrections thereto; and to amend the insurance law, in relation to referencing the continuing care retirement community council (Part F); intentionally omitted (Part G); intentionally omitted (Part H); intentionally omitted (Part I); to amend the public health law, in relation to temporary health care services agencies (Part J); intentionally omitted (Part K); to amend the public health law, in relation to restoring prior enacted nursing home capital rate reductions (Part L); to amend the social services law, in relation to clarifying Medicaid requirements for biomarker testing (Part M); intentionally omitted (Part N); to amend part I of chapter 57 of the laws of 2022 providing a one percent across the board payment increase to all qualifying fee-for-service Medicaid rates, in relation to hospital and nursing home fee-for-service reimbursement rates (Part O); in relation to establishing a state fiscal year 2026-2027 targeted inflationary increase to be applied to certain portions of reimbursable costs or contract amounts for certain programs and services (Part P); intentionally omitted (Part Q); intentionally omitted (Part R); intentionally omitted (Part S); to amend part ZZ of chapter 56 of the laws of 2020 amending the tax law and the social services law relating to certain Medicaid management, in relation to the effectiveness thereof; and to amend the public health law, in relation to minimum amounts of certain state aid for the city of New York (Part T); to amend chapter 56 of the laws of 2013 amending the public health law and other laws relating to general hospital reimbursement for annual rates, in relation to extending government rates for behavioral services and referencing the office of addiction services and supports; to amend part H of chapter 111 of the laws of 2010 relating to increasing Medicaid payments to providers through managed care organizations and providing equivalent fees through an ambulatory patient group methodology, in relation to extending government rates for behavioral services referencing the office of addiction services and supports and in relation to the effectiveness thereof (Part U); to amend the social services law, in relation to coverage for services provided by school-based health centers for medical assistance recipients (Part V); to amend part Q of chapter 59 of the laws of 2016, amending the mental hygiene law relating to the closure or transfer of a state-operated

individualized residential alternative, in relation to the effectiveness thereof (Part W); to amend chapter 670 of the laws of 2021, requiring the office for people with developmental disabilities to establish the care demonstration program, in relation to the effectiveness thereof (Part X); to amend the public health law, in relation to the hospital capital rate add-on (Part Y); and to amend the state finance law, in relation to establishing the essential plan contingency fund; and providing for the repeal of such provisions upon expiration thereof (Part Z)

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

1 Section 1. This act enacts into law major components of legislation
2 necessary to implement the state health and mental hygiene budget for
3 the 2026-2027 state fiscal year. Each component is wholly contained
4 within a Part identified as Parts A through Z. The effective date for
5 each particular provision contained within such Part is set forth in the
6 last section of such Part. Any provision in any section contained within
7 a Part, including the effective date of the Part, which makes a refer-
8 ence to a section "of this act", when used in connection with that
9 particular component, shall be deemed to mean and refer to the corre-
10 sponding section of the Part in which it is found. Section three of this
11 act sets forth the general effective date of this act.

12 PART A

13 Section 1. Paragraph (a) of subdivision 1 of section 92 of part H of
14 chapter 59 of the laws of 2011, amending the public health law and other
15 laws relating to general hospital reimbursement for annual rates, as
16 amended by section 1 of part A of chapter 57 of the laws of 2025, is
17 amended to read as follows:

18 (a) For state fiscal years 2011-12 through ~~2026-27~~ **2027-28**, the
19 director of the budget, in consultation with the commissioner of health
20 referenced as "commissioner" for purposes of this section, shall assess
21 on a quarterly basis, as reflected in quarterly reports pursuant to
22 subdivision five of this section known and projected department of
23 health state funds medicaid expenditures by category of service and by
24 geographic regions, as defined by the commissioner.

25 § 2. This act shall take effect immediately and shall be deemed to
26 have been in full force and effect on and after April 1, 2026.

27 PART B

28 Section 1. Subdivision (c) of section 62 of chapter 165 of the laws of
29 1991, amending the public health law and other laws relating to estab-
30 lishing payments for medical assistance, as amended by section 9 of part
31 GG of chapter 56 of the laws of 2020, is amended to read as follows:

32 (c) section 364-j of the social services law, as amended by section
33 eight of this act and subdivision 6 of section 367-a of the social
34 services law as added by section twelve of this act shall expire and be
35 deemed repealed on March 31, ~~2026~~ **2029** and provided further, that the
36 amendments to the provisions of section 364-j of the social services law
37 made by section eight of this act shall only apply to managed care
38 programs approved on or after the effective date of this act;

§ 2. Section 11 of chapter 710 of the laws of 1988, amending the social services law and the education law relating to medical assistance eligibility of certain persons and providing for managed medical care demonstration programs, as amended by section 10 of part GG of chapter 56 of the laws of 2020, is amended to read as follows:

§ 11. This act shall take effect immediately; except that the provisions of sections one, two, three, four, eight and ten of this act shall take effect on the ninetieth day after it shall have become a law; and except that the provisions of sections five, six and seven of this act shall take effect January 1, 1989; and except that effective immediately, the addition, amendment and/or repeal of any rule or regulation necessary for the implementation of this act on its effective date are authorized and directed to be made and completed on or before such effective date; provided, however, that the provisions of section 364-j of the social services law, as added by section one of this act shall expire and be deemed repealed on and after March 31, ~~2026~~ 2029, the provisions of section 364-k of the social services law, as added by section two of this act, except subdivision 10 of such section, shall expire and be deemed repealed on and after January 1, 1994, and the provisions of subdivision 10 of section 364-k of the social services law, as added by section two of this act, shall expire and be deemed repealed on January 1, 1995.

§ 3. Section 18 of chapter 904 of the laws of 1984, amending the public health law and the social services law relating to encouraging comprehensive health services, as amended by section 16 of part B of chapter 57 of the laws of 2023, is amended to read as follows:

§ 18. This act shall take effect immediately, except that sections six, nine, ten and eleven of this act shall take effect on the sixtieth day after it shall have become a law, sections two, three, four and nine of this act shall expire and be of no further force or effect on or after March 31, ~~2026~~ 2029, section two of this act shall take effect on April 1, 1985 or seventy-five days following the submission of the report required by section one of this act, whichever is later, and sections eleven and thirteen of this act shall expire and be of no further force or effect on or after March 31, 1988.

§ 4. Section 4 of part X2 of chapter 62 of the laws of 2003, amending the public health law relating to allowing for the use of funds of the office of professional medical conduct for activities of the patient health information and quality improvement act of 2000, as amended by section 17 of part B of chapter 57 of the laws of 2023, is amended to read as follows:

§ 4. This act shall take effect immediately; provided that the provisions of section one of this act shall be deemed to have been in full force and effect on and after April 1, 2003, and shall expire March 31, ~~2026~~ 2029 when upon such date the provisions of such section shall be deemed repealed.

§ 5. Subdivision (o) of section 111 of part H of chapter 59 of the laws of 2011, amending the public health law relating to the statewide health information network of New York and the statewide planning and research cooperative system and general powers and duties, as amended by section 18 of part B of chapter 57 of the laws of 2023, is amended to read as follows:

(o) sections thirty-eight and thirty-eight-a of this act shall expire and be deemed repealed March 31, ~~2026~~ 2029;

§ 6. Section 32 of part A of chapter 58 of the laws of 2008, amending the elder law and other laws relating to reimbursement to participating

1 provider pharmacies and prescription drug coverage, as amended by
2 section 19 of part B of chapter 57 of the laws of 2023, is amended to
3 read as follows:

4 § 32. This act shall take effect immediately and shall be deemed to
5 have been in full force and effect on and after April 1, 2008; provided
6 however, that sections one, six-a, nineteen, twenty, twenty-four, and
7 twenty-five of this act shall take effect July 1, 2008; provided however
8 that sections sixteen, seventeen and eighteen of this act shall expire
9 April 1, ~~2026~~ 2029; provided, however, that the amendments made by
10 section twenty-eight of this act shall take effect on the same date as
11 section 1 of chapter 281 of the laws of 2007 takes effect; provided
12 further, that sections twenty-nine, thirty, and thirty-one of this act
13 shall take effect October 1, 2008; provided further, that section twen-
14 ty-seven of this act shall take effect January 1, 2009; and provided
15 further, that section twenty-seven of this act shall expire and be
16 deemed repealed March 31, ~~2026~~ 2029; and provided, further, however,
17 that the amendments to subdivision 1 of section 241 of the education law
18 made by section twenty-nine of this act shall not affect the expiration
19 of such subdivision and shall be deemed to expire therewith and provided
20 that the amendments to section 272 of the public health law made by
21 section thirty of this act shall not affect the repeal of such section
22 and shall be deemed repealed therewith.

23 § 7. Paragraph (f) of subdivision 1 of section 64 of chapter 81 of the
24 laws of 1995, amending the public health law and other laws relating to
25 medical reimbursement and welfare reform, as amended by section 21 of
26 part B of chapter 57 of the laws of 2023, is amended to read as follows:

27 (f) Prior to February 1, 2001, February 1, 2002, February 1, 2003,
28 February 1, 2004, February 1, 2005, February 1, 2006, February 1, 2007,
29 February 1, 2008, February 1, 2009, February 1, 2010, February 1, 2011,
30 February 1, 2012, February 1, 2013, February 1, 2014, February 1, 2015,
31 February 1, 2016, February 1, 2017, February 1, 2018, February 1, 2019,
32 February 1, 2020, February 1, 2021, February 1, 2022, February 1, 2023,
33 February 1, 2024, February 1, 2025 ~~and~~, February 1, 2026, February 1,
34 2027, February 1, 2028, and February 1, 2029, the commissioner of health
35 shall calculate the result of the statewide total of residential health
36 care facility days of care provided to beneficiaries of title XVIII of
37 the federal social security act (medicare), divided by the sum of such
38 days of care plus days of care provided to residents eligible for
39 payments pursuant to title 11 of article 5 of the social services law
40 minus the number of days provided to residents receiving hospice care,
41 expressed as a percentage, for the period commencing January 1, through
42 November 30, of the prior year respectively, based on such data for such
43 period. This value shall be called the 2000, 2001, 2002, 2003, 2004,
44 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016,
45 2017, 2018, 2019, 2020, 2021, 2022, 2023, 2024, 2025 ~~and~~, 2026, 2027,
46 2028 and 2029 statewide target percentage respectively.

47 § 8. Subparagraph (ii) of paragraph (b) of subdivision 3 of section 64
48 of chapter 81 of the laws of 1995, amending the public health law and
49 other laws relating to medical reimbursement and welfare reform, as
50 amended by section 22 of part B of chapter 57 of the laws of 2023, is
51 amended to read as follows:

52 (ii) If the 1997, 1998, 2000, 2001, 2002, 2003, 2004, 2005, 2006,
53 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018,
54 2019, 2020, 2021, 2022, 2023, 2024, 2025 ~~and~~, 2026, 2027, 2028 and
55 2029 statewide target percentages are not for each year at least three
56 percentage points higher than the statewide base percentage, the commis-

1 sioner of health shall determine the percentage by which the statewide
2 target percentage for each year is not at least three percentage points
3 higher than the statewide base percentage. The percentage calculated
4 pursuant to this paragraph shall be called the 1997, 1998, 2000, 2001,
5 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013,
6 2014, 2015, 2016, 2017, 2018, 2019, 2020, 2021, 2022, 2023, 2024, 2025
7 ~~[and]~~, 2026, 2027, 2028 and 2029 statewide reduction percentage respec-
8 tively. If the 1997, 1998, 2000, 2001, 2002, 2003, 2004, 2005, 2006,
9 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018,
10 2019, 2020, 2021, 2022, 2023, 2024, 2025 ~~[and]~~, 2026, 2027, 2028 and
11 2029 statewide target percentage for the respective year is at least
12 three percentage points higher than the statewide base percentage, the
13 statewide reduction percentage for the respective year shall be zero.

14 § 9. Subparagraph (iii) of paragraph (b) of subdivision 4 of section
15 64 of chapter 81 of the laws of 1995, amending the public health law and
16 other laws relating to medical reimbursement and welfare reform, as
17 amended by section 23 of part B of chapter 57 of the laws of 2023, is
18 amended to read as follows:

19 (iii) The 1998, 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008,
20 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019, 2020,
21 2021, 2022, 2023, 2024, 2025 ~~[and]~~, 2026, 2027, 2028 and 2029 statewide
22 reduction percentage shall be multiplied by one hundred two million
23 dollars respectively to determine the 1998, 2000, 2001, 2002, 2003,
24 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015,
25 2016, 2017, 2018, 2019, 2020, 2021, 2022, 2023, 2024, 2025 ~~[and]~~, 2026,
26 2027, 2028 and 2029 statewide aggregate reduction amount. If the 1998
27 and the 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009,
28 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019, 2020, 2021,
29 2022, 2023, 2024, 2025 ~~[and]~~, 2026, 2027, 2028 and 2029 statewide
30 reduction percentage shall be zero respectively, there shall be no 1998,
31 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011,
32 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019, 2020, 2021, 2022, 2023,
33 2024, 2025 ~~[and]~~, 2026, 2027, 2028 and 2029 reduction amount.

34 § 10. The opening paragraph of paragraph (e) of subdivision 7 of
35 section 367-a of the social services law, as amended by section 5 of
36 part I of chapter 57 of the laws of 2024, is amended to read as follows:

37 During the period from April first, two thousand fifteen through March
38 thirty-first, two thousand ~~[twenty-six]~~ twenty-nine, the commissioner
39 may, in lieu of a managed care provider or pharmacy benefit manager,
40 negotiate directly and enter into an arrangement with a pharmaceutical
41 manufacturer for the provision of supplemental rebates relating to phar-
42 maceutical utilization by enrollees of managed care providers pursuant
43 to section three hundred sixty-four-j of this title and may also negoti-
44 ate directly and enter into such an agreement relating to pharmaceutical
45 utilization by medical assistance recipients not so enrolled. Such
46 rebate arrangements shall be limited to the following: antiretrovirals
47 approved by the FDA for the treatment of HIV/AIDS, accelerated approval
48 drugs established pursuant to this paragraph, opioid dependence agents
49 and opioid antagonists listed in a statewide formulary established
50 pursuant to subparagraph (vii) of this paragraph, hepatitis C agents,
51 high cost drugs as provided for in subparagraph (viii) of this para-
52 graph, gene therapies as provided for in subparagraph (ix) of this para-
53 graph, and any other class or drug designated by the commissioner for
54 which the pharmaceutical manufacturer has in effect a rebate arrangement
55 with the federal secretary of health and human services pursuant to 42
56 U.S.C. § 1396r-8, and for which the state has established standard clin-

ical criteria. No agreement entered into pursuant to this paragraph shall have an initial term or be extended beyond the expiration or repeal of this paragraph. For purposes of this paragraph, an "accelerated approval" is a drug or labeled indication of a drug authorized by the Federal Food, Drug and Cosmetic Act for drugs approved under Subpart H of 21 CFR Part 314 and Subpart E of 21 CFR Part 601 for serious conditions that fill an unmet medical need based on whether the drug has an effect on a surrogate clinical endpoint, and is pending verification of clinical benefit in confirmatory trials.

§ 11. Subdivision 1 of section 60 of part B of chapter 57 of the laws of 2015, amending the social services law and other laws relating to supplemental rebates, as amended by section 25 of part B of chapter 57 of the laws of 2023, is amended to read as follows:

1. section one of this act shall expire and be deemed repealed March 31, ~~2029~~ 2032;

§ 12. Section 8 of part KK of chapter 56 of the laws of 2020, amending the public health law relating to the designation of statewide general hospital quality and sole community pools and the reduction of capital related inpatient expenses, as amended by section 26 of part B of chapter 57 of the laws of 2023, is amended to read as follows:

§ 8. This act shall take effect immediately and shall be deemed to have been in full force and effect on and after April 1, 2020, provided, further that sections four through seven of this act shall expire and be deemed repealed March 31, ~~2026~~ 2029; provided further, however, that the director of the budget may, in consultation with the commissioner of health, delay the effective dates prescribed herein for a period of time which shall not exceed ninety days following the conclusion or termination of an executive order issued pursuant to section 28 of the executive law declaring a state disaster emergency for the entire state of New York, upon such delay the director of budget shall notify the chairs of the assembly ways and means committee and senate finance committee and the chairs of the assembly and senate health committee; provided further, however, that the director of the budget shall notify the legislative bill drafting commission upon the occurrence of a delay in the effective date of this act in order that the commission may maintain an accurate and timely effective data base of the official text of the laws of the state of New York in furtherance of effectuating the provisions of section 44 of the legislative law and section 70-b of the public officers law.

§ 13. Section 4 of chapter 779 of the laws of 1986, amending the social services law relating to authorizing services for non-residents in adult homes, residences for adults and enriched housing programs, as amended by section 28 of part B of chapter 57 of the laws of 2023, is amended to read as follows:

§ 4. This act shall take effect on the one hundred twentieth day after it shall have become a law and shall remain in full force and effect until July 1, ~~2026~~ 2029, provided however, that effective immediately, the addition, amendment and/or repeal of any rules or regulations necessary for the implementation of the foregoing sections of this act on its effective date are authorized and directed to be made and completed on or before such effective date.

§ 14. Section 9 of part R of chapter 59 of the laws of 2016, amending the public health law and the education law relating to electronic prescriptions, as amended by section 35-b of part B of chapter 57 of the laws of 2023, is amended to read as follows:

§ 9. This act shall take effect immediately; provided however, that sections one and two of this act shall take effect on the first of June next succeeding the date on which it shall have become a law and shall expire and be deemed repealed June 1, ~~2026~~ 2029.

§ 15. Subdivision 5-d of section 2807-k of the public health law, as amended by section 1 of part E of chapter 57 of the laws of 2023, clause (A) of subparagraph (ii) of paragraph (b) as amended by section 2 of part D of chapter 57 of the laws of 2025, is amended to read as follows:

5-d. (a) Notwithstanding any inconsistent provision of this section, section twenty-eight hundred seven-w of this article or any other contrary provision of law, and subject to the availability of federal financial participation, for periods on and after January first, two thousand twenty, through ~~March~~ December thirty-first, two thousand ~~twenty-six~~ twenty-nine, all funds available for distribution pursuant to this section, except for funds distributed pursuant to paragraph (b) of subdivision five-b of this section, and all funds available for distribution pursuant to section twenty-eight hundred seven-w of this article, shall be reserved and set aside and distributed in accordance with the provisions of this subdivision.

(b) The commissioner shall promulgate regulations, and may promulgate emergency regulations, establishing methodologies for the distribution of funds as described in paragraph (a) of this subdivision and such regulations shall include, but not be limited to, the following:

(i) Such regulations shall establish methodologies for determining each facility's relative uncompensated care need amount based on uninsured inpatient and outpatient units of service from the cost reporting year two years prior to the distribution year, multiplied by the applicable medicaid rates in effect January first of the distribution year, as summed and adjusted by a statewide cost adjustment factor and reduced by the sum of all payment amounts collected from such uninsured patients, and as further adjusted by application of a nominal need computation that shall take into account each facility's medicaid inpatient share.

(ii) Annual distributions pursuant to such regulations for the two thousand twenty through two thousand ~~twenty-five~~ twenty-nine calendar years shall be in accord with the following:

(A) (1) one hundred thirty-nine million four hundred thousand dollars shall be distributed as Medicaid Disproportionate Share Hospital ("DSH") payments to major public general hospitals;

(2) for the calendar years two thousand twenty-five and thereafter, the total distributions to major public general hospitals shall be subject to an aggregate reduction of one hundred thirteen million four hundred thousand dollars annually, provided that general hospitals operated by the New York city health and hospitals corporation as established by chapter one thousand sixteen of the laws of nineteen hundred sixty-nine, as amended, shall not receive distributions pursuant to this subdivision; and

(B) nine hundred sixty-nine million nine hundred thousand dollars as Medicaid DSH payments to eligible general hospitals, other than major public general hospitals.

For the calendar years two thousand twenty through two thousand twenty-two, the total distributions to eligible general hospitals, other than major public general hospitals, shall be subject to an aggregate reduction of one hundred fifty million dollars annually, provided that eligible general hospitals, other than major public general hospitals, that qualify as enhanced safety net hospitals under section two thousand

1 eight hundred seven-c of this article shall not be subject to such
2 reduction.

3 For the calendar years two thousand twenty-three through two thousand
4 ~~[twenty-five]~~ **twenty-nine**, the total distributions to eligible general
5 hospitals, other than major public general hospitals, shall be subject
6 to an aggregate reduction of two hundred thirty-five million four
7 hundred thousand dollars annually, provided that eligible general hospi-
8 tals, other than major public general hospitals that qualify as enhanced
9 safety net hospitals under section two thousand eight hundred seven-c of
10 this article as of April first, two thousand twenty, shall not be
11 subject to such reduction.

12 Such reductions shall be determined by a methodology to be established
13 by the commissioner. Such methodologies may take into account the payor
14 mix of each non-public general hospital, including the percentage of
15 inpatient days paid by Medicaid.

16 (iii) For calendar years two thousand twenty through two thousand
17 ~~[twenty-five]~~ **twenty-nine**, sixty-four million six hundred thousand
18 dollars shall be distributed to eligible general hospitals, other than
19 major public general hospitals, that experience a reduction in indigent
20 care pool payments pursuant to this subdivision, and that qualify as
21 enhanced safety net hospitals under section two thousand eight hundred
22 seven-c of this article as of April first, two thousand twenty. Such
23 distribution shall be established pursuant to regulations promulgated by
24 the commissioner and shall be proportional to the reduction experienced
25 by the facility.

26 (iv) Such regulations shall reserve one percent of the funds available
27 for distribution in the two thousand fourteen and two thousand fifteen
28 calendar years, and for calendar years thereafter, pursuant to this
29 subdivision, subdivision fourteen-f of section twenty-eight hundred
30 seven-c of this article, and sections two hundred eleven and two hundred
31 twelve of chapter four hundred seventy-four of the laws of nineteen
32 hundred ninety-six, in a "financial assistance compliance pool" and
33 shall establish methodologies for the distribution of such pool funds to
34 facilities based on their level of compliance, as determined by the
35 commissioner, with the provisions of subdivision nine-a of this section.

36 (c) The commissioner shall annually report to the governor and the
37 legislature on the distribution of funds under this subdivision includ-
38 ing, but not limited to:

39 (i) the impact on safety net providers, including community providers,
40 rural general hospitals and major public general hospitals;

41 (ii) the provision of indigent care by units of services and funds
42 distributed by general hospitals; and

43 (iii) the extent to which access to care has been enhanced.

44 § 16. Section 7 of part H of chapter 57 of the laws of 2019, amending
45 the public health law relating to waiver of certain regulations, as
46 amended by section 10 of part B of chapter 57 of the laws of 2024, is
47 amended to read as follows:

48 § 7. This act shall take effect immediately and shall be deemed to
49 have been in full force and effect on and after April 1, 2019, provided,
50 however, that section two of this act shall expire on April 1, ~~[2026]~~
51 **2028**.

52 § 17. Section 8 of part C of chapter 57 of the laws of 2022, amending
53 the public health law and the education law relating to allowing pharma-
54 cists to direct limited service laboratories and order and administer
55 COVID-19 and influenza tests and modernizing nurse practitioners, as

1 amended by section 1 of part P of chapter 57 of the laws of 2024, is
2 amended to read as follows:

3 § 8. This act shall take effect immediately and shall be deemed to
4 have been in full force and effect on and after April 1, 2022; provided,
5 however, that sections one, two, three, four, six and seven of this act
6 shall expire and be deemed repealed July 1, ~~2026~~ 2028.

7 § 18. Section 5 of chapter 21 of the laws of 2011, amending the educa-
8 tion law relating to authorizing pharmacists to perform collaborative
9 drug therapy management with physicians in certain settings, as amended
10 by section 2 of part P of chapter 57 of the laws of 2024, is amended to
11 read as follows:

12 § 5. This act shall take effect on the one hundred twentieth day after
13 it shall have become a law, provided, however, that the provisions of
14 sections two, three, and four of this act shall expire and be deemed
15 repealed July 1, ~~2026~~ 2028; provided, however, that the amendments to
16 subdivision 1 of section 6801 of the education law made by section one
17 of this act shall be subject to the expiration and reversion of such
18 subdivision pursuant to section 8 of chapter 563 of the laws of 2008,
19 when upon such date the provisions of section one-a of this act shall
20 take effect; provided, further, that effective immediately, the addi-
21 tion, amendment and/or repeal of any rule or regulation necessary for
22 the implementation of this act on its effective date are authorized and
23 directed to be made and completed on or before such effective date.

24 § 19. Section 4 of chapter 520 of the laws of 2024, amending the
25 education law and the public health law relating to amending physician
26 assistant practice standards, is amended to read as follows:

27 § 4. This act shall take effect three months after it shall have
28 become a law; provided, however, that paragraph (1) of subdivision 7 of
29 section 6542 of the education law, as added by section one of this act,
30 shall expire and be deemed repealed July 1, ~~2026~~ 2028. Effective
31 immediately, the state education department and the department of
32 health are authorized to promulgate, amend and/or repeal any rule or
33 regulation necessary for the implementation of section one of this act
34 on or before such effective date.

35 § 20. Section 7 of part V of chapter 57 of the laws of 2022, amending
36 the public health law and the insurance law relating to reimbursement
37 for commercial and Medicaid services provided via telehealth, as amended
38 by section 5 of part B of chapter 57 of the laws of 2024, is amended to
39 read as follows:

40 § 7. This act shall take effect immediately and shall be deemed to
41 have been in full force and effect on and after April 1, 2022; provided,
42 however, this act shall expire and be deemed repealed on and after April
43 1, ~~2026~~ 2028.

44 § 21. Section 2 of part II of chapter 54 of the laws of 2016, amending
45 part C of chapter 58 of the laws of 2005 relating to authorizing
46 reimbursements for expenditures made by or on behalf of social services
47 districts for medical assistance for needy persons and administration
48 thereof, as amended by section 8 of part B of chapter 57 of the laws of
49 2024, is amended to read as follows:

50 § 2. This act shall take effect immediately and shall expire and be
51 deemed repealed March 31, ~~2026~~ 2028.

52 § 22. Section 8 of part C of chapter 57 of the laws of 2018, amending
53 the social services law and the public health law relating to health
54 homes and penalties for managed care providers, as amended by section 2
55 of part QQ of chapter 57 of the laws of 2022, is amended to read as
56 follows:

§ 8. Notwithstanding any inconsistent provision of sections 112 and 163 of the state finance law, or sections 142 and 143 of the economic development law, or any other contrary provision of law, excepting the responsible vendor requirements of the state finance law, including, but not limited to, sections 163 and 139-k of the state finance law, the commissioner of health is authorized to amend or otherwise extend the terms of a contract awarded prior to the effective date and entered into pursuant to subdivision 24 of section 206 of the public health law, as added by section 39 of part C of chapter 58 of the laws of 2008, without a competitive bid or request for proposal process, upon determination that the existing contractor is qualified to continue to provide such services, and provided that efficiency savings are achieved during the period of extension; and provided, further, that the department of health shall submit a request for applications for such contract during the time period specified in this section and may terminate the contract identified herein prior to expiration of the extension authorized by this section. Contracts entered into, amended, or extended pursuant to this section shall not remain in force beyond August 19, ~~2026~~ 2027.

§ 23. This act shall take effect immediately and shall be deemed to have been in full force and effect on and after April 1, 2026; provided, however, that the amendments to the opening paragraph of paragraph (e) of subdivision 7 of section 367-a of the social services law made by section ten of this act shall not affect the repeal of such paragraph and shall be deemed repealed therewith.

PART C

Section 1. Section 34 of part A3 of chapter 62 of the laws of 2003 amending the public health law and other laws relating to enacting major components necessary to implement the state fiscal plan for the 2003-04 state fiscal year, as amended by section 1 of part C of chapter 57 of the laws of 2023, is amended to read as follows:

§ 34. (1) Notwithstanding any inconsistent provision of law, rule or regulation and effective April 1, 2008 through March 31, ~~2026~~ 2029, the commissioner of health is authorized to transfer and the state comptroller is authorized and directed to receive for deposit to the credit of the department of health's special revenue fund - other, health care reform act (HCRA) resources fund - 061, provider collection monitoring account, within amounts appropriated each year, those funds collected and accumulated pursuant to section 2807-v of the public health law, including income from invested funds, for the purpose of payment for administrative costs of the department of health related to administration of statutory duties for the collections and distributions authorized by section 2807-v of the public health law.

(2) Notwithstanding any inconsistent provision of law, rule or regulation and effective April 1, 2008 through March 31, ~~2026~~ 2029, the commissioner of health is authorized to transfer and the state comptroller is authorized and directed to receive for deposit to the credit of the department of health's special revenue fund - other, health care reform act (HCRA) resources fund - 061, provider collection monitoring account, within amounts appropriated each year, those funds collected and accumulated and interest earned through surcharges on payments for health care services pursuant to section 2807-s of the public health law and from assessments pursuant to section 2807-t of the public health law for the purpose of payment for administrative costs of the department of health related to administration of statutory duties for the collections

1 and distributions authorized by sections 2807-s, 2807-t, and 2807-m of
2 the public health law.

3 (3) Notwithstanding any inconsistent provision of law, rule or regu-
4 lation and effective April 1, 2008 through March 31, [~~2026~~] 2029, the
5 commissioner of health is authorized to transfer and the comptroller is
6 authorized to deposit, within amounts appropriated each year, those
7 funds authorized for distribution in accordance with the provisions of
8 paragraph (a) of subdivision 1 of section 2807-l of the public health
9 law for the purposes of payment for administrative costs of the depart-
10 ment of health related to the child health insurance plan program
11 authorized pursuant to title 1-A of article 25 of the public health law
12 into the special revenue funds - other, health care reform act (HCRA)
13 resources fund - 061, child health insurance account, established within
14 the department of health.

15 (5) Notwithstanding any inconsistent provision of law, rule or regu-
16 lation and effective April 1, 2008 through March 31, [~~2026~~] 2029, the
17 commissioner of health is authorized to transfer and the comptroller is
18 authorized to deposit, within amounts appropriated each year, those
19 funds allocated pursuant to paragraph (j) of subdivision 1 of section
20 2807-v of the public health law for the purpose of payment for adminis-
21 trative costs of the department of health related to administration of
22 the state's tobacco control programs and cancer services provided pursu-
23 ant to sections 2807-r and 1399-ii of the public health law into such
24 accounts established within the department of health for such purposes.

25 (6) Notwithstanding any inconsistent provision of law, rule or regu-
26 lation and effective April 1, 2008 through March 31, [~~2026~~] 2029, the
27 commissioner of health is authorized to transfer and the comptroller is
28 authorized to deposit, within amounts appropriated each year, the funds
29 authorized for distribution in accordance with the provisions of section
30 2807-l of the public health law for the purposes of payment for adminis-
31 trative costs of the department of health related to the programs funded
32 pursuant to section 2807-l of the public health law into the special
33 revenue funds - other, health care reform act (HCRA) resources fund -
34 061, pilot health insurance account, established within the department
35 of health.

36 (7) Notwithstanding any inconsistent provision of law, rule or regu-
37 lation and effective April 1, 2008 through March 31, [~~2026~~] 2029, the
38 commissioner of health is authorized to transfer and the comptroller is
39 authorized to deposit, within amounts appropriated each year, those
40 funds authorized for distribution in accordance with the provisions of
41 subparagraph (ii) of paragraph (f) of subdivision 19 of section 2807-c
42 of the public health law from monies accumulated and interest earned in
43 the bad debt and charity care and capital statewide pools through an
44 assessment charged to general hospitals pursuant to the provisions of
45 subdivision 18 of section 2807-c of the public health law and those
46 funds authorized for distribution in accordance with the provisions of
47 section 2807-l of the public health law for the purposes of payment for
48 administrative costs of the department of health related to programs
49 funded under section 2807-l of the public health law into the special
50 revenue funds - other, health care reform act (HCRA) resources fund -
51 061, primary care initiatives account, established within the department
52 of health.

53 (8) Notwithstanding any inconsistent provision of law, rule or regu-
54 lation and effective April 1, 2008 through March 31, [~~2026~~] 2029, the
55 commissioner of health is authorized to transfer and the comptroller is
56 authorized to deposit, within amounts appropriated each year, those

1 funds authorized for distribution in accordance with section 2807-l of
2 the public health law for the purposes of payment for administrative
3 costs of the department of health related to programs funded under
4 section 2807-l of the public health law into the special revenue funds -
5 other, health care reform act (HCRA) resources fund - 061, health care
6 delivery administration account, established within the department of
7 health.

8 (9) Notwithstanding any inconsistent provision of law, rule or regu-
9 lation and effective April 1, 2008 through March 31, ~~[2026]~~ 2029, the
10 commissioner of health is authorized to transfer and the comptroller is
11 authorized to deposit, within amounts appropriated each year, those
12 funds authorized pursuant to sections 2807-d, 3614-a and 3614-b of the
13 public health law and section 367-i of the social services law and for
14 distribution in accordance with the provisions of subdivision 9 of
15 section 2807-j of the public health law for the purpose of payment for
16 administration of statutory duties for the collections and distributions
17 authorized by sections 2807-c, 2807-d, 2807-j, 2807-k, 2807-l, 3614-a
18 and 3614-b of the public health law and section 367-i of the social
19 services law into the special revenue funds - other, health care reform
20 act (HCRA) resources fund - 061, provider collection monitoring account,
21 established within the department of health.

22 § 2. Subparagraphs (iv) and (v) of paragraph (a) of subdivision 9 of
23 section 2807-j of the public health law, as amended by section 2 of part
24 C of chapter 57 of the laws of 2023, are amended to read as follows:

25 (iv) seven hundred sixty-five million dollars annually of the funds
26 accumulated for the periods January first, two thousand through December
27 thirty-first, two thousand ~~[twenty-five]~~ twenty-eight, and

28 (v) one hundred ninety-one million two hundred fifty thousand dollars
29 of the funds accumulated for the period January first, two thousand
30 ~~[twenty-six]~~ twenty-nine through March thirty-first, two thousand ~~[twen-~~
31 ~~ty-six]~~ twenty-nine.

32 § 3. Subdivision 5 of section 168 of chapter 639 of the laws of 1996,
33 constituting the New York Health Care Reform Act of 1996, as amended by
34 section 3 of part C of chapter 57 of the laws of 2023, is amended to
35 read as follows:

36 5. sections 2807-c, 2807-j, 2807-s and 2807-t of the public health
37 law, as amended or as added by this act, shall expire on December 31,
38 ~~[2026]~~ 2029, and shall be thereafter effective only in respect to any
39 act done on or before such date or action or proceeding arising out of
40 such act including continued collections of funds from assessments and
41 allowances and surcharges established pursuant to sections 2807-c,
42 2807-j, 2807-s and 2807-t of the public health law, and administration
43 and distributions of funds from pools established pursuant to sections
44 2807-c, 2807-j, 2807-k, 2807-l, 2807-m, 2807-s and 2807-t of the public
45 health law related to patient services provided before December 31,
46 ~~[2026]~~ 2029, and continued expenditure of funds authorized for programs
47 and grants until the exhaustion of funds therefor;

48 § 4. Subdivision 1 of section 138 of chapter 1 of the laws of 1999,
49 constituting the New York Health Care Reform Act of 2000, as amended by
50 section 4 of part C of chapter 57 of the laws of 2023, is amended to
51 read as follows:

52 1. sections 2807-c, 2807-j, 2807-s, and 2807-t of the public health
53 law, as amended by this act, shall expire on December 31, ~~[2026]~~ 2029,
54 and shall be thereafter effective only in respect to any act done before
55 such date or action or proceeding arising out of such act including
56 continued collections of funds from assessments and allowances and

1 surcharges established pursuant to sections 2807-c, 2807-j, 2807-s and
2 2807-t of the public health law, and administration and distributions of
3 funds from pools established pursuant to sections 2807-c, 2807-j,
4 2807-k, 2807-l, 2807-m, 2807-s, 2807-t, 2807-v and 2807-w of the public
5 health law, as amended or added by this act, related to patient services
6 provided before December 31, ~~2026~~ 2029, and continued expenditure of
7 funds authorized for programs and grants until the exhaustion of funds
8 therefor;

9 § 5. Section 2807-l of the public health law, as amended by section 5
10 of part C of chapter 57 of the laws of 2023, is amended to read as
11 follows:

12 § 2807-l. Health care initiatives pool distributions. 1. Funds accumu-
13 lated in the health care initiatives pools pursuant to paragraph (b) of
14 subdivision nine of section twenty-eight hundred seven-j of this arti-
15 cle, or the health care reform act (HCRA) resources fund established
16 pursuant to section ninety-two-dd of the state finance law, whichever is
17 applicable, including income from invested funds, shall be distributed
18 or retained by the commissioner or by the state comptroller, as applica-
19 ble, in accordance with the following.

20 (a) Funds shall be reserved and accumulated from year to year and
21 shall be available, including income from invested funds, for purposes
22 of distributions to programs to provide health care coverage for unin-
23 sured or underinsured children pursuant to sections twenty-five hundred
24 ten and twenty-five hundred eleven of this chapter from the respective
25 health care initiatives pools established for the following periods in
26 the following amounts:

27 (i) from the pool for the period January first, nineteen hundred nine-
28 ty-seven through December thirty-first, nineteen hundred ninety-seven,
29 up to one hundred twenty million six hundred thousand dollars;

30 (ii) from the pool for the period January first, nineteen hundred
31 ninety-eight through December thirty-first, nineteen hundred ninety-
32 eight, up to one hundred sixty-four million five hundred thousand
33 dollars;

34 (iii) from the pool for the period January first, nineteen hundred
35 ninety-nine through December thirty-first, nineteen hundred ninety-nine,
36 up to one hundred eighty-one million dollars;

37 (iv) from the pool for the period January first, two thousand through
38 December thirty-first, two thousand, two hundred seven million dollars;

39 (v) from the pool for the period January first, two thousand one
40 through December thirty-first, two thousand one, two hundred thirty-five
41 million dollars;

42 (vi) from the pool for the period January first, two thousand two
43 through December thirty-first, two thousand two, three hundred twenty-
44 four million dollars;

45 (vii) from the pool for the period January first, two thousand three
46 through December thirty-first, two thousand three, up to four hundred
47 fifty million three hundred thousand dollars;

48 (viii) from the pool for the period January first, two thousand four
49 through December thirty-first, two thousand four, up to four hundred
50 sixty million nine hundred thousand dollars;

51 (ix) from the pool or the health care reform act (HCRA) resources
52 fund, whichever is applicable, for the period January first, two thou-
53 sand five through December thirty-first, two thousand five, up to one
54 hundred fifty-three million eight hundred thousand dollars;

55 (x) from the health care reform act (HCRA) resources fund for the
56 period January first, two thousand six through December thirty-first,

1 two thousand six, up to three hundred twenty-five million four hundred
2 thousand dollars;

3 (xi) from the health care reform act (HCRA) resources fund for the
4 period January first, two thousand seven through December thirty-first,
5 two thousand seven, up to four hundred twenty-eight million fifty-nine
6 thousand dollars;

7 (xii) from the health care reform act (HCRA) resources fund for the
8 period January first, two thousand eight through December thirty-first,
9 two thousand ten, up to four hundred fifty-three million six hundred
10 seventy-four thousand dollars annually;

11 (xiii) from the health care reform act (HCRA) resources fund for the
12 period January first, two thousand eleven, through March thirty-first,
13 two thousand eleven, up to one hundred thirteen million four hundred
14 eighteen thousand dollars;

15 (xiv) from the health care reform act (HCRA) resources fund for the
16 period April first, two thousand eleven, through March thirty-first, two
17 thousand twelve, up to three hundred twenty-four million seven hundred
18 forty-four thousand dollars;

19 (xv) from the health care reform act (HCRA) resources fund for the
20 period April first, two thousand twelve, through March thirty-first, two
21 thousand thirteen, up to three hundred forty-six million four hundred
22 forty-four thousand dollars;

23 (xvi) from the health care reform act (HCRA) resources fund for the
24 period April first, two thousand thirteen, through March thirty-first,
25 two thousand fourteen, up to three hundred seventy million six hundred
26 ninety-five thousand dollars; and

27 (xvii) from the health care reform act (HCRA) resources fund for each
28 state fiscal year for periods on and after April first, two thousand
29 fourteen, within amounts appropriated.

30 (b) Funds shall be reserved and accumulated from year to year and
31 shall be available, including income from invested funds, for purposes
32 of distributions for health insurance programs under the individual
33 subsidy programs established pursuant to the expanded health care cover-
34 age act of nineteen hundred eighty-eight as amended, and for evaluation
35 of such programs from the respective health care initiatives pools or
36 the health care reform act (HCRA) resources fund, whichever is applica-
37 ble, established for the following periods in the following amounts:

38 (i) (A) an amount not to exceed six million dollars on an annualized
39 basis for the periods January first, nineteen hundred ninety-seven
40 through December thirty-first, nineteen hundred ninety-nine; up to six
41 million dollars for the period January first, two thousand through
42 December thirty-first, two thousand; up to five million dollars for the
43 period January first, two thousand one through December thirty-first,
44 two thousand one; up to four million dollars for the period January
45 first, two thousand two through December thirty-first, two thousand two;
46 up to two million six hundred thousand dollars for the period January
47 first, two thousand three through December thirty-first, two thousand
48 three; up to one million three hundred thousand dollars for the period
49 January first, two thousand four through December thirty-first, two
50 thousand four; up to six hundred seventy thousand dollars for the period
51 January first, two thousand five through June thirtieth, two thousand
52 five; up to one million three hundred thousand dollars for the period
53 April first, two thousand six through March thirty-first, two thousand
54 seven; and up to one million three hundred thousand dollars annually for
55 the period April first, two thousand seven through March thirty-first,

1 two thousand nine, shall be allocated to individual subsidy programs;
2 and

3 (B) an amount not to exceed seven million dollars on an annualized
4 basis for the periods during the period January first, nineteen hundred
5 ninety-seven through December thirty-first, nineteen hundred ninety-nine
6 and four million dollars annually for the periods January first, two
7 thousand through December thirty-first, two thousand two, and three
8 million dollars for the period January first, two thousand three through
9 December thirty-first, two thousand three, and two million dollars for
10 the period January first, two thousand four through December thirty-
11 first, two thousand four, and two million dollars for the period January
12 first, two thousand five through June thirtieth, two thousand five shall
13 be allocated to the catastrophic health care expense program.

14 (ii) Notwithstanding any law to the contrary, the characterizations of
15 the New York state small business health insurance partnership program
16 as in effect prior to June thirtieth, two thousand three, voucher
17 program as in effect prior to December thirty-first, two thousand one,
18 individual subsidy program as in effect prior to June thirtieth, two
19 thousand five, and catastrophic health care expense program, as in
20 effect prior to June thirtieth, two thousand five, may, for the purposes
21 of identifying matching funds for the community health care conversion
22 demonstration project described in a waiver of the provisions of title
23 XIX of the federal social security act granted to the state of New York
24 and dated July fifteenth, nineteen hundred ninety-seven, may continue to
25 be used to characterize the insurance programs in sections four thousand
26 three hundred twenty-one-a, four thousand three hundred twenty-two-a,
27 four thousand three hundred twenty-six and four thousand three hundred
28 twenty-seven of the insurance law, which are successor programs to these
29 programs.

30 (c) Up to seventy-eight million dollars shall be reserved and accumu-
31 lated from year to year from the pool for the period January first,
32 nineteen hundred ninety-seven through December thirty-first, nineteen
33 hundred ninety-seven, for purposes of public health programs, up to
34 seventy-six million dollars shall be reserved and accumulated from year
35 to year from the pools for the periods January first, nineteen hundred
36 ninety-eight through December thirty-first, nineteen hundred ninety-
37 eight and January first, nineteen hundred ninety-nine through December
38 thirty-first, nineteen hundred ninety-nine, up to eighty-four million
39 dollars shall be reserved and accumulated from year to year from the
40 pools for the period January first, two thousand through December thir-
41 ty-first, two thousand, up to eighty-five million dollars shall be
42 reserved and accumulated from year to year from the pools for the period
43 January first, two thousand one through December thirty-first, two thou-
44 sand one, up to eighty-six million dollars shall be reserved and accumu-
45 lated from year to year from the pools for the period January first, two
46 thousand two through December thirty-first, two thousand two, up to
47 eighty-six million one hundred fifty thousand dollars shall be reserved
48 and accumulated from year to year from the pools for the period January
49 first, two thousand three through December thirty-first, two thousand
50 three, up to fifty-eight million seven hundred eighty thousand dollars
51 shall be reserved and accumulated from year to year from the pools for
52 the period January first, two thousand four through December thirty-
53 first, two thousand four, up to sixty-eight million seven hundred thirty
54 thousand dollars shall be reserved and accumulated from year to year
55 from the pools or the health care reform act (HCRA) resources fund,
56 whichever is applicable, for the period January first, two thousand five

1 through December thirty-first, two thousand five, up to ninety-four
2 million three hundred fifty thousand dollars shall be reserved and accu-
3 mulated from year to year from the health care reform act (HCRA)
4 resources fund for the period January first, two thousand six through
5 December thirty-first, two thousand six, up to seventy million nine
6 hundred thirty-nine thousand dollars shall be reserved and accumulated
7 from year to year from the health care reform act (HCRA) resources fund
8 for the period January first, two thousand seven through December thir-
9 ty-first, two thousand seven, up to fifty-five million six hundred
10 eighty-nine thousand dollars annually shall be reserved and accumulated
11 from year to year from the health care reform act (HCRA) resources fund
12 for the period January first, two thousand eight through December thir-
13 ty-first, two thousand ten, up to thirteen million nine hundred twenty-
14 two thousand dollars shall be reserved and accumulated from year to year
15 from the health care reform act (HCRA) resources fund for the period
16 January first, two thousand eleven through March thirty-first, two thou-
17 sand eleven, and for periods on and after April first, two thousand
18 eleven, up to funding amounts specified below and shall be available,
19 including income from invested funds, for:

20 (i) deposit by the commissioner, within amounts appropriated, and the
21 state comptroller is hereby authorized and directed to receive for
22 deposit to, to the credit of the department of health's special revenue
23 fund - other, hospital based grants program account or the health care
24 reform act (HCRA) resources fund, whichever is applicable, for purposes
25 of services and expenses related to general hospital based grant
26 programs, up to twenty-two million dollars annually from the nineteen
27 hundred ninety-seven pool, nineteen hundred ninety-eight pool, nineteen
28 hundred ninety-nine pool, two thousand pool, two thousand one pool and
29 two thousand two pool, respectively, up to twenty-two million dollars
30 from the two thousand three pool, up to ten million dollars for the
31 period January first, two thousand four through December thirty-first,
32 two thousand four, up to eleven million dollars for the period January
33 first, two thousand five through December thirty-first, two thousand
34 five, up to twenty-two million dollars for the period January first, two
35 thousand six through December thirty-first, two thousand six, up to
36 twenty-two million ninety-seven thousand dollars annually for the period
37 January first, two thousand seven through December thirty-first, two
38 thousand ten, up to five million five hundred twenty-four thousand
39 dollars for the period January first, two thousand eleven through March
40 thirty-first, two thousand eleven, up to thirteen million four hundred
41 forty-five thousand dollars for the period April first, two thousand
42 eleven through March thirty-first, two thousand twelve, and up to thir-
43 teen million three hundred seventy-five thousand dollars each state
44 fiscal year for the period April first, two thousand twelve through
45 March thirty-first, two thousand fourteen;

46 (ii) deposit by the commissioner, within amounts appropriated, and the
47 state comptroller is hereby authorized and directed to receive for
48 deposit to, to the credit of the emergency medical services training
49 account established in section ninety-seven-q of the state finance law
50 or the health care reform act (HCRA) resources fund, whichever is appli-
51 cable, up to sixteen million dollars on an annualized basis for the
52 periods January first, nineteen hundred ninety-seven through December
53 thirty-first, nineteen hundred ninety-nine, up to twenty million dollars
54 for the period January first, two thousand through December thirty-
55 first, two thousand, up to twenty-one million dollars for the period
56 January first, two thousand one through December thirty-first, two thou-

1 sand one, up to twenty-two million dollars for the period January first,
2 two thousand two through December thirty-first, two thousand two, up to
3 twenty-two million five hundred fifty thousand dollars for the period
4 January first, two thousand three through December thirty-first, two
5 thousand three, up to nine million six hundred eighty thousand dollars
6 for the period January first, two thousand four through December thir-
7 ty-first, two thousand four, up to twelve million one hundred thirty
8 thousand dollars for the period January first, two thousand five through
9 December thirty-first, two thousand five, up to twenty-four million two
10 hundred fifty thousand dollars for the period January first, two thou-
11 sand six through December thirty-first, two thousand six, up to twenty
12 million four hundred ninety-two thousand dollars annually for the period
13 January first, two thousand seven through December thirty-first, two
14 thousand ten, up to five million one hundred twenty-three thousand
15 dollars for the period January first, two thousand eleven through March
16 thirty-first, two thousand eleven, up to eighteen million three hundred
17 fifty thousand dollars for the period April first, two thousand eleven
18 through March thirty-first, two thousand twelve, up to eighteen million
19 nine hundred fifty thousand dollars for the period April first, two
20 thousand twelve through March thirty-first, two thousand thirteen, up to
21 nineteen million four hundred nineteen thousand dollars for the period
22 April first, two thousand thirteen through March thirty-first, two thou-
23 sand fourteen, and up to nineteen million six hundred fifty-nine thou-
24 sand seven hundred dollars each state fiscal year for the period of
25 April first, two thousand fourteen through March thirty-first, two thou-
26 sand [~~twenty-six~~] twenty-nine;

27 (iii) priority distributions by the commissioner up to thirty-two
28 million dollars on an annualized basis for the period January first, two
29 thousand through December thirty-first, two thousand four, up to thir-
30 ty-eight million dollars on an annualized basis for the period January
31 first, two thousand five through December thirty-first, two thousand
32 six, up to eighteen million two hundred fifty thousand dollars for the
33 period January first, two thousand seven through December thirty-first,
34 two thousand seven, up to three million dollars annually for the period
35 January first, two thousand eight through December thirty-first, two
36 thousand ten, up to seven hundred fifty thousand dollars for the period
37 January first, two thousand eleven through March thirty-first, two thou-
38 sand eleven, up to two million nine hundred thousand dollars each state
39 fiscal year for the period April first, two thousand eleven through
40 March thirty-first, two thousand fourteen, and up to two million nine
41 hundred thousand dollars each state fiscal year for the period April
42 first, two thousand fourteen through March thirty-first, two thousand
43 [~~twenty-six~~] twenty-nine to be allocated (A) for the purposes estab-
44 lished pursuant to subparagraph (ii) of paragraph (f) of subdivision
45 nineteen of section twenty-eight hundred seven-c of this article as in
46 effect on December thirty-first, nineteen hundred ninety-six and as may
47 thereafter be amended, up to fifteen million dollars annually for the
48 periods January first, two thousand through December thirty-first, two
49 thousand four, up to twenty-one million dollars annually for the period
50 January first, two thousand five through December thirty-first, two
51 thousand six, and up to seven million five hundred thousand dollars for
52 the period January first, two thousand seven through March thirty-first,
53 two thousand seven;

54 (B) pursuant to a memorandum of understanding entered into by the
55 commissioner, the majority leader of the senate and the speaker of the
56 assembly, for the purposes outlined in such memorandum upon the recom-

1 mendation of the majority leader of the senate, up to eight million
2 five hundred thousand dollars annually for the period January first, two
3 thousand through December thirty-first, two thousand six, and up to four
4 million two hundred fifty thousand dollars for the period January first,
5 two thousand seven through June thirtieth, two thousand seven, and for
6 the purposes outlined in such memorandum upon the recommendation of the
7 speaker of the assembly, up to eight million five hundred thousand
8 dollars annually for the periods January first, two thousand through
9 December thirty-first, two thousand six, and up to four million two
10 hundred fifty thousand dollars for the period January first, two thou-
11 sand seven through June thirtieth, two thousand seven; and

12 (C) for services and expenses, including grants, related to emergency
13 assistance distributions as designated by the commissioner. Notwith-
14 standing section one hundred twelve or one hundred sixty-three of the
15 state finance law or any other contrary provision of law, such distrib-
16 utions shall be limited to providers or programs where, as determined by
17 the commissioner, emergency assistance is vital to protect the life or
18 safety of patients, to ensure the retention of facility caregivers or
19 other staff, or in instances where health facility operations are jeop-
20 ardized, or where the public health is jeopardized or other emergency
21 situations exist, up to three million dollars annually for the period
22 April first, two thousand seven through March thirty-first, two thousand
23 eleven, up to two million nine hundred thousand dollars each state
24 fiscal year for the period April first, two thousand eleven through
25 March thirty-first, two thousand fourteen, up to two million nine
26 hundred thousand dollars each state fiscal year for the period April
27 first, two thousand fourteen through March thirty-first, two thousand
28 seventeen, up to two million nine hundred thousand dollars each state
29 fiscal year for the period April first, two thousand seventeen through
30 March thirty-first, two thousand twenty, up to two million nine hundred
31 thousand dollars each state fiscal year for the period April first, two
32 thousand twenty through March thirty-first, two thousand twenty-three,
33 [and] up to two million nine hundred thousand dollars each state fiscal
34 year for the period April first, two thousand twenty-three through March
35 thirty-first, two thousand twenty-six, and up to two million nine
36 hundred thousand dollars each state fiscal year for the period April
37 first, two thousand twenty-six through March thirty-first, two thousand
38 twenty-nine. Upon any distribution of such funds, the commissioner shall
39 immediately notify the chair and ranking minority member of the senate
40 finance committee, the assembly ways and means committee, the senate
41 committee on health, and the assembly committee on health;

42 (iv) distributions by the commissioner related to poison control
43 centers pursuant to subdivision seven of section twenty-five hundred-d
44 of this chapter, up to five million dollars for the period January
45 first, nineteen hundred ninety-seven through December thirty-first,
46 nineteen hundred ninety-seven, up to three million dollars on an annual-
47 ized basis for the periods during the period January first, nineteen
48 hundred ninety-eight through December thirty-first, nineteen hundred
49 ninety-nine, up to five million dollars annually for the periods January
50 first, two thousand through December thirty-first, two thousand two, up
51 to four million six hundred thousand dollars annually for the periods
52 January first, two thousand three through December thirty-first, two
53 thousand four, up to five million one hundred thousand dollars for the
54 period January first, two thousand five through December thirty-first,
55 two thousand six annually, up to five million one hundred thousand
56 dollars annually for the period January first, two thousand seven

1 through December thirty-first, two thousand nine, up to three million
2 six hundred thousand dollars for the period January first, two thousand
3 ten through December thirty-first, two thousand ten, up to seven hundred
4 seventy-five thousand dollars for the period January first, two thousand
5 eleven through March thirty-first, two thousand eleven, up to two
6 million five hundred thousand dollars each state fiscal year for the
7 period April first, two thousand eleven through March thirty-first, two
8 thousand fourteen, up to three million dollars each state fiscal year
9 for the period April first, two thousand fourteen through March thirty-
10 first, two thousand seventeen, up to three million dollars each state
11 fiscal year for the period April first, two thousand seventeen through
12 March thirty-first, two thousand twenty, up to three million dollars
13 each state fiscal year for the period April first, two thousand twenty
14 through March thirty-first, two thousand twenty-three, [and] up to three
15 million dollars each state fiscal year for the period April first, two
16 thousand twenty-three through March thirty-first, two thousand twenty-
17 six, and up to three million dollars each state fiscal year for the
18 period April first, two thousand twenty-six through March thirty-first,
19 two thousand twenty-nine; and

20 (v) deposit by the commissioner, within amounts appropriated, and the
21 state comptroller is hereby authorized and directed to receive for
22 deposit to, to the credit of the department of health's special revenue
23 fund - other, miscellaneous special revenue fund - 339 maternal and
24 child HIV services account or the health care reform act (HCRA)
25 resources fund, whichever is applicable, for purposes of a special
26 program for HIV services for women and children, including adolescents
27 pursuant to section twenty-five hundred-f-one of this chapter, up to
28 five million dollars annually for the periods January first, two thou-
29 sand through December thirty-first, two thousand two, up to five million
30 dollars for the period January first, two thousand three through Decem-
31 ber thirty-first, two thousand three, up to two million five hundred
32 thousand dollars for the period January first, two thousand four through
33 December thirty-first, two thousand four, up to two million five hundred
34 thousand dollars for the period January first, two thousand five through
35 December thirty-first, two thousand five, up to five million dollars for
36 the period January first, two thousand six through December thirty-
37 first, two thousand six, up to five million dollars annually for the
38 period January first, two thousand seven through December thirty-first,
39 two thousand ten, up to one million two hundred fifty thousand dollars
40 for the period January first, two thousand eleven through March thirty-
41 first, two thousand eleven, and up to five million dollars each state
42 fiscal year for the period April first, two thousand eleven through
43 March thirty-first, two thousand fourteen;

44 (d) (i) An amount of up to twenty million dollars annually for the
45 period January first, two thousand through December thirty-first, two
46 thousand six, up to ten million dollars for the period January first,
47 two thousand seven through June thirtieth, two thousand seven, up to
48 twenty million dollars annually for the period January first, two thou-
49 sand eight through December thirty-first, two thousand ten, up to five
50 million dollars for the period January first, two thousand eleven
51 through March thirty-first, two thousand eleven, up to nineteen million
52 six hundred thousand dollars each state fiscal year for the period April
53 first, two thousand eleven through March thirty-first, two thousand
54 fourteen, up to nineteen million six hundred thousand dollars each state
55 fiscal year for the period April first, two thousand fourteen through
56 March thirty-first, two thousand seventeen, up to nineteen million six

1 hundred thousand dollars each state fiscal year for the period of April
2 first, two thousand seventeen through March thirty-first, two thousand
3 twenty, up to nineteen million six hundred thousand dollars each state
4 fiscal year for the period of April first, two thousand twenty through
5 March thirty-first, two thousand twenty-three, [and] up to nineteen
6 million six hundred thousand dollars each state fiscal year for the
7 period of April first, two thousand twenty-three through March thirty-
8 first, two thousand twenty-six, and up to nineteen million six hundred
9 thousand dollars each state fiscal year for the period of April first,
10 two thousand twenty-six through March thirty-first, two thousand twen-
11 ty-nine, shall be transferred to the health facility restructuring pool
12 established pursuant to section twenty-eight hundred fifteen of this
13 article;

14 (ii) provided, however, amounts transferred pursuant to subparagraph
15 (i) of this paragraph may be reduced in an amount to be approved by the
16 director of the budget to reflect the amount received from the federal
17 government under the state's 1115 waiver which is directed under its
18 terms and conditions to the health facility restructuring program.

19 (f) Funds shall be accumulated and transferred from as follows:

20 (i) from the pool for the period January first, nineteen hundred nine-
21 ty-seven through December thirty-first, nineteen hundred ninety-seven,
22 (A) thirty-four million six hundred thousand dollars shall be trans-
23 ferred to funds reserved and accumulated pursuant to paragraph (b) of
24 subdivision nineteen of section twenty-eight hundred seven-c of this
25 article, and (B) eighty-two million dollars shall be transferred and
26 deposited and credited to the credit of the state general fund medical
27 assistance local assistance account;

28 (ii) from the pool for the period January first, nineteen hundred
29 ninety-eight through December thirty-first, nineteen hundred ninety-
30 eight, eighty-two million dollars shall be transferred and deposited and
31 credited to the credit of the state general fund medical assistance
32 local assistance account;

33 (iii) from the pool for the period January first, nineteen hundred
34 ninety-nine through December thirty-first, nineteen hundred ninety-nine,
35 eighty-two million dollars shall be transferred and deposited and cred-
36 ited to the credit of the state general fund medical assistance local
37 assistance account;

38 (iv) from the pool or the health care reform act (HCRA) resources
39 fund, whichever is applicable, for the period January first, two thou-
40 sand through December thirty-first, two thousand four, eighty-two
41 million dollars annually, and for the period January first, two thousand
42 five through December thirty-first, two thousand five, eighty-two
43 million dollars, and for the period January first, two thousand six
44 through December thirty-first, two thousand six, eighty-two million
45 dollars, and for the period January first, two thousand seven through
46 December thirty-first, two thousand seven, eighty-two million dollars,
47 and for the period January first, two thousand eight through December
48 thirty-first, two thousand eight, ninety million seven hundred thousand
49 dollars shall be deposited by the commissioner, and the state comp-
50 troller is hereby authorized and directed to receive for deposit to the
51 credit of the state special revenue fund - other, HCRA transfer fund,
52 medical assistance account;

53 (v) from the health care reform act (HCRA) resources fund for the
54 period January first, two thousand nine through December thirty-first,
55 two thousand nine, one hundred eight million nine hundred seventy-five
56 thousand dollars, and for the period January first, two thousand ten

1 through December thirty-first, two thousand ten, one hundred twenty-six
2 million one hundred thousand dollars, for the period January first, two
3 thousand eleven through March thirty-first, two thousand eleven, twenty
4 million five hundred thousand dollars, and for each state fiscal year
5 for the period April first, two thousand eleven through March thirty-
6 first, two thousand fourteen, one hundred forty-six million four hundred
7 thousand dollars, shall be deposited by the commissioner, and the state
8 comptroller is hereby authorized and directed to receive for deposit, to
9 the credit of the state special revenue fund - other, HCRA transfer
10 fund, medical assistance account.

11 (g) Funds shall be transferred to primary health care services pools
12 created by the commissioner, and shall be available, including income
13 from invested funds, for distributions in accordance with former section
14 twenty-eight hundred seven-bb of this article from the respective health
15 care initiatives pools for the following periods in the following
16 percentage amounts of funds remaining after allocations in accordance
17 with paragraphs (a) through (f) of this subdivision:

18 (i) from the pool for the period January first, nineteen hundred nine-
19 ty-seven through December thirty-first, nineteen hundred ninety-seven,
20 fifteen and eighty-seven-hundredths percent;

21 (ii) from the pool for the period January first, nineteen hundred
22 ninety-eight through December thirty-first, nineteen hundred ninety-
23 eight, fifteen and eighty-seven-hundredths percent; and

24 (iii) from the pool for the period January first, nineteen hundred
25 ninety-nine through December thirty-first, nineteen hundred ninety-nine,
26 sixteen and thirteen-hundredths percent.

27 (h) Funds shall be reserved and accumulated from year to year by the
28 commissioner and shall be available, including income from invested
29 funds, for purposes of primary care education and training pursuant to
30 article nine of this chapter from the respective health care initiatives
31 pools established for the following periods in the following percentage
32 amounts of funds remaining after allocations in accordance with para-
33 graphs (a) through (f) of this subdivision and shall be available for
34 distributions as follows:

35 (i) funds shall be reserved and accumulated:

36 (A) from the pool for the period January first, nineteen hundred nine-
37 ty-seven through December thirty-first, nineteen hundred ninety-seven,
38 six and thirty-five-hundredths percent;

39 (B) from the pool for the period January first, nineteen hundred nine-
40 ty-eight through December thirty-first, nineteen hundred ninety-eight,
41 six and thirty-five-hundredths percent; and

42 (C) from the pool for the period January first, nineteen hundred nine-
43 ty-nine through December thirty-first, nineteen hundred ninety-nine, six
44 and forty-five-hundredths percent;

45 (ii) funds shall be available for distributions including income from
46 invested funds as follows:

47 (A) for purposes of the primary care physician loan repayment program
48 in accordance with section nine hundred three of this chapter, up to
49 five million dollars on an annualized basis;

50 (B) for purposes of the primary care practitioner scholarship program
51 in accordance with section nine hundred four of this chapter, up to two
52 million dollars on an annualized basis;

53 (C) for purposes of minority participation in medical education grants
54 in accordance with section nine hundred six of this chapter, up to one
55 million dollars on an annualized basis; and

(D) provided, however, that the commissioner may reallocate any funds remaining or unallocated for distributions for the primary care practitioner scholarship program in accordance with section nine hundred four of this chapter.

(i) Funds shall be reserved and accumulated from year to year and shall be available, including income from invested funds, for distributions in accordance with section twenty-nine hundred fifty-two and section twenty-nine hundred fifty-eight of this chapter for rural health care delivery development and rural health care access development, respectively, from the respective health care initiatives pools or the health care reform act (HCRA) resources fund, whichever is applicable, for the following periods in the following percentage amounts of funds remaining after allocations in accordance with paragraphs (a) through (f) of this subdivision, and for periods on and after January first, two thousand, in the following amounts:

(i) from the pool for the period January first, nineteen hundred ninety-seven through December thirty-first, nineteen hundred ninety-seven, thirteen and forty-nine-hundredths percent;

(ii) from the pool for the period January first, nineteen hundred ninety-eight through December thirty-first, nineteen hundred ninety-eight, thirteen and forty-nine-hundredths percent;

(iii) from the pool for the period January first, nineteen hundred ninety-nine through December thirty-first, nineteen hundred ninety-nine, thirteen and seventy-one-hundredths percent;

(iv) from the pool for the periods January first, two thousand through December thirty-first, two thousand two, seventeen million dollars annually, and for the period January first, two thousand three through December thirty-first, two thousand three, up to fifteen million eight hundred fifty thousand dollars;

(v) from the pool or the health care reform act (HCRA) resources fund, whichever is applicable, for the period January first, two thousand four through December thirty-first, two thousand four, up to fifteen million eight hundred fifty thousand dollars, for the period January first, two thousand five through December thirty-first, two thousand five, up to nineteen million two hundred thousand dollars, for the period January first, two thousand six through December thirty-first, two thousand six, up to nineteen million two hundred thousand dollars, for the period January first, two thousand seven through December thirty-first, two thousand ten, up to eighteen million one hundred fifty thousand dollars annually, for the period January first, two thousand eleven through March thirty-first, two thousand eleven, up to four million five hundred thirty-eight thousand dollars, for each state fiscal year for the period April first, two thousand eleven through March thirty-first, two thousand fourteen, up to sixteen million two hundred thousand dollars, up to sixteen million two hundred thousand dollars each state fiscal year for the period April first, two thousand fourteen through March thirty-first, two thousand seventeen, up to sixteen million two hundred thousand dollars each state fiscal year for the period April first, two thousand twenty, up to sixteen million two hundred thousand dollars each state fiscal year for the period April first, two thousand twenty through March thirty-first, two thousand twenty-three, ~~and~~ up to sixteen million two hundred thousand dollars each state fiscal year for the period April first, two thousand twenty-three through March thirty-first, two thousand twenty-six, and up to sixteen million two hundred thousand dollars

each state fiscal year for the period April first, two thousand twenty-six through March thirty-first, two thousand twenty-nine.

(j) Funds shall be reserved and accumulated from year to year and shall be available, including income from invested funds, for purposes of distributions related to health information and health care quality improvement pursuant to former section twenty-eight hundred seven-n of this article from the respective health care initiatives pools established for the following periods in the following percentage amounts of funds remaining after allocations in accordance with paragraphs (a) through (f) of this subdivision:

(i) from the pool for the period January first, nineteen hundred ninety-seven through December thirty-first, nineteen hundred ninety-seven, six and thirty-five-hundredths percent;

(ii) from the pool for the period January first, nineteen hundred ninety-eight through December thirty-first, nineteen hundred ninety-eight, six and thirty-five-hundredths percent; and

(iii) from the pool for the period January first, nineteen hundred ninety-nine through December thirty-first, nineteen hundred ninety-nine, six and forty-five-hundredths percent.

(k) Funds shall be reserved and accumulated from year to year and shall be available, including income from invested funds, for allocations and distributions in accordance with section twenty-eight hundred seven-p of this article for diagnostic and treatment center uncompensated care from the respective health care initiatives pools or the health care reform act (HCRA) resources fund, whichever is applicable, for the following periods in the following percentage amounts of funds remaining after allocations in accordance with paragraphs (a) through (f) of this subdivision, and for periods on and after January first, two thousand, in the following amounts:

(i) from the pool for the period January first, nineteen hundred ninety-seven through December thirty-first, nineteen hundred ninety-seven, thirty-eight and one-tenth percent;

(ii) from the pool for the period January first, nineteen hundred ninety-eight through December thirty-first, nineteen hundred ninety-eight, thirty-eight and one-tenth percent;

(iii) from the pool for the period January first, nineteen hundred ninety-nine through December thirty-first, nineteen hundred ninety-nine, thirty-eight and seventy-one-hundredths percent;

(iv) from the pool for the periods January first, two thousand through December thirty-first, two thousand two, forty-eight million dollars annually, and for the period January first, two thousand three through June thirtieth, two thousand three, twenty-four million dollars;

(v) (A) from the pool or the health care reform act (HCRA) resources fund, whichever is applicable, for the period July first, two thousand three through December thirty-first, two thousand three, up to six million dollars, for the period January first, two thousand four through December thirty-first, two thousand six, up to twelve million dollars annually, for the period January first, two thousand seven through December thirty-first, two thousand thirteen, up to forty-eight million dollars annually, for the period January first, two thousand fourteen through March thirty-first, two thousand fourteen, up to twelve million dollars for the period April first, two thousand fourteen through March thirty-first, two thousand seventeen, up to forty-eight million dollars annually, for the period April first, two thousand seventeen through March thirty-first, two thousand twenty, up to forty-eight million dollars annually, for the period April first, two thousand twenty

1 through March thirty-first, two thousand twenty-three, up to forty-eight
2 million dollars annually, [~~and~~] for the period April first, two thousand
3 twenty-three through March thirty-first, two thousand twenty-six, up to
4 forty-eight million dollars annually, and for the period April first,
5 two thousand twenty-six through March thirty-first, two thousand twen-
6 ty-nine, up to forty-eight million dollars annually;

7 (B) from the health care reform act (HCRA) resources fund for the
8 period January first, two thousand six through December thirty-first,
9 two thousand six, an additional seven million five hundred thousand
10 dollars, for the period January first, two thousand seven through Decem-
11 ber thirty-first, two thousand thirteen, an additional seven million
12 five hundred thousand dollars annually, for the period January first,
13 two thousand fourteen through March thirty-first, two thousand fourteen,
14 an additional one million eight hundred seventy-five thousand dollars,
15 for the period April first, two thousand fourteen through March thirty-
16 first, two thousand seventeen, an additional seven million five hundred
17 thousand dollars annually, for the period April first, two thousand
18 seventeen through March thirty-first, two thousand twenty, an additional
19 seven million five hundred thousand dollars annually, for the period
20 April first, two thousand twenty through March thirty-first, two thou-
21 sand twenty-three, an additional seven million five hundred thousand
22 dollars annually, [~~and~~] for the period April first, two thousand twen-
23 ty-three through March thirty-first, two thousand twenty-six, an addi-
24 tional seven million five hundred thousand dollars annually, and for the
25 period April first, two thousand twenty-six through March thirty-first,
26 two thousand twenty-nine, an additional seven million five hundred thou-
27 sand dollars annually for voluntary non-profit diagnostic and treatment
28 center uncompensated care in accordance with subdivision four-c of
29 section twenty-eight hundred seven-p of this article; and

30 (vi) funds reserved and accumulated pursuant to this paragraph for
31 periods on and after July first, two thousand three, shall be deposited
32 by the commissioner, within amounts appropriated, and the state comp-
33 troller is hereby authorized and directed to receive for deposit to the
34 credit of the state special revenue funds - other, HCRA transfer fund,
35 medical assistance account, for purposes of funding the state share of
36 rate adjustments made pursuant to section twenty-eight hundred seven-p
37 of this article, provided, however, that in the event federal financial
38 participation is not available for rate adjustments made pursuant to
39 paragraph (b) of subdivision one of section twenty-eight hundred seven-p
40 of this article, funds shall be distributed pursuant to paragraph (a) of
41 subdivision one of section twenty-eight hundred seven-p of this article
42 from the respective health care initiatives pools or the health care
43 reform act (HCRA) resources fund, whichever is applicable.

44 (1) Funds shall be reserved and accumulated from year to year by the
45 commissioner and shall be available, including income from invested
46 funds, for transfer to and allocation for services and expenses for the
47 payment of benefits to recipients of drugs under the AIDS drug assist-
48 ance program (ADAP) - HIV uninsured care program as administered by
49 Health Research Incorporated from the respective health care initi-
50 atives pools or the health care reform act (HCRA) resources fund, which-
51 ever is applicable, established for the following periods in the follow-
52 ing percentage amounts of funds remaining after allocations in
53 accordance with paragraphs (a) through (f) of this subdivision, and for
54 periods on and after January first, two thousand, in the following
55 amounts:

1 (i) from the pool for the period January first, nineteen hundred nine-
2 ty-seven through December thirty-first, nineteen hundred ninety-seven,
3 nine and fifty-two-hundredths percent;

4 (ii) from the pool for the period January first, nineteen hundred
5 ninety-eight through December thirty-first, nineteen hundred ninety-
6 eight, nine and fifty-two-hundredths percent;

7 (iii) from the pool for the period January first, nineteen hundred
8 ninety-nine and December thirty-first, nineteen hundred ninety-nine,
9 nine and sixty-eight-hundredths percent;

10 (iv) from the pool for the periods January first, two thousand through
11 December thirty-first, two thousand two, up to twelve million dollars
12 annually, and for the period January first, two thousand three through
13 December thirty-first, two thousand three, up to forty million dollars;
14 and

15 (v) from the pool or the health care reform act (HCRA) resources fund,
16 whichever is applicable, for the periods January first, two thousand
17 four through December thirty-first, two thousand four, up to fifty-six
18 million dollars, for the period January first, two thousand five through
19 December thirty-first, two thousand six, up to sixty million dollars
20 annually, for the period January first, two thousand seven through
21 December thirty-first, two thousand ten, up to sixty million dollars
22 annually, for the period January first, two thousand eleven through
23 March thirty-first, two thousand eleven, up to fifteen million dollars,
24 each state fiscal year for the period April first, two thousand eleven
25 through March thirty-first, two thousand fourteen, up to forty-two
26 million three hundred thousand dollars and up to forty-one million fifty
27 thousand dollars each state fiscal year for the period April first, two
28 thousand fourteen through March thirty-first, two thousand [~~twenty-six~~
29 twenty-nine].

30 (m) Funds shall be reserved and accumulated from year to year and
31 shall be available, including income from invested funds, for purposes
32 of distributions pursuant to section twenty-eight hundred seven-r of
33 this article for cancer related services from the respective health care
34 initiatives pools or the health care reform act (HCRA) resources fund,
35 whichever is applicable, established for the following periods in the
36 following percentage amounts of funds remaining after allocations in
37 accordance with paragraphs (a) through (f) of this subdivision, and for
38 periods on and after January first, two thousand, in the following
39 amounts:

40 (i) from the pool for the period January first, nineteen hundred nine-
41 ty-seven through December thirty-first, nineteen hundred ninety-seven,
42 seven and ninety-four-hundredths percent;

43 (ii) from the pool for the period January first, nineteen hundred
44 ninety-eight through December thirty-first, nineteen hundred ninety-
45 eight, seven and ninety-four-hundredths percent;

46 (iii) from the pool for the period January first, nineteen hundred
47 ninety-nine and December thirty-first, nineteen hundred ninety-nine, six
48 and forty-five-hundredths percent;

49 (iv) from the pool for the period January first, two thousand through
50 December thirty-first, two thousand two, up to ten million dollars on an
51 annual basis;

52 (v) from the pool for the period January first, two thousand three
53 through December thirty-first, two thousand four, up to eight million
54 nine hundred fifty thousand dollars on an annual basis;

55 (vi) from the pool or the health care reform act (HCRA) resources
56 fund, whichever is applicable, for the period January first, two thou-

1 sand five through December thirty-first, two thousand six, up to ten
2 million fifty thousand dollars on an annual basis, for the period Janu-
3 ary first, two thousand seven through December thirty-first, two thou-
4 sand ten, up to nineteen million dollars annually, and for the period
5 January first, two thousand eleven through March thirty-first, two thou-
6 sand eleven, up to four million seven hundred fifty thousand dollars.

7 (n) Funds shall be accumulated and transferred from the health care
8 reform act (HCRA) resources fund as follows: for the period April first,
9 two thousand seven through March thirty-first, two thousand eight, and
10 on an annual basis for the periods April first, two thousand eight
11 through November thirtieth, two thousand nine, funds within amounts
12 appropriated shall be transferred and deposited and credited to the
13 credit of the state special revenue funds - other, HCRA transfer fund,
14 medical assistance account, for purposes of funding the state share of
15 rate adjustments made to public and voluntary hospitals in accordance
16 with paragraphs (i) and (j) of subdivision one of section twenty-eight
17 hundred seven-c of this article.

18 2. Notwithstanding any inconsistent provision of law, rule or regu-
19 lation, any funds accumulated in the health care initiatives pools
20 pursuant to paragraph (b) of subdivision nine of section twenty-eight
21 hundred seven-j of this article, as a result of surcharges, assessments
22 or other obligations during the periods January first, nineteen hundred
23 ninety-seven through December thirty-first, nineteen hundred ninety-
24 nine, which are unused or uncommitted for distributions pursuant to this
25 section shall be reserved and accumulated from year to year by the
26 commissioner and, within amounts appropriated, transferred and deposited
27 into the special revenue funds - other, miscellaneous special revenue
28 fund - 339, child health insurance account or any successor fund or
29 account, for purposes of distributions to implement the child health
30 insurance program established pursuant to sections twenty-five hundred
31 ten and twenty-five hundred eleven of this chapter for periods on and
32 after January first, two thousand one; provided, however, funds reserved
33 and accumulated for priority distributions pursuant to subparagraph
34 (iii) of paragraph (c) of subdivision one of this section shall not be
35 transferred and deposited into such account pursuant to this subdivi-
36 sion; and provided further, however, that any unused or uncommitted pool
37 funds accumulated and allocated pursuant to paragraph (j) of subdivision
38 one of this section shall be distributed for purposes of the health
39 information and quality improvement act of 2000.

40 3. Revenue from distributions pursuant to this section shall not be
41 included in gross revenue received for purposes of the assessments
42 pursuant to subdivision eighteen of section twenty-eight hundred seven-c
43 of this article, subject to the provisions of paragraph (e) of subdivi-
44 sion eighteen of section twenty-eight hundred seven-c of this article,
45 and shall not be included in gross revenue received for purposes of the
46 assessments pursuant to section twenty-eight hundred seven-d of this
47 article, subject to the provisions of subdivision twelve of section
48 twenty-eight hundred seven-d of this article.

49 § 6. Intentionally omitted.

50 § 7. Intentionally omitted.

51 § 8. Intentionally omitted.

52 § 9. Intentionally omitted.

53 § 10. Clause (ii) of paragraph (a) and paragraphs (c), (d), (f) and
54 (g) of subdivision 5-a of section 2807-m of the public health law, as
55 amended by section 6 of part C of chapter 57 of the laws of 2023, are
56 amended to read as follows:

1 (ii) For periods on and after January first, two thousand nine,
2 supplemental distributions pursuant to subdivision five of this section
3 and in accordance with section 86-1.89 of title 10 of the codes, rules
4 and regulations of the state of New York shall no longer be made and the
5 provisions of section 86-1.89 of title 10 of the codes, rules and regu-
6 lations of the state of New York shall be null and void.

7 (c) Physician loan repayment program. One million nine hundred sixty
8 thousand dollars for the period January first, two thousand eight
9 through December thirty-first, two thousand eight, one million nine
10 hundred sixty thousand dollars for the period January first, two thou-
11 sand nine through December thirty-first, two thousand nine, one million
12 nine hundred sixty thousand dollars for the period January first, two
13 thousand ten through December thirty-first, two thousand ten, four
14 hundred ninety thousand dollars for the period January first, two thou-
15 sand eleven through March thirty-first, two thousand eleven, one million
16 seven hundred thousand dollars each state fiscal year for the period
17 April first, two thousand eleven through March thirty-first, two thou-
18 sand fourteen, up to one million seven hundred five thousand dollars
19 each state fiscal year for the period April first, two thousand fourteen
20 through March thirty-first, two thousand seventeen, up to one million
21 seven hundred five thousand dollars each state fiscal year for the peri-
22 od April first, two thousand seventeen through March thirty-first, two
23 thousand twenty, up to one million seven hundred five thousand dollars
24 each state fiscal year for the period April first, two thousand twenty
25 through March thirty-first, two thousand twenty-three, [and] up to one
26 million seven hundred five thousand dollars each state fiscal year for
27 the period April first, two thousand twenty-three through March thirty-
28 first, two thousand twenty-six, and up to one million seven hundred five
29 thousand dollars each state fiscal year for the period April first, two
30 thousand twenty-six through March thirty-first, two thousand twenty-
31 nine, shall be set aside and reserved by the commissioner from the
32 regional pools established pursuant to subdivision two of this section
33 and shall be available for purposes of physician loan repayment in
34 accordance with subdivision ten of this section. Notwithstanding any
35 contrary provision of this section, sections one hundred twelve and one
36 hundred sixty-three of the state finance law, or any other contrary
37 provision of law, such funding shall be allocated regionally with one-
38 third of available funds going to New York city and two-thirds of avail-
39 able funds going to the rest of the state and shall be distributed in a
40 manner to be determined by the commissioner without a competitive bid or
41 request for proposal process as follows:

42 (i) Funding shall first be awarded to repay loans of up to twenty-five
43 physicians who train in primary care or specialty tracks in teaching
44 general hospitals, and who enter and remain in primary care or specialty
45 practices in underserved communities, as determined by the commissioner.

46 (ii) After distributions in accordance with subparagraph (i) of this
47 paragraph, all remaining funds shall be awarded to repay loans of physi-
48 cians who enter and remain in primary care or specialty practices in
49 underserved communities, as determined by the commissioner, including
50 but not limited to physicians working in general hospitals, or other
51 health care facilities.

52 (iii) In no case shall less than fifty percent of the funds available
53 pursuant to this paragraph be distributed in accordance with subpara-
54 graphs (i) and (ii) of this paragraph to physicians identified by gener-
55 al hospitals.

(iv) In addition to the funds allocated under this paragraph, for the period April first, two thousand fifteen through March thirty-first, two thousand sixteen, two million dollars shall be available for the purposes described in subdivision ten of this section;

(v) In addition to the funds allocated under this paragraph, for the period April first, two thousand sixteen through March thirty-first, two thousand seventeen, two million dollars shall be available for the purposes described in subdivision ten of this section;

(vi) Notwithstanding any provision of law to the contrary, and subject to the extension of the Health Care Reform Act of 1996, sufficient funds shall be available for the purposes described in subdivision ten of this section in amounts necessary to fund the remaining year commitments for awards made pursuant to subparagraphs (iv) and (v) of this paragraph.

(d) Physician practice support. Four million nine hundred thousand dollars for the period January first, two thousand eight through December thirty-first, two thousand eight, four million nine hundred thousand dollars annually for the period January first, two thousand nine through December thirty-first, two thousand ten, one million two hundred twenty-five thousand dollars for the period January first, two thousand eleven through March thirty-first, two thousand eleven, four million three hundred thousand dollars each state fiscal year for the period April first, two thousand eleven through March thirty-first, two thousand fourteen, up to four million three hundred sixty thousand dollars each state fiscal year for the period April first, two thousand fourteen through March thirty-first, two thousand seventeen, up to four million three hundred sixty thousand dollars for each state fiscal year for the period April first, two thousand seventeen through March thirty-first, two thousand twenty, up to four million three hundred sixty thousand dollars for each fiscal year for the period April first, two thousand twenty through March thirty-first, two thousand twenty-three, ~~and~~ up to four million three hundred sixty thousand dollars for each fiscal year for the period April first, two thousand twenty-three through March thirty-first, two thousand twenty-six, and up to four million three hundred sixty thousand dollars for each fiscal year for the period April first, two thousand twenty-six through March thirty-first, two thousand twenty-nine, shall be set aside and reserved by the commissioner from the regional pools established pursuant to subdivision two of this section and shall be available for purposes of physician practice support. Notwithstanding any contrary provision of this section, sections one hundred twelve and one hundred sixty-three of the state finance law, or any other contrary provision of law, such funding shall be allocated regionally with one-third of available funds going to New York city and two-thirds of available funds going to the rest of the state and shall be distributed in a manner to be determined by the commissioner without a competitive bid or request for proposal process as follows:

(i) Preference in funding shall first be accorded to teaching general hospitals for up to twenty-five awards, to support costs incurred by physicians trained in primary or specialty tracks who thereafter establish or join practices in underserved communities, as determined by the commissioner.

(ii) After distributions in accordance with subparagraph (i) of this paragraph, all remaining funds shall be awarded to physicians to support the cost of establishing or joining practices in underserved communities, as determined by the commissioner, and to hospitals and other

1 health care providers to recruit new physicians to provide services in
2 underserved communities, as determined by the commissioner.

3 (iii) In no case shall less than fifty percent of the funds available
4 pursuant to this paragraph be distributed to general hospitals in
5 accordance with subparagraphs (i) and (ii) of this paragraph.

6 (f) Study on physician workforce. Five hundred ninety thousand dollars
7 annually for the period January first, two thousand eight through Decem-
8 ber thirty-first, two thousand ten, one hundred forty-eight thousand
9 dollars for the period January first, two thousand eleven through March
10 thirty-first, two thousand eleven, five hundred sixteen thousand dollars
11 each state fiscal year for the period April first, two thousand eleven
12 through March thirty-first, two thousand fourteen, up to four hundred
13 eighty-seven thousand dollars each state fiscal year for the period
14 April first, two thousand fourteen through March thirty-first, two thou-
15 sand seventeen, up to four hundred eighty-seven thousand dollars for
16 each state fiscal year for the period April first, two thousand seven-
17 teen through March thirty-first, two thousand twenty, up to four hundred
18 eighty-seven thousand dollars each state fiscal year for the period
19 April first, two thousand twenty through March thirty-first, two thou-
20 sand twenty-three, ~~[and]~~ up to four hundred eighty-seven thousand
21 dollars each state fiscal year for the period April first, two thousand
22 twenty-three through March thirty-first, two thousand twenty-six, and up
23 to four hundred eighty-seven thousand dollars each state fiscal year for
24 the period April first, two thousand twenty-six through March thirty-
25 first, two thousand twenty-nine, shall be set aside and reserved by the
26 commissioner from the regional pools established pursuant to subdivision
27 two of this section and shall be available to fund a study of physician
28 workforce needs and solutions including, but not limited to, an analysis
29 of residency programs and projected physician workforce and community
30 needs. The commissioner shall enter into agreements with one or more
31 organizations to conduct such study based on a request for proposal
32 process.

33 (g) ~~[Diversity in medicine/post baccalaureate program]~~ Scholars in
34 medicine and science and scholarships in medicine programs. Notwith-
35 standing any inconsistent provision of section one hundred twelve or one
36 hundred sixty-three of the state finance law or any other law, one
37 million nine hundred sixty thousand dollars annually for the period
38 January first, two thousand eight through December thirty-first, two
39 thousand ten, four hundred ninety thousand dollars for the period Janu-
40 ary first, two thousand eleven through March thirty-first, two thousand
41 eleven, one million seven hundred thousand dollars each state fiscal
42 year for the period April first, two thousand eleven through March thir-
43 ty-first, two thousand fourteen, up to one million six hundred five
44 thousand dollars each state fiscal year for the period April first, two
45 thousand fourteen through March thirty-first, two thousand seventeen, up
46 to one million six hundred five thousand dollars each state fiscal year
47 for the period April first, two thousand seventeen through March thir-
48 ty-first, two thousand twenty, up to one million six hundred five thou-
49 sand dollars each state fiscal year for the period April first, two
50 thousand twenty through March thirty-first, two thousand twenty-three,
51 ~~[and]~~ up to one million six hundred five thousand dollars each state
52 fiscal year for the period April first, two thousand twenty-three
53 through March thirty-first, two thousand twenty-six, and up to one
54 million six hundred five thousand dollars each state fiscal year for the
55 period April first, two thousand twenty-six through March thirty-first,
56 two thousand twenty-nine, shall be set aside and reserved by the commis-

1 sioner from the regional pools established pursuant to subdivision two
2 of this section and shall be available for distributions to the Associ-
3 ated Medical Schools of New York to fund its [~~diversity program~~] schol-
4 ars in medicine and science and scholarships in medicine programs
5 including existing and new post-baccalaureate programs for minority and
6 economically disadvantaged students and encourage participation from all
7 medical schools in New York. The associated medical schools of New York
8 shall report to the commissioner on an annual basis regarding the use of
9 funds for such purpose in such form and manner as specified by the
10 commissioner.

11 § 11. Subparagraph (xvi) of paragraph (a) of subdivision 7 of section
12 2807-s of the public health law, as amended by section 8 of part Y of
13 chapter 56 of the laws of 2020, is amended to read as follows:

14 (xvi) provided further, however, for periods prior to July first, two
15 thousand nine, amounts set forth in this paragraph shall be reduced by
16 an amount equal to the actual distribution reductions for all facilities
17 pursuant to paragraph (s) of subdivision one of section twenty-eight
18 hundred seven-m of this article.

19 § 12. Subdivision (c) of section 92-dd of the state finance law, as
20 amended by section 9 of part Y of chapter 56 of the laws of 2020, is
21 amended to read as follows:

22 (c) The pool administrator shall, from appropriated funds transferred
23 to the pool administrator from the comptroller, continue to make
24 payments as required pursuant to sections twenty-eight hundred seven-k,
25 twenty-eight hundred seven-m (not including payments made pursuant to
26 subdivision five-b and paragraphs (c), (d), (e), (f) and (g) of subdivi-
27 sion five-a of section twenty-eight hundred seven-m), and twenty-eight
28 hundred seven-w of the public health law, paragraph (e) of subdivision
29 twenty-five of section twenty-eight hundred seven-c of the public health
30 law, paragraphs (b) and (c) of subdivision thirty of section twenty-
31 eight hundred seven-c of the public health law, paragraph (b) of subdivi-
32 sion eighteen of section twenty-eight hundred eight of the public
33 health law, subdivision seven of section twenty-five hundred-d of the
34 public health law and section eighty-eight of chapter one of the laws of
35 nineteen hundred ninety-nine.

36 § 13. Subdivision 4-c of section 2807-p of the public health law, as
37 amended by section 7 of part C of chapter 57 of the laws of 2023, is
38 amended to read as follows:

39 4-c. Notwithstanding any provision of law to the contrary, the commis-
40 sioner shall make additional payments for uncompensated care to volun-
41 tary non-profit diagnostic and treatment centers that are eligible for
42 distributions under subdivision four of this section in the following
43 amounts: for the period June first, two thousand six through December
44 thirty-first, two thousand six, in the amount of seven million five
45 hundred thousand dollars, for the period January first, two thousand
46 seven through December thirty-first, two thousand seven, seven million
47 five hundred thousand dollars, for the period January first, two thou-
48 sand eight through December thirty-first, two thousand eight, seven
49 million five hundred thousand dollars, for the period January first, two
50 thousand nine through December thirty-first, two thousand nine, fifteen
51 million five hundred thousand dollars, for the period January first, two
52 thousand ten through December thirty-first, two thousand ten, seven
53 million five hundred thousand dollars, for the period January first, two
54 thousand eleven through December thirty-first, two thousand eleven, seven
55 million five hundred thousand dollars, for the period January first, two
56 thousand twelve through December thirty-first, two thousand twelve,

1 seven million five hundred thousand dollars, for the period January
2 first, two thousand thirteen through December thirty-first, two thousand
3 thirteen, seven million five hundred thousand dollars, for the period
4 January first, two thousand fourteen through December thirty-first, two
5 thousand fourteen, seven million five hundred thousand dollars, for the
6 period January first, two thousand fifteen through December thirty-
7 first, two thousand fifteen, seven million five hundred thousand
8 dollars, for the period January first two thousand sixteen through
9 December thirty-first, two thousand sixteen, seven million five hundred
10 thousand dollars, for the period January first, two thousand seventeen
11 through December thirty-first, two thousand seventeen, seven million
12 five hundred thousand dollars, for the period January first, two thou-
13 sand eighteen through December thirty-first, two thousand eighteen,
14 seven million five hundred thousand dollars, for the period January
15 first, two thousand nineteen through December thirty-first, two thousand
16 nineteen, seven million five hundred thousand dollars, for the period
17 January first, two thousand twenty through December thirty-first, two
18 thousand twenty, seven million five hundred thousand dollars, for the
19 period January first, two thousand twenty-one through December thirty-
20 first, two thousand twenty-one, seven million five hundred thousand
21 dollars, for the period January first, two thousand twenty-two through
22 December thirty-first, two thousand twenty-two, seven million five
23 hundred thousand dollars, for the period January first, two thousand
24 twenty-three through December thirty-first, two thousand twenty-three,
25 seven million five hundred thousand dollars, for the period January
26 first, two thousand twenty-four through December thirty-first, two thou-
27 sand twenty-four, seven million five hundred thousand dollars, for the
28 period January first, two thousand twenty-five through December thirty-
29 first, two thousand twenty-five, seven million five hundred thousand
30 dollars, for the period January first, two thousand twenty-six through
31 December thirty-first, two thousand twenty-six, seven million five
32 hundred thousand dollars, for the period January first, two thousand
33 twenty-seven through December thirty-first, two thousand twenty-seven,
34 seven million five hundred thousand dollars, for the period January
35 first, two thousand twenty-eight through December thirty-first, two
36 thousand twenty-eight, seven million five hundred thousand dollars, and
37 for the period January first, two thousand [~~twenty-six~~] twenty-nine
38 through March thirty-first, two thousand [~~twenty-six~~] twenty-nine, in
39 the amount of one million six hundred thousand dollars, provided, howev-
40 er, that for periods on and after January first, two thousand eight,
41 such additional payments shall be distributed to voluntary, non-profit
42 diagnostic and treatment centers and to public diagnostic and treatment
43 centers in accordance with paragraph (g) of subdivision four of this
44 section. In the event that federal financial participation is available
45 for rate adjustments pursuant to this section, the commissioner shall
46 make such payments as additional adjustments to rates of payment for
47 voluntary non-profit diagnostic and treatment centers that are eligible
48 for distributions under subdivision four-a of this section in the
49 following amounts: for the period June first, two thousand six through
50 December thirty-first, two thousand six, fifteen million dollars in the
51 aggregate, and for the period January first, two thousand seven through
52 June thirtieth, two thousand seven, seven million five hundred thousand
53 dollars in the aggregate. The amounts allocated pursuant to this para-
54 graph shall be aggregated with and distributed pursuant to the same
55 methodology applicable to the amounts allocated to such diagnostic and
56 treatment centers for such periods pursuant to subdivision four of this

1 section if federal financial participation is not available, or pursuant
2 to subdivision four-a of this section if federal financial participation
3 is available. Notwithstanding section three hundred sixty-eight-a of the
4 social services law, there shall be no local share in a medical assist-
5 ance payment adjustment under this subdivision.

6 § 14. Paragraph (a) of subdivision 6 of section 2807-s of the public
7 health law is amended by adding a new subparagraph (xvii) to read as
8 follows:

9 (xvii) A gross annual statewide amount for the period January first,
10 two thousand twenty-seven to December thirty-first, two thousand twen-
11 ty-nine shall be one billion eighty-five million dollars, forty million
12 dollars annually of which shall be allocated under section twenty-eight
13 hundred seven-o of this article among the municipalities of and the
14 state of New York based on each municipality's share and the state's
15 share of early intervention program expenditures not reimbursable by the
16 medical assistance program for the latest twelve month period for which
17 such data is available.

18 § 15. Subparagraph (xiii) of paragraph (a) of subdivision 7 of section
19 2807-s of the public health law, as amended by section 10 of part C of
20 chapter 57 of the laws of 2023, is amended to read as follows:

21 (xiii) twenty-three million eight hundred thirty-six thousand dollars
22 each state fiscal year for the period April first, two thousand twelve
23 through March thirty-first, two thousand [~~twenty-six~~] twenty-nine;

24 § 16. Paragraph (b) of subdivision 6 of section 2807-t of the public
25 health law, as amended by section 11 of part C of chapter 57 of the laws
26 of 2023, is amended to read as follows:

27 (b) Notwithstanding the provisions of paragraph (a) of this subdivi-
28 sion, for covered lives assessment rate periods on and after January
29 first, two thousand fifteen through December thirty-first, two thousand
30 twenty-one, for amounts collected in the aggregate in excess of one
31 billion forty-five million dollars on an annual basis, and for the peri-
32 od January first, two thousand twenty-two to December thirty-first, two
33 thousand [~~twenty-six~~] twenty-nine for amounts collected in the aggregate
34 in excess of one billion eighty-five million dollars on an annual basis,
35 prospective adjustments shall be suspended if the annual reconciliation
36 calculation from the prior year would otherwise result in a decrease to
37 the regional allocation of the specified gross annual payment amount for
38 that region, provided, however, that such suspension shall be lifted
39 upon a determination by the commissioner, in consultation with the
40 director of the budget, that sixty-five million dollars in aggregate
41 collections on an annual basis over and above one billion forty-five
42 million dollars on an annual basis for the period on and after January
43 first, two thousand fifteen through December thirty-first, two thousand
44 twenty-one and for the period January first, two thousand twenty-two to
45 December thirty-first, two thousand [~~twenty-six~~] twenty-nine for amounts
46 collected in the aggregate in excess of one billion eighty-five million
47 dollars on an annual basis have been reserved and set aside for deposit
48 in the HCRA resources fund. Any amounts collected in the aggregate at or
49 below one billion forty-five million dollars on an annual basis for the
50 period on and after January first, two thousand fifteen through December
51 thirty-first, two thousand twenty-two, and for the period January first,
52 two thousand twenty-three to December thirty-first, two thousand [~~twen-~~
53 ~~ty-six~~] twenty-nine for amounts collected in the aggregate in excess of
54 one billion eighty-five million dollars on an annual basis, shall be
55 subject to regional adjustments reconciling any decreases or increases

1 to the regional allocation in accordance with paragraph (a) of this
2 subdivision.

3 § 17. Section 2807-v of the public health law, as amended by section
4 12 of part C of chapter 57 of the laws of 2023, is amended to read as
5 follows:

6 § 2807-v. Tobacco control and insurance initiatives pool distrib-
7 utions. 1. Funds accumulated in the tobacco control and insurance
8 initiatives pool or in the health care reform act (HCRA) resources fund
9 established pursuant to section ninety-two-dd of the state finance law,
10 whichever is applicable, including income from invested funds, shall be
11 distributed or retained by the commissioner or by the state comptroller,
12 as applicable, in accordance with the following:

13 (a) Funds shall be deposited by the commissioner, within amounts
14 appropriated, and the state comptroller is hereby authorized and
15 directed to receive for deposit to the credit of the state special
16 revenue funds - other, HCRA transfer fund, medicaid fraud hotline and
17 medicaid administration account, or any successor fund or account, for
18 purposes of services and expenses related to the toll-free medicaid
19 fraud hotline established pursuant to section one hundred eight of chap-
20 ter one of the laws of nineteen hundred ninety-nine from the tobacco
21 control and insurance initiatives pool established for the following
22 periods in the following amounts: four hundred thousand dollars annually
23 for the periods January first, two thousand through December thirty-
24 first, two thousand two, up to four hundred thousand dollars for the
25 period January first, two thousand three through December thirty-first,
26 two thousand three, up to four hundred thousand dollars for the period
27 January first, two thousand four through December thirty-first, two
28 thousand four, up to four hundred thousand dollars for the period Janu-
29 ary first, two thousand five through December thirty-first, two thousand
30 five, up to four hundred thousand dollars for the period January first,
31 two thousand six through December thirty-first, two thousand six, up to
32 four hundred thousand dollars for the period January first, two thousand
33 seven through December thirty-first, two thousand seven, up to four
34 hundred thousand dollars for the period January first, two thousand
35 eight through December thirty-first, two thousand eight, up to four
36 hundred thousand dollars for the period January first, two thousand nine
37 through December thirty-first, two thousand nine, up to four hundred
38 thousand dollars for the period January first, two thousand ten through
39 December thirty-first, two thousand ten, up to one hundred thousand
40 dollars for the period January first, two thousand eleven through March
41 thirty-first, two thousand eleven and within amounts appropriated on and
42 after April first, two thousand eleven.

43 (b) Funds shall be reserved and accumulated from year to year and
44 shall be available, including income from invested funds, for purposes
45 of payment of audits or audit contracts necessary to determine payor and
46 provider compliance with requirements set forth in sections twenty-eight
47 hundred seven-j, twenty-eight hundred seven-s and twenty-eight hundred
48 seven-t of this article from the tobacco control and insurance initi-
49 atives pool established for the following periods in the following
50 amounts: five million six hundred thousand dollars annually for the
51 periods January first, two thousand through December thirty-first, two
52 thousand two, up to five million dollars for the period January first,
53 two thousand three through December thirty-first, two thousand three, up
54 to five million dollars for the period January first, two thousand four
55 through December thirty-first, two thousand four, up to five million
56 dollars for the period January first, two thousand five through December

1 thirty-first, two thousand five, up to five million dollars for the
2 period January first, two thousand six through December thirty-first,
3 two thousand six, up to seven million eight hundred thousand dollars for
4 the period January first, two thousand seven through December thirty-
5 first, two thousand seven, and up to eight million three hundred twen-
6 ty-five thousand dollars for the period January first, two thousand
7 eight through December thirty-first, two thousand eight, up to eight
8 million five hundred thousand dollars for the period January first, two
9 thousand nine through December thirty-first, two thousand nine, up to
10 eight million five hundred thousand dollars for the period January
11 first, two thousand ten through December thirty-first, two thousand ten,
12 up to two million one hundred twenty-five thousand dollars for the peri-
13 od January first, two thousand eleven through March thirty-first, two
14 thousand eleven, up to fourteen million seven hundred thousand dollars
15 each state fiscal year for the period April first, two thousand eleven
16 through March thirty-first, two thousand fourteen, up to eleven million
17 one hundred thousand dollars each state fiscal year for the period April
18 first, two thousand fourteen through March thirty-first, two thousand
19 seventeen, up to eleven million one hundred thousand dollars each state
20 fiscal year for the period April first, two thousand seventeen through
21 March thirty-first, two thousand twenty, up to eleven million one
22 hundred thousand dollars each state fiscal year for the period April
23 first, two thousand twenty through March thirty-first, two thousand
24 twenty-three, [and] up to eleven million one hundred thousand dollars
25 each state fiscal year for the period April first, two thousand twenty-
26 three through March thirty-first, two thousand twenty-six, and up to
27 eleven million one hundred thousand dollars each state fiscal year for
28 the period April first, two thousand twenty-six through March thirty-
29 first, two thousand twenty-nine.

30 (c) Funds shall be deposited by the commissioner, within amounts
31 appropriated, and the state comptroller is hereby authorized and
32 directed to receive for deposit to the credit of the state special
33 revenue funds - other, HCRA transfer fund, enhanced community services
34 account, or any successor fund or account, for mental health services
35 programs for case management services for adults and children; supported
36 housing; home and community based waiver services; family based treat-
37 ment; family support services; mobile mental health teams; transitional
38 housing; and community oversight, established pursuant to articles seven
39 and forty-one of the mental hygiene law and subdivision nine of section
40 three hundred sixty-six of the social services law; and for comprehen-
41 sive care centers for eating disorders pursuant to the former section
42 twenty-seven hundred ninety-nine-1 of this chapter, provided however
43 that, for such centers, funds in the amount of five hundred thousand
44 dollars on an annualized basis shall be transferred from the enhanced
45 community services account, or any successor fund or account, and depos-
46 ited into the fund established by section ninety-five-e of the state
47 finance law; from the tobacco control and insurance initiatives pool
48 established for the following periods in the following amounts:

49 (i) forty-eight million dollars to be reserved, to be retained or for
50 distribution pursuant to a chapter of the laws of two thousand, for the
51 period January first, two thousand through December thirty-first, two
52 thousand;

53 (ii) eighty-seven million dollars to be reserved, to be retained or
54 for distribution pursuant to a chapter of the laws of two thousand one,
55 for the period January first, two thousand one through December thirty-
56 first, two thousand one;

(iii) eighty-seven million dollars to be reserved, to be retained or for distribution pursuant to a chapter of the laws of two thousand two, for the period January first, two thousand two through December thirty-first, two thousand two;

(iv) eighty-eight million dollars to be reserved, to be retained or for distribution pursuant to a chapter of the laws of two thousand three, for the period January first, two thousand three through December thirty-first, two thousand three;

(v) eighty-eight million dollars, plus five hundred thousand dollars, to be reserved, to be retained or for distribution pursuant to a chapter of the laws of two thousand four, and pursuant to the former section twenty-seven hundred ninety-nine-1 of this chapter, for the period January first, two thousand four through December thirty-first, two thousand four;

(vi) eighty-eight million dollars, plus five hundred thousand dollars, to be reserved, to be retained or for distribution pursuant to a chapter of the laws of two thousand five, and pursuant to the former section twenty-seven hundred ninety-nine-1 of this chapter, for the period January first, two thousand five through December thirty-first, two thousand five;

(vii) eighty-eight million dollars, plus five hundred thousand dollars, to be reserved, to be retained or for distribution pursuant to a chapter of the laws of two thousand six, and pursuant to former section twenty-seven hundred ninety-nine-1 of this chapter, for the period January first, two thousand six through December thirty-first, two thousand six;

(viii) eighty-six million four hundred thousand dollars, plus five hundred thousand dollars, to be reserved, to be retained or for distribution pursuant to a chapter of the laws of two thousand seven and pursuant to the former section twenty-seven hundred ninety-nine-1 of this chapter, for the period January first, two thousand seven through December thirty-first, two thousand seven; and

(ix) twenty-two million nine hundred thirteen thousand dollars, plus one hundred twenty-five thousand dollars, to be reserved, to be retained or for distribution pursuant to a chapter of the laws of two thousand eight and pursuant to the former section twenty-seven hundred ninety-nine-1 of this chapter, for the period January first, two thousand eight through March thirty-first, two thousand eight.

(d) Funds shall be deposited by the commissioner, within amounts appropriated, and the state comptroller is hereby authorized and directed to receive for deposit to the credit of the state special revenue funds - other, HCRA transfer fund, medical assistance account, or any successor fund or account, for purposes of funding the state share of services and expenses related to the family health plus program including up to two and one-half million dollars annually for the period January first, two thousand through December thirty-first, two thousand two, for administration and marketing costs associated with such program established pursuant to clause (A) of subparagraph (v) of paragraph (a) of subdivision two of former section three hundred sixty-nine-ee of the social services law from the tobacco control and insurance initiatives pool established for the following periods in the following amounts:

(i) three million five hundred thousand dollars for the period January first, two thousand through December thirty-first, two thousand;

(ii) twenty-seven million dollars for the period January first, two thousand one through December thirty-first, two thousand one; and

(iii) fifty-seven million dollars for the period January first, two thousand two through December thirty-first, two thousand two.

(e) Funds shall be deposited by the commissioner, within amounts appropriated, and the state comptroller is hereby authorized and directed to receive for deposit to the credit of the state special revenue funds - other, HCRA transfer fund, medical assistance account, or any successor fund or account, for purposes of funding the state share of services and expenses related to the family health plus program including up to two and one-half million dollars annually for the period January first, two thousand two through December thirty-first, two thousand two for administration and marketing costs associated with such program established pursuant to clause (B) of subparagraph (v) of paragraph (a) of subdivision two of ~~former~~ section three hundred sixty-nine-ee of the social services law from the tobacco control and insurance initiatives pool established for the following periods in the following amounts:

(i) two million five hundred thousand dollars for the period January first, two thousand two through December thirty-first, two thousand two;

(ii) thirty million five hundred thousand dollars for the period January first, two thousand one through December thirty-first, two thousand one; and

(iii) sixty-six million dollars for the period January first, two thousand two through December thirty-first, two thousand two.

(f) Funds shall be deposited by the commissioner, within amounts appropriated, and the state comptroller is hereby authorized and directed to receive for deposit to the credit of the state special revenue funds - other, HCRA transfer fund, medicaid fraud hotline and medicaid administration account, or any successor fund or account, for purposes of payment of administrative expenses of the department related to the family health plus program established pursuant to ~~former~~ section three hundred sixty-nine-ee of the social services law from the tobacco control and insurance initiatives pool established for the following periods in the following amounts: five hundred thousand dollars on an annual basis for the periods January first, two thousand two through December thirty-first, two thousand six, five hundred thousand dollars for the period January first, two thousand seven through December thirty-first, two thousand seven, and five hundred thousand dollars for the period January first, two thousand eight through December thirty-first, two thousand eight, five hundred thousand dollars for the period January first, two thousand nine through December thirty-first, two thousand nine, five hundred thousand dollars for the period January first, two thousand ten through December thirty-first, two thousand ten, one hundred twenty-five thousand dollars for the period January first, two thousand eleven through March thirty-first, two thousand eleven and within amounts appropriated on and after April first, two thousand eleven.

(g) Funds shall be reserved and accumulated from year to year and shall be available, including income from invested funds, for purposes of services and expenses related to the health maintenance organization direct pay market program established pursuant to sections [~~forty-three~~] ~~four thousand three~~ hundred twenty-one-a and [~~forty-three~~] ~~four thousand three~~ hundred twenty-two-a of the insurance law from the tobacco control and insurance initiatives pool established for the following periods in the following amounts:

(i) up to thirty-five million dollars for the period January first, two thousand two through December thirty-first, two thousand two of which fifty percentum shall be allocated to the program pursuant to section four

1 thousand three hundred twenty-one-a of the insurance law and fifty
2 percentum to the program pursuant to section four thousand three hundred
3 twenty-two-a of the insurance law;

4 (ii) up to thirty-six million dollars for the period January first,
5 two thousand one through December thirty-first, two thousand one of
6 which fifty percentum shall be allocated to the program pursuant to
7 section four thousand three hundred twenty-one-a of the insurance law
8 and fifty percentum to the program pursuant to section four thousand
9 three hundred twenty-two-a of the insurance law;

10 (iii) up to thirty-nine million dollars for the period January first,
11 two thousand two through December thirty-first, two thousand two of
12 which fifty percentum shall be allocated to the program pursuant to
13 section four thousand three hundred twenty-one-a of the insurance law
14 and fifty percentum to the program pursuant to section four thousand
15 three hundred twenty-two-a of the insurance law;

16 (iv) up to forty million dollars for the period January first, two
17 thousand three through December thirty-first, two thousand three of
18 which fifty percentum shall be allocated to the program pursuant to
19 section four thousand three hundred twenty-one-a of the insurance law
20 and fifty percentum to the program pursuant to section four thousand
21 three hundred twenty-two-a of the insurance law;

22 (v) up to forty million dollars for the period January first, two
23 thousand four through December thirty-first, two thousand four of which
24 fifty percentum shall be allocated to the program pursuant to section
25 four thousand three hundred twenty-one-a of the insurance law and fifty
26 percentum to the program pursuant to section four thousand three hundred
27 twenty-two-a of the insurance law;

28 (vi) up to forty million dollars for the period January first, two
29 thousand five through December thirty-first, two thousand five of which
30 fifty percentum shall be allocated to the program pursuant to section
31 four thousand three hundred twenty-one-a of the insurance law and fifty
32 percentum to the program pursuant to section four thousand three hundred
33 twenty-two-a of the insurance law;

34 (vii) up to forty million dollars for the period January first, two
35 thousand six through December thirty-first, two thousand six of which
36 fifty percentum shall be allocated to the program pursuant to section
37 four thousand three hundred twenty-one-a of the insurance law and fifty
38 percentum shall be allocated to the program pursuant to section four
39 thousand three hundred twenty-two-a of the insurance law;

40 (viii) up to forty million dollars for the period January first, two
41 thousand seven through December thirty-first, two thousand seven of
42 which fifty percentum shall be allocated to the program pursuant to
43 section four thousand three hundred twenty-one-a of the insurance law
44 and fifty percentum shall be allocated to the program pursuant to
45 section four thousand three hundred twenty-two-a of the insurance law;
46 and

47 (ix) up to forty million dollars for the period January first, two
48 thousand eight through December thirty-first, two thousand eight of
49 which fifty per centum shall be allocated to the program pursuant to
50 section four thousand three hundred twenty-one-a of the insurance law
51 and fifty per centum shall be allocated to the program pursuant to
52 section four thousand three hundred twenty-two-a of the insurance law.

53 (h) Funds shall be reserved and accumulated from year to year and
54 shall be available, including income from invested funds, for purposes
55 of services and expenses related to the healthy New York individual
56 program established pursuant to sections four thousand three hundred

1 twenty-six and four thousand three hundred twenty-seven of the insurance
2 law from the tobacco control and insurance initiatives pool established
3 for the following periods in the following amounts:

4 (i) up to six million dollars for the period January first, two thou-
5 sand one through December thirty-first, two thousand one;

6 (ii) up to twenty-nine million dollars for the period January first,
7 two thousand two through December thirty-first, two thousand two;

8 (iii) up to five million one hundred thousand dollars for the period
9 January first, two thousand three through December thirty-first, two
10 thousand three;

11 (iv) up to twenty-four million six hundred thousand dollars for the
12 period January first, two thousand four through December thirty-first,
13 two thousand four;

14 (v) up to thirty-four million six hundred thousand dollars for the
15 period January first, two thousand five through December thirty-first,
16 two thousand five;

17 (vi) up to fifty-four million eight hundred thousand dollars for the
18 period January first, two thousand six through December thirty-first,
19 two thousand six;

20 (vii) up to sixty-one million seven hundred thousand dollars for the
21 period January first, two thousand seven through December thirty-first,
22 two thousand seven; and

23 (viii) up to one hundred three million seven hundred fifty thousand
24 dollars for the period January first, two thousand eight through Decem-
25 ber thirty-first, two thousand eight.

26 (i) Funds shall be reserved and accumulated from year to year and
27 shall be available, including income from invested funds, for purposes
28 of services and expenses related to the healthy New York group program
29 established pursuant to sections four thousand three hundred twenty-six
30 and four thousand three hundred twenty-seven of the insurance law from
31 the tobacco control and insurance initiatives pool established for the
32 following periods in the following amounts:

33 (i) up to thirty-four million dollars for the period January first,
34 two thousand one through December thirty-first, two thousand one;

35 (ii) up to seventy-seven million dollars for the period January first,
36 two thousand two through December thirty-first, two thousand two;

37 (iii) up to ten million five hundred thousand dollars for the period
38 January first, two thousand three through December thirty-first, two
39 thousand three;

40 (iv) up to twenty-four million six hundred thousand dollars for the
41 period January first, two thousand four through December thirty-first,
42 two thousand four;

43 (v) up to thirty-four million six hundred thousand dollars for the
44 period January first, two thousand five through December thirty-first,
45 two thousand five;

46 (vi) up to fifty-four million eight hundred thousand dollars for the
47 period January first, two thousand six through December thirty-first,
48 two thousand six;

49 (vii) up to sixty-one million seven hundred thousand dollars for the
50 period January first, two thousand seven through December thirty-first,
51 two thousand seven; and

52 (viii) up to one hundred three million seven hundred fifty thousand
53 dollars for the period January first, two thousand eight through Decem-
54 ber thirty-first, two thousand eight.

55 (i-1) Notwithstanding the provisions of paragraphs (h) and (i) of this
56 subdivision, the commissioner shall reserve and accumulate up to two

1 million five hundred thousand dollars annually for the periods January
2 first, two thousand four through December thirty-first, two thousand
3 six, one million four hundred thousand dollars for the period January
4 first, two thousand seven through December thirty-first, two thousand
5 seven, two million dollars for the period January first, two thousand
6 eight through December thirty-first, two thousand eight, from funds
7 otherwise available for distribution under such paragraphs for the
8 services and expenses related to the pilot program for entertainment
9 industry employees included in subsection (b) of section one thousand
10 one hundred twenty-two of the insurance law, and an additional seven
11 hundred thousand dollars annually for the periods January first, two
12 thousand four through December thirty-first, two thousand six, an addi-
13 tional three hundred thousand dollars for the period January first, two
14 thousand seven through June thirtieth, two thousand seven for services
15 and expenses related to the pilot program for displaced workers included
16 in subsection (c) of section one thousand one hundred twenty-two of the
17 insurance law.

18 (j) Funds shall be reserved and accumulated from year to year and
19 shall be available, including income from invested funds, for purposes
20 of services and expenses related to the tobacco use prevention and
21 control program established pursuant to sections thirteen hundred nine-
22 ty-nine-ii and thirteen hundred ninety-nine-jj of this chapter, from the
23 tobacco control and insurance initiatives pool established for the
24 following periods in the following amounts:

25 (i) up to thirty million dollars for the period January first, two
26 thousand through December thirty-first, two thousand;

27 (ii) up to forty million dollars for the period January first, two
28 thousand one through December thirty-first, two thousand one;

29 (iii) up to forty million dollars for the period January first, two
30 thousand two through December thirty-first, two thousand two;

31 (iv) up to thirty-six million nine hundred fifty thousand dollars for
32 the period January first, two thousand three through December thirty-
33 first, two thousand three;

34 (v) up to thirty-six million nine hundred fifty thousand dollars for
35 the period January first, two thousand four through December thirty-
36 first, two thousand four;

37 (vi) up to forty million six hundred thousand dollars for the period
38 January first, two thousand five through December thirty-first, two
39 thousand five;

40 (vii) up to eighty-one million nine hundred thousand dollars for the
41 period January first, two thousand six through December thirty-first,
42 two thousand six, provided, however, that within amounts appropriated, a
43 portion of such funds may be transferred to the Roswell Park Cancer
44 Institute Corporation to support costs associated with cancer research;

45 (viii) up to ninety-four million one hundred fifty thousand dollars
46 for the period January first, two thousand seven through December thir-
47 ty-first, two thousand seven, provided, however, that within amounts
48 appropriated, a portion of such funds may be transferred to the Roswell
49 Park Cancer Institute Corporation to support costs associated with
50 cancer research;

51 (ix) up to ninety-four million one hundred fifty thousand dollars for
52 the period January first, two thousand eight through December thirty-
53 first, two thousand eight;

54 (x) up to ninety-four million one hundred fifty thousand dollars for
55 the period January first, two thousand nine through December thirty-
56 first, two thousand nine;

1 (xi) up to eighty-seven million seven hundred seventy-five thousand
2 dollars for the period January first, two thousand ten through December
3 thirty-first, two thousand ten;

4 (xii) up to twenty-one million four hundred twelve thousand dollars
5 for the period January first, two thousand eleven through March thirty-
6 first, two thousand eleven;

7 (xiii) up to fifty-two million one hundred thousand dollars each state
8 fiscal year for the period April first, two thousand eleven through
9 March thirty-first, two thousand fourteen;

10 (xiv) up to six million dollars each state fiscal year for the period
11 April first, two thousand fourteen through March thirty-first, two thou-
12 sand seventeen;

13 (xv) up to six million dollars each state fiscal year for the period
14 April first, two thousand seventeen through March thirty-first, two
15 thousand twenty;

16 (xvi) up to six million dollars each state fiscal year for the period
17 April first, two thousand twenty through March thirty-first, two thou-
18 sand twenty-three; ~~[and]~~

19 (xvii) up to six million dollars each state fiscal year for the period
20 April first, two thousand twenty-three through March thirty-first, two
21 thousand twenty-six~~[-]~~; and

22 (xviii) up to six million dollars each state fiscal year for the peri-
23 od April first, two thousand twenty-six through March thirty-first, two
24 thousand twenty-nine.

25 (k) Funds shall be deposited by the commissioner, within amounts
26 appropriated, and the state comptroller is hereby authorized and
27 directed to receive for deposit to the credit of the state special
28 revenue fund - other, HCRA transfer fund, health care services account,
29 or any successor fund or account, for purposes of services and expenses
30 related to public health programs, including comprehensive care centers
31 for eating disorders pursuant to the former section twenty-seven hundred
32 ninety-nine-1 of this chapter, provided however that, for such centers,
33 funds in the amount of five hundred thousand dollars on an annualized
34 basis shall be transferred from the health care services account, or any
35 successor fund or account, and deposited into the fund established by
36 section ninety-five-e of the state finance law for periods prior to
37 March thirty-first, two thousand eleven, from the tobacco control and
38 insurance initiatives pool established for the following periods in the
39 following amounts:

40 (i) up to thirty-one million dollars for the period January first, two
41 thousand through December thirty-first, two thousand;

42 (ii) up to forty-one million dollars for the period January first, two
43 thousand one through December thirty-first, two thousand one;

44 (iii) up to eighty-one million dollars for the period January first,
45 two thousand two through December thirty-first, two thousand two;

46 (iv) one hundred twenty-two million five hundred thousand dollars for
47 the period January first, two thousand three through December thirty-
48 first, two thousand three;

49 (v) one hundred eight million five hundred seventy-five thousand
50 dollars, plus an additional five hundred thousand dollars, for the peri-
51 od January first, two thousand four through December thirty-first, two
52 thousand four;

53 (vi) ninety-one million eight hundred thousand dollars, plus an addi-
54 tional five hundred thousand dollars, for the period January first, two
55 thousand five through December thirty-first, two thousand five;

(vii) one hundred fifty-six million six hundred thousand dollars, plus an additional five hundred thousand dollars, for the period January first, two thousand six through December thirty-first, two thousand six;
(viii) one hundred fifty-one million four hundred thousand dollars, plus an additional five hundred thousand dollars, for the period January first, two thousand seven through December thirty-first, two thousand seven;

(ix) one hundred sixteen million nine hundred forty-nine thousand dollars, plus an additional five hundred thousand dollars, for the period January first, two thousand eight through December thirty-first, two thousand eight;

(x) one hundred sixteen million nine hundred forty-nine thousand dollars, plus an additional five hundred thousand dollars, for the period January first, two thousand nine through December thirty-first, two thousand nine;

(xi) one hundred sixteen million nine hundred forty-nine thousand dollars, plus an additional five hundred thousand dollars, for the period January first, two thousand ten through December thirty-first, two thousand ten;

(xii) twenty-nine million two hundred thirty-seven thousand two hundred fifty dollars, plus an additional one hundred twenty-five thousand dollars, for the period January first, two thousand eleven through March thirty-first, two thousand eleven;

(xiii) one hundred twenty million thirty-eight thousand dollars for the period April first, two thousand eleven through March thirty-first, two thousand twelve; and

(xiv) one hundred nineteen million four hundred seven thousand dollars each state fiscal year for the period April first, two thousand twelve through March thirty-first, two thousand fourteen.

(l) Funds shall be deposited by the commissioner, within amounts appropriated, and the state comptroller is hereby authorized and directed to receive for deposit to the credit of the state special revenue funds - other, HCRA transfer fund, medical assistance account, or any successor fund or account, for purposes of funding the state share of the personal care and certified home health agency rate or fee increases established pursuant to subdivision three of section three hundred sixty-seven-o of the social services law from the tobacco control and insurance initiatives pool established for the following periods in the following amounts:

(i) twenty-three million two hundred thousand dollars for the period January first, two thousand through December thirty-first, two thousand;

(ii) twenty-three million two hundred thousand dollars for the period January first, two thousand one through December thirty-first, two thousand one;

(iii) twenty-three million two hundred thousand dollars for the period January first, two thousand two through December thirty-first, two thousand two;

(iv) up to sixty-five million two hundred thousand dollars for the period January first, two thousand three through December thirty-first, two thousand three;

(v) up to sixty-five million two hundred thousand dollars for the period January first, two thousand four through December thirty-first, two thousand four;

(vi) up to sixty-five million two hundred thousand dollars for the period January first, two thousand five through December thirty-first, two thousand five;

1 (vii) up to sixty-five million two hundred thousand dollars for the
2 period January first, two thousand six through December thirty-first,
3 two thousand six;

4 (viii) up to sixty-five million two hundred thousand dollars for the
5 period January first, two thousand seven through December thirty-first,
6 two thousand seven; and

7 (ix) up to sixteen million three hundred thousand dollars for the
8 period January first, two thousand eight through March thirty-first, two
9 thousand eight.

10 (m) Funds shall be deposited by the commissioner, within amounts
11 appropriated, and the state comptroller is hereby authorized and
12 directed to receive for deposit to the credit of the state special
13 revenue funds - other, HCRA transfer fund, medical assistance account,
14 or any successor fund or account, for purposes of funding the state
15 share of services and expenses related to home care workers insurance
16 pilot demonstration programs established pursuant to subdivision two of
17 section three hundred sixty-seven-o of the social services law from the
18 tobacco control and insurance initiatives pool established for the
19 following periods in the following amounts:

20 (i) three million eight hundred thousand dollars for the period Janu-
21 ary first, two thousand through December thirty-first, two thousand;

22 (ii) three million eight hundred thousand dollars for the period Janu-
23 ary first, two thousand one through December thirty-first, two thousand
24 one;

25 (iii) three million eight hundred thousand dollars for the period
26 January first, two thousand two through December thirty-first, two thou-
27 sand two;

28 (iv) up to three million eight hundred thousand dollars for the period
29 January first, two thousand three through December thirty-first, two
30 thousand three;

31 (v) up to three million eight hundred thousand dollars for the period
32 January first, two thousand four through December thirty-first, two
33 thousand four;

34 (vi) up to three million eight hundred thousand dollars for the period
35 January first, two thousand five through December thirty-first, two
36 thousand five;

37 (vii) up to three million eight hundred thousand dollars for the peri-
38 od January first, two thousand six through December thirty-first, two
39 thousand six;

40 (viii) up to three million eight hundred thousand dollars for the
41 period January first, two thousand seven through December thirty-first,
42 two thousand seven; and

43 (ix) up to nine hundred fifty thousand dollars for the period January
44 first, two thousand eight through March thirty-first, two thousand
45 eight.

46 (n) Funds shall be transferred by the commissioner and shall be depos-
47 ited to the credit of the special revenue funds - other, miscellaneous
48 special revenue fund - 339, elderly pharmaceutical insurance coverage
49 program premium account authorized pursuant to the provisions of title
50 three of article two of the elder law, or any successor fund or account,
51 for funding state expenses relating to the program from the tobacco
52 control and insurance initiatives pool established for the following
53 periods in the following amounts:

54 (i) one hundred seven million dollars for the period January first,
55 two thousand through December thirty-first, two thousand;

1 (ii) one hundred sixty-four million dollars for the period January
2 first, two thousand one through December thirty-first, two thousand one;
3 (iii) three hundred twenty-two million seven hundred thousand dollars
4 for the period January first, two thousand two through December thirty-
5 first, two thousand two;
6 (iv) four hundred thirty-three million three hundred thousand dollars
7 for the period January first, two thousand three through December thir-
8 ty-first, two thousand three;
9 (v) five hundred four million one hundred fifty thousand dollars for
10 the period January first, two thousand four through December thirty-
11 first, two thousand four;
12 (vi) five hundred sixty-six million eight hundred thousand dollars for
13 the period January first, two thousand five through December thirty-
14 first, two thousand five;
15 (vii) six hundred three million one hundred fifty thousand dollars for
16 the period January first, two thousand six through December thirty-
17 first, two thousand six;
18 (viii) six hundred sixty million eight hundred thousand dollars for
19 the period January first, two thousand seven through December thirty-
20 first, two thousand seven;
21 (ix) three hundred sixty-seven million four hundred sixty-three thou-
22 sand dollars for the period January first, two thousand eight through
23 December thirty-first, two thousand eight;
24 (x) three hundred thirty-four million eight hundred twenty-five thou-
25 sand dollars for the period January first, two thousand nine through
26 December thirty-first, two thousand nine;
27 (xi) three hundred forty-four million nine hundred thousand dollars
28 for the period January first, two thousand ten through December thirty-
29 first, two thousand ten;
30 (xii) eighty-seven million seven hundred eighty-eight thousand dollars
31 for the period January first, two thousand eleven through March thirty-
32 first, two thousand eleven;
33 (xiii) one hundred forty-three million one hundred fifty thousand
34 dollars for the period April first, two thousand eleven through March
35 thirty-first, two thousand twelve;
36 (xiv) one hundred twenty million nine hundred fifty thousand dollars
37 for the period April first, two thousand twelve through March thirty-
38 first, two thousand thirteen;
39 (xv) one hundred twenty-eight million eight hundred fifty thousand
40 dollars for the period April first, two thousand thirteen through March
41 thirty-first, two thousand fourteen;
42 (xvi) one hundred twenty-seven million four hundred sixteen thousand
43 dollars each state fiscal year for the period April first, two thousand
44 fourteen through March thirty-first, two thousand seventeen;
45 (xvii) one hundred twenty-seven million four hundred sixteen thousand
46 dollars each state fiscal year for the period April first, two thousand
47 seventeen through March thirty-first, two thousand twenty;
48 (xviii) one hundred twenty-seven million four hundred sixteen thousand
49 dollars each state fiscal year for the period April first, two thousand
50 twenty through March thirty-first, two thousand twenty-three; **[and]**
51 (xix) one hundred twenty-seven million four hundred sixteen thousand
52 dollars each state fiscal year for the period April first, two thousand
53 twenty-three through March thirty-first, two thousand twenty-six~~[-]~~; **and**
54 (xx) one hundred twenty-seven million four hundred sixteen thousand
55 dollars each state fiscal year for the period April first, two thousand
56 twenty-six through March thirty-first, two thousand twenty-nine.

(o) Funds shall be reserved and accumulated and shall be transferred to the Roswell Park Cancer Institute Corporation, from the tobacco control and insurance initiatives pool established for the following periods in the following amounts:

(i) up to ninety million dollars for the period January first, two thousand through December thirty-first, two thousand;

(ii) up to sixty million dollars for the period January first, two thousand one through December thirty-first, two thousand one;

(iii) up to eighty-five million dollars for the period January first, two thousand two through December thirty-first, two thousand two;

(iv) eighty-five million two hundred fifty thousand dollars for the period January first, two thousand three through December thirty-first, two thousand three;

(v) seventy-eight million dollars for the period January first, two thousand four through December thirty-first, two thousand four;

(vi) seventy-eight million dollars for the period January first, two thousand five through December thirty-first, two thousand five;

(vii) ninety-one million dollars for the period January first, two thousand six through December thirty-first, two thousand six;

(viii) seventy-eight million dollars for the period January first, two thousand seven through December thirty-first, two thousand seven;

(ix) seventy-eight million dollars for the period January first, two thousand eight through December thirty-first, two thousand eight;

(x) seventy-eight million dollars for the period January first, two thousand nine through December thirty-first, two thousand nine;

(xi) seventy-eight million dollars for the period January first, two thousand ten through December thirty-first, two thousand ten;

(xii) nineteen million five hundred thousand dollars for the period January first, two thousand eleven through March thirty-first, two thousand eleven;

(xiii) sixty-nine million eight hundred forty thousand dollars each state fiscal year for the period April first, two thousand eleven through March thirty-first, two thousand fourteen;

(xiv) up to ninety-six million six hundred thousand dollars each state fiscal year for the period April first, two thousand fourteen through March thirty-first, two thousand seventeen;

(xv) up to ninety-six million six hundred thousand dollars each state fiscal year for the period April first, two thousand seventeen through March thirty-first, two thousand twenty;

(xvi) up to ninety-six million six hundred thousand dollars each state fiscal year for the period April first, two thousand twenty through March thirty-first, two thousand twenty-three; ~~and~~

(xvii) up to ninety-six million six hundred thousand dollars each state fiscal year for the period April first, two thousand twenty-three through March thirty-first, two thousand twenty-six~~[-]; and~~

(xviii) up to ninety-six million six hundred thousand dollars each state fiscal year for the period April first, two thousand twenty-six through March thirty-first, two thousand twenty-nine.

(p) Funds shall be deposited by the commissioner, within amounts appropriated, and the state comptroller is hereby authorized and directed to receive for deposit to the credit of the state special revenue funds - other, indigent care fund - 068, indigent care account, or any successor fund or account, for purposes of providing a medicaid disproportionate share payment from the high need indigent care adjustment pool established pursuant to section twenty-eight hundred seven-w

1 of this article, from the tobacco control and insurance initiatives pool
2 established for the following periods in the following amounts:

3 (i) eighty-two million dollars annually for the periods January first,
4 two thousand through December thirty-first, two thousand two;

5 (ii) up to eighty-two million dollars for the period January first,
6 two thousand three through December thirty-first, two thousand three;

7 (iii) up to eighty-two million dollars for the period January first,
8 two thousand four through December thirty-first, two thousand four;

9 (iv) up to eighty-two million dollars for the period January first,
10 two thousand five through December thirty-first, two thousand five;

11 (v) up to eighty-two million dollars for the period January first, two
12 thousand six through December thirty-first, two thousand six;

13 (vi) up to eighty-two million dollars for the period January first,
14 two thousand seven through December thirty-first, two thousand seven;

15 (vii) up to eighty-two million dollars for the period January first,
16 two thousand eight through December thirty-first, two thousand eight;

17 (viii) up to eighty-two million dollars for the period January first,
18 two thousand nine through December thirty-first, two thousand nine;

19 (ix) up to eighty-two million dollars for the period January first,
20 two thousand ten through December thirty-first, two thousand ten;

21 (x) up to twenty million five hundred thousand dollars for the period
22 January first, two thousand eleven through March thirty-first, two thou-
23 sand eleven; and

24 (xi) up to eighty-two million dollars each state fiscal year for the
25 period April first, two thousand eleven through March thirty-first, two
26 thousand fourteen.

27 (q) Funds shall be reserved and accumulated from year to year and
28 shall be available, including income from invested funds, for purposes
29 of providing distributions to eligible school based health centers
30 established pursuant to section eighty-eight of chapter one of the laws
31 of nineteen hundred ninety-nine, from the tobacco control and insurance
32 initiatives pool established for the following periods in the following
33 amounts:

34 (i) seven million dollars annually for the period January first, two
35 thousand through December thirty-first, two thousand two;

36 (ii) up to seven million dollars for the period January first, two
37 thousand three through December thirty-first, two thousand three;

38 (iii) up to seven million dollars for the period January first, two
39 thousand four through December thirty-first, two thousand four;

40 (iv) up to seven million dollars for the period January first, two
41 thousand five through December thirty-first, two thousand five;

42 (v) up to seven million dollars for the period January first, two
43 thousand six through December thirty-first, two thousand six;

44 (vi) up to seven million dollars for the period January first, two
45 thousand seven through December thirty-first, two thousand seven;

46 (vii) up to seven million dollars for the period January first, two
47 thousand eight through December thirty-first, two thousand eight;

48 (viii) up to seven million dollars for the period January first, two
49 thousand nine through December thirty-first, two thousand nine;

50 (ix) up to seven million dollars for the period January first, two
51 thousand ten through December thirty-first, two thousand ten;

52 (x) up to one million seven hundred fifty thousand dollars for the
53 period January first, two thousand eleven through March thirty-first,
54 two thousand eleven;

1 (xi) up to five million six hundred thousand dollars each state fiscal
2 year for the period April first, two thousand eleven through March thir-
3 ty-first, two thousand fourteen;

4 (xii) up to five million two hundred eighty-eight thousand dollars
5 each state fiscal year for the period April first, two thousand fourteen
6 through March thirty-first, two thousand seventeen;

7 (xiii) up to five million two hundred eighty-eight thousand dollars
8 each state fiscal year for the period April first, two thousand seven-
9 teen through March thirty-first, two thousand twenty;

10 (xiv) up to five million two hundred eighty-eight thousand dollars
11 each state fiscal year for the period April first, two thousand twenty
12 through March thirty-first, two thousand twenty-three; ~~[and]~~

13 (xv) up to five million two hundred eighty-eight thousand dollars each
14 state fiscal year for the period April first, two thousand twenty-three
15 through March thirty-first, two thousand twenty-six~~[-]~~; and

16 (xvi) up to five million two hundred eighty-eight thousand dollars
17 each state fiscal year for the period April first, two thousand twenty-
18 six through March thirty-first, two thousand twenty-nine.

19 (r) Funds shall be deposited by the commissioner within amounts appro-
20 priated, and the state comptroller is hereby authorized and directed to
21 receive for deposit to the credit of the state special revenue funds -
22 other, HCRA transfer fund, medical assistance account, or any successor
23 fund or account, for purposes of providing distributions for supplemen-
24 tary medical insurance for Medicare part B premiums, physicians
25 services, outpatient services, medical equipment, supplies and other
26 health services, from the tobacco control and insurance initiatives pool
27 established for the following periods in the following amounts:

28 (i) forty-three million dollars for the period January first, two
29 thousand through December thirty-first, two thousand;

30 (ii) sixty-one million dollars for the period January first, two thou-
31 sand one through December thirty-first, two thousand one;

32 (iii) sixty-five million dollars for the period January first, two
33 thousand two through December thirty-first, two thousand two;

34 (iv) sixty-seven million five hundred thousand dollars for the period
35 January first, two thousand three through December thirty-first, two
36 thousand three;

37 (v) sixty-eight million dollars for the period January first, two
38 thousand four through December thirty-first, two thousand four;

39 (vi) sixty-eight million dollars for the period January first, two
40 thousand five through December thirty-first, two thousand five;

41 (vii) sixty-eight million dollars for the period January first, two
42 thousand six through December thirty-first, two thousand six;

43 (viii) seventeen million five hundred thousand dollars for the period
44 January first, two thousand seven through December thirty-first, two
45 thousand seven;

46 (ix) sixty-eight million dollars for the period January first, two
47 thousand eight through December thirty-first, two thousand eight;

48 (x) sixty-eight million dollars for the period January first, two
49 thousand nine through December thirty-first, two thousand nine;

50 (xi) sixty-eight million dollars for the period January first, two
51 thousand ten through December thirty-first, two thousand ten;

52 (xii) seventeen million dollars for the period January first, two
53 thousand eleven through March thirty-first, two thousand eleven; and

54 (xiii) sixty-eight million dollars each state fiscal year for the
55 period April first, two thousand eleven through March thirty-first, two
56 thousand fourteen.

(s) Funds shall be deposited by the commissioner within amounts appropriated, and the state comptroller is hereby authorized and directed to receive for deposit to the credit of the state special revenue funds - other, HCRA transfer fund, medical assistance account, or any successor fund or account, for purposes of providing distributions pursuant to paragraphs (s-5), (s-6), (s-7) and (s-8) of subdivision eleven of section twenty-eight hundred seven-c of this article from the tobacco control and insurance initiatives pool established for the following periods in the following amounts:

(i) eighteen million dollars for the period January first, two thousand through December thirty-first, two thousand;

(ii) twenty-four million dollars annually for the periods January first, two thousand one through December thirty-first, two thousand two;

(iii) up to twenty-four million dollars for the period January first, two thousand three through December thirty-first, two thousand three;

(iv) up to twenty-four million dollars for the period January first, two thousand four through December thirty-first, two thousand four;

(v) up to twenty-four million dollars for the period January first, two thousand five through December thirty-first, two thousand five;

(vi) up to twenty-four million dollars for the period January first, two thousand six through December thirty-first, two thousand six;

(vii) up to twenty-four million dollars for the period January first, two thousand seven through December thirty-first, two thousand seven;

(viii) up to twenty-four million dollars for the period January first, two thousand eight through December thirty-first, two thousand eight;

and

(ix) up to twenty-two million dollars for the period January first, two thousand nine through November thirtieth, two thousand nine.

(t) Funds shall be reserved and accumulated from year to year by the commissioner and shall be made available, including income from invested funds:

(i) For the purpose of making grants to a state owned and operated medical school which does not have a state owned and operated hospital on site and available for teaching purposes. Notwithstanding sections one hundred twelve and one hundred sixty-three of the state finance law, such grants shall be made in the amount of up to five hundred thousand dollars for the period January first, two thousand through December thirty-first, two thousand;

(ii) For the purpose of making grants to medical schools pursuant to section eighty-six-a of chapter one of the laws of nineteen hundred ninety-nine in the sum of up to four million dollars for the period January first, two thousand through December thirty-first, two thousand; and

(iii) The funds disbursed pursuant to subparagraphs (i) and (ii) of this paragraph from the tobacco control and insurance initiatives pool are contingent upon meeting all funding amounts established pursuant to paragraphs (a), (b), (c), (d), (e), (f), (l), (m), (n), (p), (q), (r) and (s) of this subdivision, paragraph (a) of subdivision nine of section twenty-eight hundred seven-j of this article, and paragraphs (a), (i) and (k) of subdivision one of section twenty-eight hundred seven-l of this article.

(u) Funds shall be deposited by the commissioner, within amounts appropriated, and the state comptroller is hereby authorized and directed to receive for deposit to the credit of the state special revenue funds - other, HCRA transfer fund, medical assistance account, or any successor fund or account, for purposes of funding the state

1 share of services and expenses related to the nursing home quality
2 improvement demonstration program established pursuant to section twen-
3 ty-eight hundred eight-d of this article from the tobacco control and
4 insurance initiatives pool established for the following periods in the
5 following amounts:

6 (i) up to twenty-five million dollars for the period beginning April
7 first, two thousand two and ending December thirty-first, two thousand
8 two, and on an annualized basis, for each annual period thereafter
9 beginning January first, two thousand three and ending December thirty-
10 first, two thousand four;

11 (ii) up to eighteen million seven hundred fifty thousand dollars for
12 the period January first, two thousand five through December thirty-
13 first, two thousand five; and

14 (iii) up to fifty-six million five hundred thousand dollars for the
15 period January first, two thousand six through December thirty-first,
16 two thousand six.

17 (v) Funds shall be transferred by the commissioner and shall be depos-
18 ited to the credit of the hospital excess liability pool created pursu-
19 ant to section eighteen of chapter two hundred sixty-six of the laws of
20 nineteen hundred eighty-six, or any successor fund or account, for
21 purposes of expenses related to the purchase of excess medical malprac-
22 tice insurance and the cost of administrating the pool, including costs
23 associated with the risk management program established pursuant to
24 section forty-two of part A of chapter one of the laws of two thousand
25 two required by paragraph (a) of subdivision one of section eighteen of
26 chapter two hundred sixty-six of the laws of nineteen hundred eighty-six
27 as may be amended from time to time, from the tobacco control and insur-
28 ance initiatives pool established for the following periods in the
29 following amounts:

30 (i) up to fifty million dollars or so much as is needed for the period
31 January first, two thousand two through December thirty-first, two thou-
32 sand two;

33 (ii) up to seventy-six million seven hundred thousand dollars for the
34 period January first, two thousand three through December thirty-first,
35 two thousand three;

36 (iii) up to sixty-five million dollars for the period January first,
37 two thousand four through December thirty-first, two thousand four;

38 (iv) up to sixty-five million dollars for the period January first,
39 two thousand five through December thirty-first, two thousand five;

40 (v) up to one hundred thirteen million eight hundred thousand dollars
41 for the period January first, two thousand six through December thirty-
42 first, two thousand six;

43 (vi) up to one hundred thirty million dollars for the period January
44 first, two thousand seven through December thirty-first, two thousand
45 seven;

46 (vii) up to one hundred thirty million dollars for the period January
47 first, two thousand eight through December thirty-first, two thousand
48 eight;

49 (viii) up to one hundred thirty million dollars for the period January
50 first, two thousand nine through December thirty-first, two thousand
51 nine;

52 (ix) up to one hundred thirty million dollars for the period January
53 first, two thousand ten through December thirty-first, two thousand ten;

54 (x) up to thirty-two million five hundred thousand dollars for the
55 period January first, two thousand eleven through March thirty-first,
56 two thousand eleven;

(xi) up to one hundred twenty-seven million four hundred thousand dollars each state fiscal year for the period April first, two thousand eleven through March thirty-first, two thousand fourteen;

(xii) up to one hundred twenty-seven million four hundred thousand dollars each state fiscal year for the period April first, two thousand fourteen through March thirty-first, two thousand seventeen;

(xiii) up to one hundred twenty-seven million four hundred thousand dollars each state fiscal year for the period April first, two thousand seventeen through March thirty-first, two thousand twenty;

(xiv) up to one hundred twenty-seven million four hundred thousand dollars each state fiscal year for the period April first, two thousand twenty through March thirty-first, two thousand twenty-three; ~~and~~

(xv) up to one hundred twenty-seven million four hundred thousand dollars each state fiscal year for the period April first, two thousand twenty-three through March thirty-first, two thousand twenty-six~~[-]; and~~

(xvi) up to one hundred twenty-seven million four hundred thousand dollars each state fiscal year for the period April first, two thousand twenty-six through March thirty-first, two thousand twenty-nine.

(w) Funds shall be deposited by the commissioner, within amounts appropriated, and the state comptroller is hereby authorized and directed to receive for deposit to the credit of the state special revenue funds - other, HCRA transfer fund, medical assistance account, or any successor fund or account, for purposes of funding the state share of the treatment of breast and cervical cancer pursuant to paragraph (d) of subdivision four of section three hundred sixty-six of the social services law, from the tobacco control and insurance initiatives pool established for the following periods in the following amounts:

(i) up to four hundred fifty thousand dollars for the period January first, two thousand two through December thirty-first, two thousand two;

(ii) up to two million one hundred thousand dollars for the period January first, two thousand three through December thirty-first, two thousand three;

(iii) up to two million one hundred thousand dollars for the period January first, two thousand four through December thirty-first, two thousand four;

(iv) up to two million one hundred thousand dollars for the period January first, two thousand five through December thirty-first, two thousand five;

(v) up to two million one hundred thousand dollars for the period January first, two thousand six through December thirty-first, two thousand six;

(vi) up to two million one hundred thousand dollars for the period January first, two thousand seven through December thirty-first, two thousand seven;

(vii) up to two million one hundred thousand dollars for the period January first, two thousand eight through December thirty-first, two thousand eight;

(viii) up to two million one hundred thousand dollars for the period January first, two thousand nine through December thirty-first, two thousand nine;

(ix) up to two million one hundred thousand dollars for the period January first, two thousand ten through December thirty-first, two thousand ten;

(x) up to five hundred twenty-five thousand dollars for the period January first, two thousand eleven through March thirty-first, two thousand eleven;

(xi) up to two million one hundred thousand dollars each state fiscal year for the period April first, two thousand eleven through March thirty-first, two thousand fourteen;

(xii) up to two million one hundred thousand dollars each state fiscal year for the period April first, two thousand fourteen through March thirty-first, two thousand seventeen;

(xiii) up to two million one hundred thousand dollars each state fiscal year for the period April first, two thousand seventeen through March thirty-first, two thousand twenty;

(xiv) up to two million one hundred thousand dollars each state fiscal year for the period April first, two thousand twenty through March thirty-first, two thousand twenty-three; ~~and~~

(xv) up to two million one hundred thousand dollars each state fiscal year for the period April first, two thousand twenty-three through March thirty-first, two thousand twenty-six~~[-]; and~~

(xvi) up to two million one hundred thousand dollars each state fiscal year for the period April first, two thousand twenty-six through March thirty-first, two thousand twenty-nine.

(x) Funds shall be deposited by the commissioner, within amounts appropriated, and the state comptroller is hereby authorized and directed to receive for deposit to the credit of the state special revenue funds - other, HCRA transfer fund, medical assistance account, or any successor fund or account, for purposes of funding the state share of the non-public general hospital rates increases for recruitment and retention of health care workers from the tobacco control and insurance initiatives pool established for the following periods in the following amounts:

(i) twenty-seven million one hundred thousand dollars on an annualized basis for the period January first, two thousand two through December thirty-first, two thousand two;

(ii) fifty million eight hundred thousand dollars on an annualized basis for the period January first, two thousand three through December thirty-first, two thousand three;

(iii) sixty-nine million three hundred thousand dollars on an annualized basis for the period January first, two thousand four through December thirty-first, two thousand four;

(iv) sixty-nine million three hundred thousand dollars for the period January first, two thousand five through December thirty-first, two thousand five;

(v) sixty-nine million three hundred thousand dollars for the period January first, two thousand six through December thirty-first, two thousand six;

(vi) sixty-five million three hundred thousand dollars for the period January first, two thousand seven through December thirty-first, two thousand seven;

(vii) sixty-one million one hundred fifty thousand dollars for the period January first, two thousand eight through December thirty-first, two thousand eight; and

(viii) forty-eight million seven hundred twenty-one thousand dollars for the period January first, two thousand nine through November thirtieth, two thousand nine.

(y) Funds shall be reserved and accumulated from year to year and shall be available, including income from invested funds, for purposes of grants to public general hospitals for recruitment and retention of health care workers pursuant to paragraph (b) of subdivision thirty of section twenty-eight hundred seven-c of this article from the tobacco

1 control and insurance initiatives pool established for the following
2 periods in the following amounts:

3 (i) eighteen million five hundred thousand dollars on an annualized
4 basis for the period January first, two thousand two through December
5 thirty-first, two thousand two;

6 (ii) thirty-seven million four hundred thousand dollars on an annual-
7 ized basis for the period January first, two thousand three through
8 December thirty-first, two thousand three;

9 (iii) fifty-two million two hundred thousand dollars on an annualized
10 basis for the period January first, two thousand four through December
11 thirty-first, two thousand four;

12 (iv) fifty-two million two hundred thousand dollars for the period
13 January first, two thousand five through December thirty-first, two
14 thousand five;

15 (v) fifty-two million two hundred thousand dollars for the period
16 January first, two thousand six through December thirty-first, two thou-
17 sand six;

18 (vi) forty-nine million dollars for the period January first, two
19 thousand seven through December thirty-first, two thousand seven;

20 (vii) forty-nine million dollars for the period January first, two
21 thousand eight through December thirty-first, two thousand eight; and

22 (viii) twelve million two hundred fifty thousand dollars for the peri-
23 od January first, two thousand nine through March thirty-first, two
24 thousand nine.

25 Provided, however, amounts pursuant to this paragraph may be reduced
26 in an amount to be approved by the director of the budget to reflect
27 amounts received from the federal government under the state's 1115
28 waiver which are directed under its terms and conditions to the health
29 workforce recruitment and retention program.

30 (z) Funds shall be deposited by the commissioner, within amounts
31 appropriated, and the state comptroller is hereby authorized and
32 directed to receive for deposit to the credit of the state special
33 revenue funds - other, HCRA transfer fund, medical assistance account,
34 or any successor fund or account, for purposes of funding the state
35 share of the non-public residential health care facility rate increases
36 for recruitment and retention of health care workers pursuant to para-
37 graph (a) of subdivision eighteen of section twenty-eight hundred eight
38 of this article from the tobacco control and insurance initiatives pool
39 established for the following periods in the following amounts:

40 (i) twenty-one million five hundred thousand dollars on an annualized
41 basis for the period January first, two thousand two through December
42 thirty-first, two thousand two;

43 (ii) thirty-three million three hundred thousand dollars on an annual-
44 ized basis for the period January first, two thousand three through
45 December thirty-first, two thousand three;

46 (iii) forty-six million three hundred thousand dollars on an annual-
47 ized basis for the period January first, two thousand four through
48 December thirty-first, two thousand four;

49 (iv) forty-six million three hundred thousand dollars for the period
50 January first, two thousand five through December thirty-first, two
51 thousand five;

52 (v) forty-six million three hundred thousand dollars for the period
53 January first, two thousand six through December thirty-first, two thou-
54 sand six;

1 (vi) thirty million nine hundred thousand dollars for the period Janu-
2 ary first, two thousand seven through December thirty-first, two thou-
3 sand seven;

4 (vii) twenty-four million seven hundred thousand dollars for the peri-
5 od January first, two thousand eight through December thirty-first, two
6 thousand eight;

7 (viii) twelve million three hundred seventy-five thousand dollars for
8 the period January first, two thousand nine through December thirty-
9 first, two thousand nine;

10 (ix) nine million three hundred thousand dollars for the period Janu-
11 ary first, two thousand ten through December thirty-first, two thousand
12 ten; and

13 (x) two million three hundred twenty-five thousand dollars for the
14 period January first, two thousand eleven through March thirty-first,
15 two thousand eleven.

16 (aa) Funds shall be reserved and accumulated from year to year and
17 shall be available, including income from invested funds, for purposes
18 of grants to public residential health care facilities for recruitment
19 and retention of health care workers pursuant to paragraph (b) of subdi-
20 vision eighteen of section twenty-eight hundred eight of this article
21 from the tobacco control and insurance initiatives pool established for
22 the following periods in the following amounts:

23 (i) seven million five hundred thousand dollars on an annualized basis
24 for the period January first, two thousand two through December thirty-
25 first, two thousand two;

26 (ii) eleven million seven hundred thousand dollars on an annualized
27 basis for the period January first, two thousand three through December
28 thirty-first, two thousand three;

29 (iii) sixteen million two hundred thousand dollars on an annualized
30 basis for the period January first, two thousand four through December
31 thirty-first, two thousand four;

32 (iv) sixteen million two hundred thousand dollars for the period Janu-
33 ary first, two thousand five through December thirty-first, two thousand
34 five;

35 (v) sixteen million two hundred thousand dollars for the period Janu-
36 ary first, two thousand six through December thirty-first, two thousand
37 six;

38 (vi) ten million eight hundred thousand dollars for the period January
39 first, two thousand seven through December thirty-first, two thousand
40 seven;

41 (vii) six million seven hundred fifty thousand dollars for the period
42 January first, two thousand eight through December thirty-first, two
43 thousand eight; and

44 (viii) one million three hundred fifty thousand dollars for the period
45 January first, two thousand nine through December thirty-first, two
46 thousand nine.

47 (bb)(i) Funds shall be deposited by the commissioner, within amounts
48 appropriated, and subject to the availability of federal financial
49 participation, and the state comptroller is hereby authorized and
50 directed to receive for deposit to the credit of the state special
51 revenue funds - other, HCRA transfer fund, medical assistance account,
52 or any successor fund or account, for the purpose of supporting the
53 state share of adjustments to Medicaid rates of payment for personal
54 care services provided pursuant to paragraph (e) of subdivision two of
55 section three hundred sixty-five-a of the social services law, for local
56 social service districts which include a city with a population of over

1 one million persons and computed and distributed in accordance with
2 memorandums of understanding to be entered into between the state of New
3 York and such local social service districts for the purpose of support-
4 ing the recruitment and retention of personal care service workers or
5 any worker with direct patient care responsibility, from the tobacco
6 control and insurance initiatives pool established for the following
7 periods and the following amounts:

8 (A) forty-four million dollars, on an annualized basis, for the period
9 April first, two thousand two through December thirty-first, two thou-
10 sand two;

11 (B) seventy-four million dollars, on an annualized basis, for the
12 period January first, two thousand three through December thirty-first,
13 two thousand three;

14 (C) one hundred four million dollars, on an annualized basis, for the
15 period January first, two thousand four through December thirty-first,
16 two thousand four;

17 (D) one hundred thirty-six million dollars, on an annualized basis,
18 for the period January first, two thousand five through December thir-
19 ty-first, two thousand five;

20 (E) one hundred thirty-six million dollars, on an annualized basis,
21 for the period January first, two thousand six through December thirty-
22 first, two thousand six;

23 (F) one hundred thirty-six million dollars for the period January
24 first, two thousand seven through December thirty-first, two thousand
25 seven;

26 (G) one hundred thirty-six million dollars for the period January
27 first, two thousand eight through December thirty-first, two thousand
28 eight;

29 (H) one hundred thirty-six million dollars for the period January
30 first, two thousand nine through December thirty-first, two thousand
31 nine;

32 (I) one hundred thirty-six million dollars for the period January
33 first, two thousand ten through December thirty-first, two thousand ten;

34 (J) thirty-four million dollars for the period January first, two
35 thousand eleven through March thirty-first, two thousand eleven;

36 (K) up to one hundred thirty-six million dollars each state fiscal
37 year for the period April first, two thousand eleven through March thir-
38 ty-first, two thousand fourteen;

39 (L) up to one hundred thirty-six million dollars each state fiscal
40 year for the period March thirty-first, two thousand fourteen through
41 April first, two thousand seventeen;

42 (M) up to one hundred thirty-six million dollars each state fiscal
43 year for the period April first, two thousand seventeen through March
44 thirty-first, two thousand twenty;

45 (N) up to one hundred thirty-six million dollars each state fiscal
46 year for the period April first, two thousand twenty through March thir-
47 ty-first, two thousand twenty-three; ~~and~~

48 (O) up to one hundred thirty-six million dollars each state fiscal
49 year for the period April first, two thousand twenty-three through March
50 thirty-first, two thousand twenty-six~~[-]; and~~

51 (P) up to one hundred thirty-six million dollars each state fiscal
52 year for the period April first, two thousand twenty-six through March
53 thirty-first, two thousand twenty-nine.

54 (ii) Adjustments to Medicaid rates made pursuant to this paragraph
55 shall not, in aggregate, exceed the following amounts for the following
56 periods:

1 (A) for the period April first, two thousand two through December
2 thirty-first, two thousand two, one hundred ten million dollars;

3 (B) for the period January first, two thousand three through December
4 thirty-first, two thousand three, one hundred eighty-five million
5 dollars;

6 (C) for the period January first, two thousand four through December
7 thirty-first, two thousand four, two hundred sixty million dollars;

8 (D) for the period January first, two thousand five through December
9 thirty-first, two thousand five, three hundred forty million dollars;

10 (E) for the period January first, two thousand six through December
11 thirty-first, two thousand six, three hundred forty million dollars;

12 (F) for the period January first, two thousand seven through December
13 thirty-first, two thousand seven, three hundred forty million dollars;

14 (G) for the period January first, two thousand eight through December
15 thirty-first, two thousand eight, three hundred forty million dollars;

16 (H) for the period January first, two thousand nine through December
17 thirty-first, two thousand nine, three hundred forty million dollars;

18 (I) for the period January first, two thousand ten through December
19 thirty-first, two thousand ten, three hundred forty million dollars;

20 (J) for the period January first, two thousand eleven through March
21 thirty-first, two thousand eleven, eighty-five million dollars;

22 (K) for each state fiscal year within the period April first, two
23 thousand eleven through March thirty-first, two thousand fourteen, three
24 hundred forty million dollars;

25 (L) for each state fiscal year within the period April first, two
26 thousand fourteen through March thirty-first, two thousand seventeen,
27 three hundred forty million dollars;

28 (M) for each state fiscal year within the period April first, two
29 thousand seventeen through March thirty-first, two thousand twenty,
30 three hundred forty million dollars;

31 (N) for each state fiscal year within the period April first, two
32 thousand twenty through March thirty-first, two thousand twenty-three,
33 three hundred forty million dollars; ~~[and]~~

34 (O) for each state fiscal year within the period April first, two
35 thousand twenty-three through March thirty-first, two thousand twenty-
36 six, three hundred forty million dollars~~[-]~~; and

37 (P) for each state fiscal year within the period April first, two
38 thousand twenty-six through March thirty-first, two thousand twenty-
39 nine, three hundred forty million dollars.

40 (iii) Personal care service providers which have their rates adjusted
41 pursuant to this paragraph shall use such funds for the purpose of
42 recruitment and retention of non-supervisory personal care services
43 workers or any worker with direct patient care responsibility only and
44 are prohibited from using such funds for any other purpose. Each such
45 personal care services provider shall submit, at a time and in a manner
46 to be determined by the commissioner, a written certification attesting
47 that such funds will be used solely for the purpose of recruitment and
48 retention of non-supervisory personal care services workers or any work-
49 er with direct patient care responsibility. The commissioner is author-
50 ized to audit each such provider to ensure compliance with the written
51 certification required by this subdivision and shall recoup any funds
52 determined to have been used for purposes other than recruitment and
53 retention of non-supervisory personal care services workers or any work-
54 er with direct patient care responsibility. Such recoupment shall be in
55 addition to any other penalties provided by law.

(cc) Funds shall be deposited by the commissioner, within amounts appropriated, and the state comptroller is hereby authorized and directed to receive for deposit to the credit of the state special revenue funds - other, HCRA transfer fund, medical assistance account, or any successor fund or account, for the purpose of supporting the state share of adjustments to Medicaid rates of payment for personal care services provided pursuant to paragraph (e) of subdivision two of section three hundred sixty-five-a of the social services law, for local social service districts which shall not include a city with a population of over one million persons for the purpose of supporting the personal care services worker recruitment and retention program as established pursuant to section three hundred sixty-seven-q of the social services law, from the tobacco control and insurance initiatives pool established for the following periods and the following amounts:

(i) two million eight hundred thousand dollars for the period April first, two thousand two through December thirty-first, two thousand two;

(ii) five million six hundred thousand dollars, on an annualized basis, for the period January first, two thousand three through December thirty-first, two thousand three;

(iii) eight million four hundred thousand dollars, on an annualized basis, for the period January first, two thousand four through December thirty-first, two thousand four;

(iv) ten million eight hundred thousand dollars, on an annualized basis, for the period January first, two thousand five through December thirty-first, two thousand five;

(v) ten million eight hundred thousand dollars, on an annualized basis, for the period January first, two thousand six through December thirty-first, two thousand six;

(vi) eleven million two hundred thousand dollars for the period January first, two thousand seven through December thirty-first, two thousand seven;

(vii) eleven million two hundred thousand dollars for the period January first, two thousand eight through December thirty-first, two thousand eight;

(viii) eleven million two hundred thousand dollars for the period January first, two thousand nine through December thirty-first, two thousand nine;

(ix) eleven million two hundred thousand dollars for the period January first, two thousand ten through December thirty-first, two thousand ten;

(x) two million eight hundred thousand dollars for the period January first, two thousand eleven through March thirty-first, two thousand eleven;

(xi) up to eleven million two hundred thousand dollars each state fiscal year for the period April first, two thousand eleven through March thirty-first, two thousand fourteen;

(xii) up to eleven million two hundred thousand dollars each state fiscal year for the period April first, two thousand fourteen through March thirty-first, two thousand seventeen;

(xiii) up to eleven million two hundred thousand dollars each state fiscal year for the period April first, two thousand seventeen through March thirty-first, two thousand twenty;

(xiv) up to eleven million two hundred thousand dollars each state fiscal year for the period April first, two thousand twenty through March thirty-first, two thousand twenty-three; ~~and~~

(xv) up to eleven million two hundred thousand dollars each state fiscal year for the period April first, two thousand twenty-three through March thirty-first, two thousand twenty-six[-]; and

(xvi) up to eleven million two hundred thousand dollars each state fiscal year for the period April first, two thousand twenty-six through March thirty-first, two thousand twenty-nine.

(dd) Funds shall be deposited by the commissioner, within amounts appropriated, and the state comptroller is hereby authorized and directed to receive for deposit to the credit of the state special revenue fund - other, HCRA transfer fund, medical assistance account, or any successor fund or account, for purposes of funding the state share of Medicaid expenditures for physician services from the tobacco control and insurance initiatives pool established for the following periods in the following amounts:

(i) up to fifty-two million dollars for the period January first, two thousand two through December thirty-first, two thousand two;

(ii) eighty-one million two hundred thousand dollars for the period January first, two thousand three through December thirty-first, two thousand three;

(iii) eighty-five million two hundred thousand dollars for the period January first, two thousand four through December thirty-first, two thousand four;

(iv) eighty-five million two hundred thousand dollars for the period January first, two thousand five through December thirty-first, two thousand five;

(v) eighty-five million two hundred thousand dollars for the period January first, two thousand six through December thirty-first, two thousand six;

(vi) eighty-five million two hundred thousand dollars for the period January first, two thousand seven through December thirty-first, two thousand seven;

(vii) eighty-five million two hundred thousand dollars for the period January first, two thousand eight through December thirty-first, two thousand eight;

(viii) eighty-five million two hundred thousand dollars for the period January first, two thousand nine through December thirty-first, two thousand nine;

(ix) eighty-five million two hundred thousand dollars for the period January first, two thousand ten through December thirty-first, two thousand ten;

(x) twenty-one million three hundred thousand dollars for the period January first, two thousand eleven through March thirty-first, two thousand eleven; and

(xi) eighty-five million two hundred thousand dollars each state fiscal year for the period April first, two thousand eleven through March thirty-first, two thousand fourteen.

(ee) Funds shall be deposited by the commissioner, within amounts appropriated, and the state comptroller is hereby authorized and directed to receive for deposit to the credit of the state special revenue fund - other, HCRA transfer fund, medical assistance account, or any successor fund or account, for purposes of funding the state share of the free-standing diagnostic and treatment center rate increases for recruitment and retention of health care workers pursuant to subdivision seventeen of section twenty-eight hundred seven of this article from the tobacco control and insurance initiatives pool established for the following periods in the following amounts:

- 1 (i) three million two hundred fifty thousand dollars for the period
2 April first, two thousand two through December thirty-first, two thou-
3 sand two;
- 4 (ii) three million two hundred fifty thousand dollars on an annualized
5 basis for the period January first, two thousand three through December
6 thirty-first, two thousand three;
- 7 (iii) three million two hundred fifty thousand dollars on an annual-
8 ized basis for the period January first, two thousand four through
9 December thirty-first, two thousand four;
- 10 (iv) three million two hundred fifty thousand dollars for the period
11 January first, two thousand five through December thirty-first, two
12 thousand five;
- 13 (v) three million two hundred fifty thousand dollars for the period
14 January first, two thousand six through December thirty-first, two thou-
15 sand six;
- 16 (vi) three million two hundred fifty thousand dollars for the period
17 January first, two thousand seven through December thirty-first, two
18 thousand seven;
- 19 (vii) three million four hundred thirty-eight thousand dollars for the
20 period January first, two thousand eight through December thirty-first,
21 two thousand eight;
- 22 (viii) two million four hundred fifty thousand dollars for the period
23 January first, two thousand nine through December thirty-first, two
24 thousand nine;
- 25 (ix) one million five hundred thousand dollars for the period January
26 first, two thousand ten through December thirty-first, two thousand ten;
27 and
- 28 (x) three hundred twenty-five thousand dollars for the period January
29 first, two thousand eleven through March thirty-first, two thousand
30 eleven.
- 31 (ff) Funds shall be deposited by the commissioner, within amounts
32 appropriated, and the state comptroller is hereby authorized and
33 directed to receive for deposit to the credit of the state special
34 revenue fund - other, HCRA transfer fund, medical assistance account, or
35 any successor fund or account, for purposes of funding the state share
36 of Medicaid expenditures for disabled persons as authorized pursuant to
37 former subparagraphs twelve and thirteen of paragraph (a) of subdivision
38 one of section three hundred sixty-six of the social services law from
39 the tobacco control and insurance initiatives pool established for the
40 following periods in the following amounts:
- 41 (i) one million eight hundred thousand dollars for the period April
42 first, two thousand two through December thirty-first, two thousand two;
- 43 (ii) sixteen million four hundred thousand dollars on an annualized
44 basis for the period January first, two thousand three through December
45 thirty-first, two thousand three;
- 46 (iii) eighteen million seven hundred thousand dollars on an annualized
47 basis for the period January first, two thousand four through December
48 thirty-first, two thousand four;
- 49 (iv) thirty million six hundred thousand dollars for the period Janu-
50 ary first, two thousand five through December thirty-first, two thousand
51 five;
- 52 (v) thirty million six hundred thousand dollars for the period January
53 first, two thousand six through December thirty-first, two thousand six;
- 54 (vi) thirty million six hundred thousand dollars for the period Janu-
55 ary first, two thousand seven through December thirty-first, two thou-
56 sand seven;

- 1 (vii) fifteen million dollars for the period January first, two thou-
2 sand eight through December thirty-first, two thousand eight;
3 (viii) fifteen million dollars for the period January first, two thou-
4 sand nine through December thirty-first, two thousand nine;
5 (ix) fifteen million dollars for the period January first, two thou-
6 sand ten through December thirty-first, two thousand ten;
7 (x) three million seven hundred fifty thousand dollars for the period
8 January first, two thousand eleven through March thirty-first, two thou-
9 sand eleven;
10 (xi) fifteen million dollars each state fiscal year for the period
11 April first, two thousand eleven through March thirty-first, two thou-
12 sand fourteen;
13 (xii) fifteen million dollars each state fiscal year for the period
14 April first, two thousand fourteen through March thirty-first, two thou-
15 sand seventeen;
16 (xiii) fifteen million dollars each state fiscal year for the period
17 April first, two thousand seventeen through March thirty-first, two
18 thousand twenty;
19 (xiv) fifteen million dollars each state fiscal year for the period
20 April first, two thousand twenty through March thirty-first, two thou-
21 sand twenty-three; ~~[and]~~
22 (xv) fifteen million dollars each state fiscal year for the period
23 April first, two thousand twenty-three through March thirty-first, two
24 thousand twenty-six~~[-]~~; and
25 (xvi) fifteen million dollars each state fiscal year for the period
26 April first, two thousand twenty-six through March thirty-first, two
27 thousand twenty-nine.
28 (gg) Funds shall be reserved and accumulated from year to year and
29 shall be available, including income from invested funds, for purposes
30 of grants to non-public general hospitals pursuant to paragraph (c) of
31 subdivision thirty of section twenty-eight hundred seven-c of this arti-
32 cle from the tobacco control and insurance initiatives pool established
33 for the following periods in the following amounts:
34 (i) up to one million three hundred thousand dollars on an annualized
35 basis for the period January first, two thousand two through December
36 thirty-first, two thousand two;
37 (ii) up to three million two hundred thousand dollars on an annualized
38 basis for the period January first, two thousand three through December
39 thirty-first, two thousand three;
40 (iii) up to five million six hundred thousand dollars on an annualized
41 basis for the period January first, two thousand four through December
42 thirty-first, two thousand four;
43 (iv) up to eight million six hundred thousand dollars for the period
44 January first, two thousand five through December thirty-first, two
45 thousand five;
46 (v) up to eight million six hundred thousand dollars on an annualized
47 basis for the period January first, two thousand six through December
48 thirty-first, two thousand six;
49 (vi) up to two million six hundred thousand dollars for the period
50 January first, two thousand seven through December thirty-first, two
51 thousand seven;
52 (vii) up to two million six hundred thousand dollars for the period
53 January first, two thousand eight through December thirty-first, two
54 thousand eight;

1 (viii) up to two million six hundred thousand dollars for the period
2 January first, two thousand nine through December thirty-first, two
3 thousand nine;

4 (ix) up to two million six hundred thousand dollars for the period
5 January first, two thousand ten through December thirty-first, two thou-
6 sand ten; and

7 (x) up to six hundred fifty thousand dollars for the period January
8 first, two thousand eleven through March thirty-first, two thousand
9 eleven.

10 (hh) Funds shall be deposited by the commissioner, within amounts
11 appropriated, and the state comptroller is hereby authorized and
12 directed to receive for deposit to the credit of the special revenue
13 fund - other, HCRA transfer fund, medical assistance account for
14 purposes of providing financial assistance to residential health care
15 facilities pursuant to subdivisions nineteen and twenty-one of section
16 twenty-eight hundred eight of this article, from the tobacco control and
17 insurance initiatives pool established for the following periods in the
18 following amounts:

19 (i) for the period April first, two thousand two through December
20 thirty-first, two thousand two, ten million dollars;

21 (ii) for the period January first, two thousand three through December
22 thirty-first, two thousand three, nine million four hundred fifty thou-
23 sand dollars;

24 (iii) for the period January first, two thousand four through December
25 thirty-first, two thousand four, nine million three hundred fifty thou-
26 sand dollars;

27 (iv) up to fifteen million dollars for the period January first, two
28 thousand five through December thirty-first, two thousand five;

29 (v) up to fifteen million dollars for the period January first, two
30 thousand six through December thirty-first, two thousand six;

31 (vi) up to fifteen million dollars for the period January first, two
32 thousand seven through December thirty-first, two thousand seven;

33 (vii) up to fifteen million dollars for the period January first, two
34 thousand eight through December thirty-first, two thousand eight;

35 (viii) up to fifteen million dollars for the period January first, two
36 thousand nine through December thirty-first, two thousand nine;

37 (ix) up to fifteen million dollars for the period January first, two
38 thousand ten through December thirty-first, two thousand ten;

39 (x) up to three million seven hundred fifty thousand dollars for the
40 period January first, two thousand eleven through March thirty-first,
41 two thousand eleven; and

42 (xi) fifteen million dollars each state fiscal year for the period
43 April first, two thousand eleven through March thirty-first, two thou-
44 sand fourteen.

45 (ii) Funds shall be deposited by the commissioner, within amounts
46 appropriated, and the state comptroller is hereby authorized and
47 directed to receive for deposit to the credit of the state special
48 revenue funds - other, HCRA transfer fund, medical assistance account,
49 or any successor fund or account, for the purpose of supporting the
50 state share of Medicaid expenditures for disabled persons as authorized
51 by sections 1619 (a) and (b) of the federal social security act pursuant
52 to the tobacco control and insurance initiatives pool established for
53 the following periods in the following amounts:

54 (i) six million four hundred thousand dollars for the period April
55 first, two thousand two through December thirty-first, two thousand two;

1 (ii) eight million five hundred thousand dollars, for the period Janu-
2 ary first, two thousand three through December thirty-first, two thou-
3 sand three;
4 (iii) eight million five hundred thousand dollars for the period Janu-
5 ary first, two thousand four through December thirty-first, two thousand
6 four;
7 (iv) eight million five hundred thousand dollars for the period Janu-
8 ary first, two thousand five through December thirty-first, two thousand
9 five;
10 (v) eight million five hundred thousand dollars for the period January
11 first, two thousand six through December thirty-first, two thousand six;
12 (vi) eight million six hundred thousand dollars for the period January
13 first, two thousand seven through December thirty-first, two thousand
14 seven;
15 (vii) eight million five hundred thousand dollars for the period Janu-
16 ary first, two thousand eight through December thirty-first, two thou-
17 sand eight;
18 (viii) eight million five hundred thousand dollars for the period
19 January first, two thousand nine through December thirty-first, two
20 thousand nine;
21 (ix) eight million five hundred thousand dollars for the period Janu-
22 ary first, two thousand ten through December thirty-first, two thousand
23 ten;
24 (x) two million one hundred twenty-five thousand dollars for the peri-
25 od January first, two thousand eleven through March thirty-first, two
26 thousand eleven;
27 (xi) eight million five hundred thousand dollars each state fiscal
28 year for the period April first, two thousand eleven through March thir-
29 ty-first, two thousand fourteen;
30 (xii) eight million five hundred thousand dollars each state fiscal
31 year for the period April first, two thousand fourteen through March
32 thirty-first, two thousand seventeen;
33 (xiii) eight million five hundred thousand dollars each state fiscal
34 year for the period April first, two thousand seventeen through March
35 thirty-first, two thousand twenty;
36 (xiv) eight million five hundred thousand dollars each state fiscal
37 year for the period April first, two thousand twenty through March thir-
38 ty-first, two thousand twenty-three; ~~and~~
39 (xv) eight million five hundred thousand dollars each state fiscal
40 year for the period April first, two thousand twenty-three through March
41 thirty-first, two thousand twenty-six~~[-]~~; and
42 (xvi) eight million five hundred thousand dollars each state fiscal
43 year for the period April first, two thousand twenty-six through March
44 thirty-first, two thousand twenty-nine.
45 (jj) Funds shall be reserved and accumulated from year to year and
46 shall be available, including income from invested funds, for the
47 purposes of a grant program to improve access to infertility services,
48 treatments and procedures, from the tobacco control and insurance initi-
49 atives pool established for the period January first, two thousand two
50 through December thirty-first, two thousand two in the amount of nine
51 million one hundred seventy-five thousand dollars, for the period April
52 first, two thousand six through March thirty-first, two thousand seven
53 in the amount of five million dollars, for the period April first, two
54 thousand seven through March thirty-first, two thousand eight in the
55 amount of five million dollars, for the period April first, two thousand
56 eight through March thirty-first, two thousand nine in the amount of

1 five million dollars, and for the period April first, two thousand nine
2 through March thirty-first, two thousand ten in the amount of five
3 million dollars, for the period April first, two thousand ten through
4 March thirty-first, two thousand eleven in the amount of two million two
5 hundred thousand dollars, and for the period April first, two thousand
6 eleven through March thirty-first, two thousand twelve up to one million
7 one hundred thousand dollars.

8 (kk) Funds shall be deposited by the commissioner, within amounts
9 appropriated, and the state comptroller is hereby authorized and
10 directed to receive for deposit to the credit of the state special
11 revenue funds -- other, HCRA transfer fund, medical assistance account,
12 or any successor fund or account, for purposes of funding the state
13 share of Medical Assistance Program expenditures from the tobacco
14 control and insurance initiatives pool established for the following
15 periods in the following amounts:

16 (i) thirty-eight million eight hundred thousand dollars for the period
17 January first, two thousand two through December thirty-first, two thou-
18 sand two;

19 (ii) up to two hundred ninety-five million dollars for the period
20 January first, two thousand three through December thirty-first, two
21 thousand three;

22 (iii) up to four hundred seventy-two million dollars for the period
23 January first, two thousand four through December thirty-first, two
24 thousand four;

25 (iv) up to nine hundred million dollars for the period January first,
26 two thousand five through December thirty-first, two thousand five;

27 (v) up to eight hundred sixty-six million three hundred thousand
28 dollars for the period January first, two thousand six through December
29 thirty-first, two thousand six;

30 (vi) up to six hundred sixteen million seven hundred thousand dollars
31 for the period January first, two thousand seven through December thir-
32 ty-first, two thousand seven;

33 (vii) up to five hundred seventy-eight million nine hundred twenty-
34 five thousand dollars for the period January first, two thousand eight
35 through December thirty-first, two thousand eight; and

36 (viii) within amounts appropriated on and after January first, two
37 thousand nine.

38 (ll) Funds shall be deposited by the commissioner, within amounts
39 appropriated, and the state comptroller is hereby authorized and
40 directed to receive for deposit to the credit of the state special
41 revenue funds -- other, HCRA transfer fund, medical assistance account,
42 or any successor fund or account, for purposes of funding the state
43 share of Medicaid expenditures related to the city of New York from the
44 tobacco control and insurance initiatives pool established for the
45 following periods in the following amounts:

46 (i) eighty-two million seven hundred thousand dollars for the period
47 January first, two thousand two through December thirty-first, two thou-
48 sand two;

49 (ii) one hundred twenty-four million six hundred thousand dollars for
50 the period January first, two thousand three through December thirty-
51 first, two thousand three;

52 (iii) one hundred twenty-four million seven hundred thousand dollars
53 for the period January first, two thousand four through December thir-
54 ty-first, two thousand four;

1 (iv) one hundred twenty-four million seven hundred thousand dollars
2 for the period January first, two thousand five through December thir-
3 ty-first, two thousand five;

4 (v) one hundred twenty-four million seven hundred thousand dollars for
5 the period January first, two thousand six through December thirty-
6 first, two thousand six;

7 (vi) one hundred twenty-four million seven hundred thousand dollars
8 for the period January first, two thousand seven through December thir-
9 ty-first, two thousand seven;

10 (vii) one hundred twenty-four million seven hundred thousand dollars
11 for the period January first, two thousand eight through December thir-
12 ty-first, two thousand eight;

13 (viii) one hundred twenty-four million seven hundred thousand dollars
14 for the period January first, two thousand nine through December thir-
15 ty-first, two thousand nine;

16 (ix) one hundred twenty-four million seven hundred thousand dollars
17 for the period January first, two thousand ten through December thirty-
18 first, two thousand ten;

19 (x) thirty-one million one hundred seventy-five thousand dollars for
20 the period January first, two thousand eleven through March thirty-
21 first, two thousand eleven; and

22 (xi) one hundred twenty-four million seven hundred thousand dollars
23 each state fiscal year for the period April first, two thousand eleven
24 through March thirty-first, two thousand fourteen.

25 (mm) Funds shall be deposited by the commissioner, within amounts
26 appropriated, and the state comptroller is hereby authorized and
27 directed to receive for deposit to the credit of the state special
28 revenue funds - other, HCRA transfer fund, medical assistance account,
29 or any successor fund or account, for purposes of funding specified
30 percentages of the state share of services and expenses related to the
31 family health plus program in accordance with the following schedule:

32 (i) (A) for the period January first, two thousand three through
33 December thirty-first, two thousand four, one hundred percent of the
34 state share;

35 (B) for the period January first, two thousand five through December
36 thirty-first, two thousand five, seventy-five percent of the state
37 share; and

38 (C) for periods beginning on and after January first, two thousand
39 six, fifty percent of the state share.

40 (ii) Funding for the family health plus program will include up to
41 five million dollars annually for the period January first, two thousand
42 three through December thirty-first, two thousand six, up to five
43 million dollars for the period January first, two thousand seven through
44 December thirty-first, two thousand seven, up to seven million two
45 hundred thousand dollars for the period January first, two thousand
46 eight through December thirty-first, two thousand eight, up to seven
47 million two hundred thousand dollars for the period January first, two
48 thousand nine through December thirty-first, two thousand nine, up to
49 seven million two hundred thousand dollars for the period January first,
50 two thousand ten through December thirty-first, two thousand ten, up to
51 one million eight hundred thousand dollars for the period January first,
52 two thousand eleven through March thirty-first, two thousand eleven, up
53 to six million forty-nine thousand dollars for the period April first,
54 two thousand eleven through March thirty-first, two thousand twelve, up
55 to six million two hundred eighty-nine thousand dollars for the period
56 April first, two thousand twelve through March thirty-first, two thou-

1 sand thirteen, and up to six million four hundred sixty-one thousand
2 dollars for the period April first, two thousand thirteen through March
3 thirty-first, two thousand fourteen, for administration and marketing
4 costs associated with such program established pursuant to clauses (A)
5 and (B) of subparagraph (v) of paragraph (a) of subdivision two of the
6 former section three hundred sixty-nine-ee of the social services law
7 from the tobacco control and insurance initiatives pool established for
8 the following periods in the following amounts:

9 (A) one hundred ninety million six hundred thousand dollars for the
10 period January first, two thousand three through December thirty-first,
11 two thousand three;

12 (B) three hundred seventy-four million dollars for the period January
13 first, two thousand four through December thirty-first, two thousand
14 four;

15 (C) five hundred thirty-eight million four hundred thousand dollars
16 for the period January first, two thousand five through December thir-
17 ty-first, two thousand five;

18 (D) three hundred eighteen million seven hundred seventy-five thousand
19 dollars for the period January first, two thousand six through December
20 thirty-first, two thousand six;

21 (E) four hundred eighty-two million eight hundred thousand dollars for
22 the period January first, two thousand seven through December thirty-
23 first, two thousand seven;

24 (F) five hundred seventy million twenty-five thousand dollars for the
25 period January first, two thousand eight through December thirty-first,
26 two thousand eight;

27 (G) six hundred ten million seven hundred twenty-five thousand dollars
28 for the period January first, two thousand nine through December thir-
29 ty-first, two thousand nine;

30 (H) six hundred twenty-seven million two hundred seventy-five thousand
31 dollars for the period January first, two thousand ten through December
32 thirty-first, two thousand ten;

33 (I) one hundred fifty-seven million eight hundred seventy-five thou-
34 sand dollars for the period January first, two thousand eleven through
35 March thirty-first, two thousand eleven;

36 (J) six hundred twenty-eight million four hundred thousand dollars for
37 the period April first, two thousand eleven through March thirty-first,
38 two thousand twelve;

39 (K) six hundred fifty million four hundred thousand dollars for the
40 period April first, two thousand twelve through March thirty-first, two
41 thousand thirteen;

42 (L) six hundred fifty million four hundred thousand dollars for the
43 period April first, two thousand thirteen through March thirty-first,
44 two thousand fourteen; and

45 (M) up to three hundred ten million five hundred ninety-five thousand
46 dollars for the period April first, two thousand fourteen through March
47 thirty-first, two thousand fifteen.

48 (nn) Funds shall be deposited by the commissioner, within amounts
49 appropriated, and the state comptroller is hereby authorized and
50 directed to receive for deposit to the credit of the state special
51 revenue fund - other, HCRA transfer fund, health care services account,
52 or any successor fund or account, for purposes related to adult home
53 initiatives for medicaid eligible residents of residential facilities
54 licensed pursuant to section four hundred sixty-b of the social services
55 law from the tobacco control and insurance initiatives pool established
56 for the following periods in the following amounts:

1 (i) up to four million dollars for the period January first, two thou-
2 sand three through December thirty-first, two thousand three;

3 (ii) up to six million dollars for the period January first, two thou-
4 sand four through December thirty-first, two thousand four;

5 (iii) up to eight million dollars for the period January first, two
6 thousand five through December thirty-first, two thousand five,
7 provided, however, that up to five million two hundred fifty thousand
8 dollars of such funds shall be received by the comptroller and deposited
9 to the credit of the special revenue fund - other / aid to localities,
10 HCRA transfer fund - 061, enhanced community services account - 05, or
11 any successor fund or account, for the purposes set forth in this para-
12 graph;

13 (iv) up to eight million dollars for the period January first, two
14 thousand six through December thirty-first, two thousand six, provided,
15 however, that up to five million two hundred fifty thousand dollars of
16 such funds shall be received by the comptroller and deposited to the
17 credit of the special revenue fund - other / aid to localities, HCRA
18 transfer fund - 061, enhanced community services account - 05, or any
19 successor fund or account, for the purposes set forth in this paragraph;

20 (v) up to eight million dollars for the period January first, two
21 thousand seven through December thirty-first, two thousand seven,
22 provided, however, that up to five million two hundred fifty thousand
23 dollars of such funds shall be received by the comptroller and deposited
24 to the credit of the special revenue fund - other / aid to localities,
25 HCRA transfer fund - 061, enhanced community services account - 05, or
26 any successor fund or account, for the purposes set forth in this para-
27 graph;

28 (vi) up to two million seven hundred fifty thousand dollars for the
29 period January first, two thousand eight through December thirty-first,
30 two thousand eight;

31 (vii) up to two million seven hundred fifty thousand dollars for the
32 period January first, two thousand nine through December thirty-first,
33 two thousand nine;

34 (viii) up to two million seven hundred fifty thousand dollars for the
35 period January first, two thousand ten through December thirty-first,
36 two thousand ten; and

37 (ix) up to six hundred eighty-eight thousand dollars for the period
38 January first, two thousand eleven through March thirty-first, two thou-
39 sand eleven.

40 (oo) Funds shall be reserved and accumulated from year to year and
41 shall be available, including income from invested funds, for purposes
42 of grants to non-public general hospitals pursuant to paragraph (e) of
43 subdivision twenty-five of section twenty-eight hundred seven-c of this
44 article from the tobacco control and insurance initiatives pool estab-
45 lished for the following periods in the following amounts:

46 (i) up to five million dollars on an annualized basis for the period
47 January first, two thousand four through December thirty-first, two
48 thousand four;

49 (ii) up to five million dollars for the period January first, two
50 thousand five through December thirty-first, two thousand five;

51 (iii) up to five million dollars for the period January first, two
52 thousand six through December thirty-first, two thousand six;

53 (iv) up to five million dollars for the period January first, two
54 thousand seven through December thirty-first, two thousand seven;

55 (v) up to five million dollars for the period January first, two thou-
56 sand eight through December thirty-first, two thousand eight;

(vi) up to five million dollars for the period January first, two thousand nine through December thirty-first, two thousand nine;
(vii) up to five million dollars for the period January first, two thousand ten through December thirty-first, two thousand ten; and
(viii) up to one million two hundred fifty thousand dollars for the period January first, two thousand eleven through March thirty-first, two thousand eleven.

(pp) Funds shall be reserved and accumulated from year to year and shall be available, including income from invested funds, for the purpose of supporting the provision of tax credits for long term care insurance pursuant to subdivision one of section one hundred ninety of the tax law, paragraph (a) of subdivision fourteen of section two hundred ten-B of such law, subsection (aa) of section six hundred six of such law and paragraph one of subdivision (m) of section fifteen hundred eleven of such law, in the following amounts:

(i) ten million dollars for the period January first, two thousand four through December thirty-first, two thousand four;

(ii) ten million dollars for the period January first, two thousand five through December thirty-first, two thousand five;

(iii) ten million dollars for the period January first, two thousand six through December thirty-first, two thousand six; and

(iv) five million dollars for the period January first, two thousand seven through June thirtieth, two thousand seven.

(qq) Funds shall be reserved and accumulated from year to year and shall be available, including income from invested funds, for the purpose of supporting the long-term care insurance education and outreach program established pursuant to section two hundred seventeen-a of the elder law for the following periods in the following amounts:

(i) up to five million dollars for the period January first, two thousand four through December thirty-first, two thousand four; of such funds one million nine hundred fifty thousand dollars shall be made available to the department for the purpose of developing, implementing and administering the long-term care insurance education and outreach program and three million fifty thousand dollars shall be deposited by the commissioner, within amounts appropriated, and the comptroller is hereby authorized and directed to receive for deposit to the credit of the special revenue funds - other, HCRA transfer fund, long term care insurance resource center account of the state office for the aging or any future account designated for the purpose of implementing the long term care insurance education and outreach program and providing the long term care insurance resource centers with the necessary resources to carry out their operations;

(ii) up to five million dollars for the period January first, two thousand five through December thirty-first, two thousand five; of such funds one million nine hundred fifty thousand dollars shall be made available to the department for the purpose of developing, implementing and administering the long-term care insurance education and outreach program and three million fifty thousand dollars shall be deposited by the commissioner, within amounts appropriated, and the comptroller is hereby authorized and directed to receive for deposit to the credit of the special revenue funds - other, HCRA transfer fund, long term care insurance resource center account of the state office for the aging or any future account designated for the purpose of implementing the long term care insurance education and outreach program and providing the long term care insurance resource centers with the necessary resources to carry out their operations;

1 (iii) up to five million dollars for the period January first, two
2 thousand six through December thirty-first, two thousand six; of such
3 funds one million nine hundred fifty thousand dollars shall be made
4 available to the department for the purpose of developing, implementing
5 and administering the long-term care insurance education and outreach
6 program and three million fifty thousand dollars shall be made available
7 to the office for the aging for the purpose of providing the long term
8 care insurance resource centers with the necessary resources to carry
9 out their operations;

10 (iv) up to five million dollars for the period January first, two
11 thousand seven through December thirty-first, two thousand seven; of
12 such funds one million nine hundred fifty thousand dollars shall be made
13 available to the department for the purpose of developing, implementing
14 and administering the long-term care insurance education and outreach
15 program and three million fifty thousand dollars shall be made available
16 to the office for the aging for the purpose of providing the long term
17 care insurance resource centers with the necessary resources to carry
18 out their operations;

19 (v) up to five million dollars for the period January first, two thou-
20 sand eight through December thirty-first, two thousand eight; of such
21 funds one million nine hundred fifty thousand dollars shall be made
22 available to the department for the purpose of developing, implementing
23 and administering the long term care insurance education and outreach
24 program and three million fifty thousand dollars shall be made available
25 to the office for the aging for the purpose of providing the long term
26 care insurance resource centers with the necessary resources to carry
27 out their operations;

28 (vi) up to five million dollars for the period January first, two
29 thousand nine through December thirty-first, two thousand nine; of such
30 funds one million nine hundred fifty thousand dollars shall be made
31 available to the department for the purpose of developing, implementing
32 and administering the long-term care insurance education and outreach
33 program and three million fifty thousand dollars shall be made available
34 to the office for the aging for the purpose of providing the long-term
35 care insurance resource centers with the necessary resources to carry
36 out their operations;

37 (vii) up to four hundred eighty-eight thousand dollars for the period
38 January first, two thousand ten through March thirty-first, two thousand
39 ten; of such funds four hundred eighty-eight thousand dollars shall be
40 made available to the department for the purpose of developing, imple-
41 menting and administering the long-term care insurance education and
42 outreach program.

43 (rr) Funds shall be reserved and accumulated from the tobacco control
44 and insurance initiatives pool and shall be available, including income
45 from invested funds, for the purpose of supporting expenses related to
46 implementation of the provisions of title three of article twenty-nine-D
47 of this chapter, for the following periods and in the following amounts:

48 (i) up to ten million dollars for the period January first, two thou-
49 sand six through December thirty-first, two thousand six;

50 (ii) up to ten million dollars for the period January first, two thou-
51 sand seven through December thirty-first, two thousand seven;

52 (iii) up to ten million dollars for the period January first, two
53 thousand eight through December thirty-first, two thousand eight;

54 (iv) up to ten million dollars for the period January first, two thou-
55 sand nine through December thirty-first, two thousand nine;

1 (v) up to ten million dollars for the period January first, two thou-
2 sand ten through December thirty-first, two thousand ten; and

3 (vi) up to two million five hundred thousand dollars for the period
4 January first, two thousand eleven through March thirty-first, two thou-
5 sand eleven.

6 (ss) Funds shall be reserved and accumulated from the tobacco control
7 and insurance initiatives pool and used for a health care stabilization
8 program established by the commissioner for the purposes of stabilizing
9 critical health care providers and health care programs whose ability to
10 continue to provide appropriate services are threatened by financial or
11 other challenges, in the amount of up to twenty-eight million dollars
12 for the period July first, two thousand four through June thirtieth, two
13 thousand five. Notwithstanding the provisions of section one hundred
14 twelve of the state finance law or any other inconsistent provision of
15 the state finance law or any other law, funds available for distribution
16 pursuant to this paragraph may be allocated and distributed by the
17 commissioner, or the state comptroller as applicable without a compet-
18 itive bid or request for proposal process. Considerations relied upon by
19 the commissioner in determining the allocation and distribution of these
20 funds shall include, but not be limited to, the following: (i) the
21 importance of the provider or program in meeting critical health care
22 needs in the community in which it operates; (ii) the provider or
23 program provision of care to under-served populations; (iii) the quality
24 of the care or services the provider or program delivers; (iv) the abil-
25 ity of the provider or program to continue to deliver an appropriate
26 level of care or services if additional funding is made available; (v)
27 the ability of the provider or program to access, in a timely manner,
28 alternative sources of funding, including other sources of government
29 funding; (vi) the ability of other providers or programs in the communi-
30 ty to meet the community health care needs; (vii) whether the provider
31 or program has an appropriate plan to improve its financial condition;
32 and (viii) whether additional funding would permit the provider or
33 program to consolidate, relocate, or close programs or services where
34 such actions would result in greater stability and efficiency in the
35 delivery of needed health care services or programs.

36 (tt) Funds shall be reserved and accumulated from year to year and
37 shall be available, including income from invested funds, for purposes
38 of providing grants for two long term care demonstration projects
39 designed to test new models for the delivery of long term care services
40 established pursuant to section twenty-eight hundred seven-x of this
41 ~~chapter~~ article, for the following periods and in the following
42 amounts:

43 (i) up to five hundred thousand dollars for the period January first,
44 two thousand four through December thirty-first, two thousand four;

45 (ii) up to five hundred thousand dollars for the period January first,
46 two thousand five through December thirty-first, two thousand five;

47 (iii) up to five hundred thousand dollars for the period January
48 first, two thousand six through December thirty-first, two thousand six;

49 (iv) up to one million dollars for the period January first, two thou-
50 sand seven through December thirty-first, two thousand seven; and

51 (v) up to two hundred fifty thousand dollars for the period January
52 first, two thousand eight through March thirty-first, two thousand
53 eight.

54 (uu) Funds shall be reserved and accumulated from year to year and
55 shall be available, including income from invested funds, for the
56 purpose of supporting disease management and telemedicine demonstration

1 programs authorized pursuant to section twenty-one hundred eleven of
2 this chapter for the following periods in the following amounts:

3 (i) five million dollars for the period January first, two thousand
4 four through December thirty-first, two thousand four, of which three
5 million dollars shall be available for disease management demonstration
6 programs and two million dollars shall be available for telemedicine
7 demonstration programs;

8 (ii) five million dollars for the period January first, two thousand
9 five through December thirty-first, two thousand five, of which three
10 million dollars shall be available for disease management demonstration
11 programs and two million dollars shall be available for telemedicine
12 demonstration programs;

13 (iii) nine million five hundred thousand dollars for the period Janu-
14 ary first, two thousand six through December thirty-first, two thousand
15 six, of which seven million five hundred thousand dollars shall be
16 available for disease management demonstration programs and two million
17 dollars shall be available for telemedicine demonstration programs;

18 (iv) nine million five hundred thousand dollars for the period January
19 first, two thousand seven through December thirty-first, two thousand
20 seven, of which seven million five hundred thousand dollars shall be
21 available for disease management demonstration programs and one million
22 dollars shall be available for telemedicine demonstration programs;

23 (v) nine million five hundred thousand dollars for the period January
24 first, two thousand eight through December thirty-first, two thousand
25 eight, of which seven million five hundred thousand dollars shall be
26 available for disease management demonstration programs and two million
27 dollars shall be available for telemedicine demonstration programs;

28 (vi) seven million eight hundred thirty-three thousand three hundred
29 thirty-three dollars for the period January first, two thousand nine
30 through December thirty-first, two thousand nine, of which seven million
31 five hundred thousand dollars shall be available for disease management
32 demonstration programs and three hundred thirty-three thousand three
33 hundred thirty-three dollars shall be available for telemedicine demon-
34 stration programs for the period January first, two thousand nine
35 through March first, two thousand nine;

36 (vii) one million eight hundred seventy-five thousand dollars for the
37 period January first, two thousand ten through March thirty-first, two
38 thousand ten shall be available for disease management demonstration
39 programs.

40 (ww) Funds shall be deposited by the commissioner, within amounts
41 appropriated, and the state comptroller is hereby authorized and
42 directed to receive for the deposit to the credit of the state special
43 revenue funds - other, HCRA transfer fund, medical assistance account,
44 or any successor fund or account, for purposes of funding the state
45 share of the general hospital rates increases for recruitment and
46 retention of health care workers pursuant to paragraph (e) of subdivi-
47 sion thirty of section twenty-eight hundred seven-c of this article from
48 the tobacco control and insurance initiatives pool established for the
49 following periods in the following amounts:

50 (i) sixty million five hundred thousand dollars for the period January
51 first, two thousand five through December thirty-first, two thousand
52 five; and

53 (ii) sixty million five hundred thousand dollars for the period Janu-
54 ary first, two thousand six through December thirty-first, two thousand
55 six.

(xx) Funds shall be deposited by the commissioner, within amounts appropriated, and the state comptroller is hereby authorized and directed to receive for the deposit to the credit of the state special revenue funds - other, HCRA transfer fund, medical assistance account, or any successor fund or account, for purposes of funding the state share of the general hospital rates increases for rural hospitals pursuant to subdivision thirty-two of section twenty-eight hundred seven-c of this article from the tobacco control and insurance initiatives pool established for the following periods in the following amounts:

(i) three million five hundred thousand dollars for the period January first, two thousand five through December thirty-first, two thousand five;

(ii) three million five hundred thousand dollars for the period January first, two thousand six through December thirty-first, two thousand six;

(iii) three million five hundred thousand dollars for the period January first, two thousand seven through December thirty-first, two thousand seven;

(iv) three million five hundred thousand dollars for the period January first, two thousand eight through December thirty-first, two thousand eight; and

(v) three million two hundred eight thousand dollars for the period January first, two thousand nine through November thirtieth, two thousand nine.

(yy) Funds shall be reserved and accumulated from year to year and shall be available, within amounts appropriated and notwithstanding section one hundred twelve of the state finance law and any other contrary provision of law, for the purpose of supporting grants not to exceed five million dollars to be made by the commissioner without a competitive bid or request for proposal process, in support of the delivery of critically needed health care services, to health care providers located in the counties of Erie and Niagara which executed a memorandum of closing and conducted a merger closing in escrow on November twenty-fourth, nineteen hundred ninety-seven and which entered into a settlement dated December thirtieth, two thousand four for a loss on disposal of assets under the provisions of title XVIII of the federal social security act applicable to mergers occurring prior to December first, nineteen hundred ninety-seven.

(zz) Funds shall be reserved and accumulated from year to year and shall be available, within amounts appropriated, for the purpose of supporting expenditures authorized pursuant to section twenty-eight hundred eighteen of this article from the tobacco control and insurance initiatives pool established for the following periods in the following amounts:

(i) six million five hundred thousand dollars for the period January first, two thousand five through December thirty-first, two thousand five;

(ii) one hundred eight million three hundred thousand dollars for the period January first, two thousand six through December thirty-first, two thousand six, provided, however, that within amounts appropriated in the two thousand six through two thousand seven state fiscal year, a portion of such funds may be transferred to the Roswell Park Cancer Institute Corporation to fund capital costs;

(iii) one hundred seventy-one million dollars for the period January first, two thousand seven through December thirty-first, two thousand seven, provided, however, that within amounts appropriated in the two

1 thousand six through two thousand seven state fiscal year, a portion of
2 such funds may be transferred to the Roswell Park Cancer Institute
3 Corporation to fund capital costs;

4 (iv) one hundred seventy-one million five hundred thousand dollars for
5 the period January first, two thousand eight through December thirty-
6 first, two thousand eight;

7 (v) one hundred twenty-eight million seven hundred fifty thousand
8 dollars for the period January first, two thousand nine through December
9 thirty-first, two thousand nine;

10 (vi) one hundred thirty-one million three hundred seventy-five thou-
11 sand dollars for the period January first, two thousand ten through
12 December thirty-first, two thousand ten;

13 (vii) thirty-four million two hundred fifty thousand dollars for the
14 period January first, two thousand eleven through March thirty-first,
15 two thousand eleven;

16 (viii) four hundred thirty-three million three hundred sixty-six thou-
17 sand dollars for the period April first, two thousand eleven through
18 March thirty-first, two thousand twelve;

19 (ix) one hundred fifty million eight hundred six thousand dollars for
20 the period April first, two thousand twelve through March thirty-first,
21 two thousand thirteen;

22 (x) seventy-eight million seventy-one thousand dollars for the period
23 April first, two thousand thirteen through March thirty-first, two thou-
24 sand fourteen.

25 (aaa) Funds shall be reserved and accumulated from year to year and
26 shall be available, including income from invested funds, for services
27 and expenses related to school based health centers, in an amount up to
28 three million five hundred thousand dollars for the period April first,
29 two thousand six through March thirty-first, two thousand seven, up to
30 three million five hundred thousand dollars for the period April first,
31 two thousand seven through March thirty-first, two thousand eight, up to
32 three million five hundred thousand dollars for the period April first,
33 two thousand eight through March thirty-first, two thousand nine, up to
34 three million five hundred thousand dollars for the period April first,
35 two thousand nine through March thirty-first, two thousand ten, up to
36 three million five hundred thousand dollars for the period April first,
37 two thousand ten through March thirty-first, two thousand eleven, up to
38 two million eight hundred thousand dollars each state fiscal year for
39 the period April first, two thousand eleven through March thirty-first,
40 two thousand fourteen, up to two million six hundred forty-four thousand
41 dollars each state fiscal year for the period April first, two thousand
42 fourteen through March thirty-first, two thousand seventeen, up to two
43 million six hundred forty-four thousand dollars each state fiscal year
44 for the period April first, two thousand seventeen through March thir-
45 ty-first, two thousand twenty, up to two million six hundred forty-four
46 thousand dollars each state fiscal year for the period April first, two
47 thousand twenty through March thirty-first, two thousand twenty-three,
48 [and] up to two million six hundred forty-four thousand dollars each
49 state fiscal year for the period April first, two thousand twenty-three
50 through March thirty-first, two thousand twenty-six, and up to two
51 million six hundred forty-four thousand dollars each state fiscal year
52 for the period April first, two thousand twenty-six through March thir-
53 ty-first, two thousand twenty-nine. The total amount of funds provided
54 herein shall be distributed as grants based on the ratio of each provid-
55 er's total enrollment for all sites to the total enrollment of all

1 providers. This formula shall be applied to the total amount provided
2 herein.

3 (bbb) Funds shall be reserved and accumulated from year to year and
4 shall be available, including income from invested funds, for purposes
5 of awarding grants to operators of adult homes, enriched housing
6 programs and residences through the enhancing abilities and life experi-
7 ence (EnAbLe) program to provide for the installation, operation and
8 maintenance of air conditioning in resident rooms, consistent with this
9 paragraph, in an amount up to two million dollars for the period April
10 first, two thousand six through March thirty-first, two thousand seven,
11 up to three million eight hundred thousand dollars for the period April
12 first, two thousand seven through March thirty-first, two thousand
13 eight, up to three million eight hundred thousand dollars for the period
14 April first, two thousand eight through March thirty-first, two thousand
15 nine, up to three million eight hundred thousand dollars for the period
16 April first, two thousand nine through March thirty-first, two thousand
17 ten, and up to three million eight hundred thousand dollars for the
18 period April first, two thousand ten through March thirty-first, two
19 thousand eleven. Residents shall not be charged utility cost for the use
20 of air conditioners supplied under the EnAbLe program. All such air
21 conditioners must be operated in occupied resident rooms consistent with
22 requirements applicable to common areas.

23 (ccc) Funds shall be deposited by the commissioner, within amounts
24 appropriated, and the state comptroller is hereby authorized and
25 directed to receive for the deposit to the credit of the state special
26 revenue funds - other, HCRA transfer fund, medical assistance account,
27 or any successor fund or account, for purposes of funding the state
28 share of increases in the rates for certified home health agencies, long
29 term home health care programs, AIDS home care programs, hospice
30 programs and managed long term care plans and approved managed long term
31 care operating demonstrations as defined in section forty-four hundred
32 three-f of this chapter for recruitment and retention of health care
33 workers pursuant to subdivisions nine and ten of section thirty-six
34 hundred fourteen of this chapter from the tobacco control and insurance
35 initiatives pool established for the following periods in the following
36 amounts:

37 (i) twenty-five million dollars for the period June first, two thou-
38 sand six through December thirty-first, two thousand six;

39 (ii) fifty million dollars for the period January first, two thousand
40 seven through December thirty-first, two thousand seven;

41 (iii) fifty million dollars for the period January first, two thousand
42 eight through December thirty-first, two thousand eight;

43 (iv) fifty million dollars for the period January first, two thousand
44 nine through December thirty-first, two thousand nine;

45 (v) fifty million dollars for the period January first, two thousand
46 ten through December thirty-first, two thousand ten;

47 (vi) twelve million five hundred thousand dollars for the period Janu-
48 ary first, two thousand eleven through March thirty-first, two thousand
49 eleven;

50 (vii) up to fifty million dollars each state fiscal year for the peri-
51 od April first, two thousand eleven through March thirty-first, two
52 thousand fourteen;

53 (viii) up to fifty million dollars each state fiscal year for the
54 period April first, two thousand fourteen through March thirty-first,
55 two thousand seventeen;

(ix) up to fifty million dollars each state fiscal year for the period April first, two thousand seventeen through March thirty-first, two thousand twenty;

(x) up to fifty million dollars each state fiscal year for the period April first, two thousand twenty through March thirty-first, two thousand twenty-three; ~~and~~

(xi) up to fifty million dollars each state fiscal year for the period April first, two thousand twenty-three through March thirty-first, two thousand twenty-six~~[-]; and~~

(xii) up to fifty million dollars each state fiscal year for the period April first, two thousand twenty-six through March thirty-first, two thousand twenty-nine.

(ddd) Funds shall be deposited by the commissioner, within amounts appropriated, and the state comptroller is hereby authorized and directed to receive for the deposit to the credit of the state special revenue funds - other, HCRA transfer fund, medical assistance account, or any successor fund or account, for purposes of funding the state share of increases in the medical assistance rates for providers for purposes of enhancing the provision, quality and/or efficiency of home care services pursuant to subdivision eleven of section thirty-six hundred fourteen of this chapter from the tobacco control and insurance initiatives pool established for the following period in the amount of eight million dollars for the period April first, two thousand six through December thirty-first, two thousand six.

(eee) Funds shall be reserved and accumulated from year to year and shall be available, including income from invested funds, to the Center for Functional Genomics at the State University of New York at Albany, for the purposes of the Adirondack network for cancer education and research in rural communities grant program to improve access to health care and shall be made available from the tobacco control and insurance initiatives pool established for the following period in the amount of up to five million dollars for the period January first, two thousand six through December thirty-first, two thousand six.

(fff) Funds shall be made available to the empire state stem cell trust fund established by section ninety-nine-p of the state finance law within amounts appropriated up to fifty million dollars annually and shall not exceed five hundred million dollars in total.

(ggg) Funds shall be deposited by the commissioner, within amounts appropriated, and the state comptroller is hereby authorized and directed to receive for deposit to the credit of the state special revenue fund - other, HCRA transfer fund, medical assistance account, or any successor fund or account, for the purpose of supporting the state share of Medicaid expenditures for hospital translation services as authorized pursuant to paragraph (k) of subdivision one of section twenty-eight hundred seven-c of this article from the tobacco control and initiatives pool established for the following periods in the following amounts:

(i) sixteen million dollars for the period July first, two thousand eight through December thirty-first, two thousand eight; and

(ii) fourteen million seven hundred thousand dollars for the period January first, two thousand nine through November thirtieth, two thousand nine.

(hhh) Funds shall be deposited by the commissioner, within amounts appropriated, and the state comptroller is hereby authorized and directed to receive for deposit to the credit of the state special revenue fund - other, HCRA transfer fund, medical assistance account, or

1 any successor fund or account, for the purpose of supporting the state
2 share of Medicaid expenditures for adjustments to inpatient rates of
3 payment for general hospitals located in the counties of Nassau and
4 Suffolk as authorized pursuant to paragraph (1) of subdivision one of
5 section twenty-eight hundred seven-c of this article from the tobacco
6 control and initiatives pool established for the following periods in
7 the following amounts:

8 (i) two million five hundred thousand dollars for the period April
9 first, two thousand eight through December thirty-first, two thousand
10 eight; and

11 (ii) two million two hundred ninety-two thousand dollars for the peri-
12 od January first, two thousand nine through November thirtieth, two
13 thousand nine.

14 (iii) Funds shall be reserved and set aside and accumulated from year
15 to year and shall be made available, including income from investment
16 funds, for the purpose of supporting the New York state medical indem-
17 nity fund as authorized pursuant to title four of article twenty-nine-D
18 of this chapter, for the following periods and in the following amounts,
19 provided, however, that the commissioner is authorized to seek waiver
20 authority from the federal centers for medicare and Medicaid for the
21 purpose of securing Medicaid federal financial participation for such
22 program, in which case the funding authorized pursuant to this paragraph
23 shall be utilized as the non-federal share for such payments:

24 Thirty million dollars for the period April first, two thousand eleven
25 through March thirty-first, two thousand twelve.

26 2. (a) For periods prior to January first, two thousand five, the
27 commissioner is authorized to contract with the article forty-three
28 insurance law plans, or such other contractors as the commissioner shall
29 designate, to receive and distribute funds from the tobacco control and
30 insurance initiatives pool established pursuant to this section. In the
31 event contracts with the article forty-three insurance law plans or
32 other commissioner's designees are effectuated, the commissioner shall
33 conduct annual audits of the receipt and distribution of such funds. The
34 reasonable costs and expenses of an administrator as approved by the
35 commissioner, not to exceed for personnel services on an annual basis
36 five hundred thousand dollars, for collection and distribution of funds
37 pursuant to this section shall be paid from such funds.

38 (b) Notwithstanding any inconsistent provision of section one hundred
39 twelve or one hundred sixty-three of the state finance law or any other
40 law, at the discretion of the commissioner without a competitive bid or
41 request for proposal process, contracts in effect for administration of
42 pools established pursuant to sections twenty-eight hundred seven-k,
43 twenty-eight hundred seven-l and twenty-eight hundred seven-m of this
44 article for the period January first, nineteen hundred ninety-nine
45 through December thirty-first, nineteen hundred ninety-nine may be
46 extended to provide for administration pursuant to this section and may
47 be amended as may be necessary.

48 § 18. Paragraph (a) of subdivision 12 of section 367-b of the social
49 services law, as amended by section 13 of part C of chapter 57 of the
50 laws of 2023, is amended to read as follows:

51 (a) For the purpose of regulating cash flow for general hospitals, the
52 department shall develop and implement a payment methodology to provide
53 for timely payments for inpatient hospital services eligible for case
54 based payments per discharge based on diagnosis-related groups provided
55 during the period January first, nineteen hundred eighty-eight through

1 March thirty-first two thousand [~~twenty-six~~] twenty-nine, by such hospi-
2 tals which elect to participate in the system.

3 § 19. Paragraph (u) of subdivision 9 of section 3614 of the public
4 health law, as added by section 14 of part C of chapter 57 of the laws
5 of 2023, is amended and three new paragraphs (v), (w) and (x) are added
6 to read as follows:

7 (u) for the period April first, two thousand twenty-five through March
8 thirty-first, two thousand twenty-six, up to one hundred million
9 dollars[~~-~~];

10 (v) for the period April first, two thousand twenty-six through March
11 thirty-first, two thousand twenty-seven, up to one hundred million
12 dollars;

13 (w) for the period April first, two thousand twenty-seven through
14 March thirty-first, two thousand twenty-eight, up to one hundred million
15 dollars;

16 (x) for the period April first, two thousand twenty-eight through
17 March thirty-first, two thousand twenty-nine, up to one hundred million
18 dollars.

19 § 20. Paragraph (y) of subdivision 1 of section 367-q of the social
20 services law, as added by section 15 of part C of chapter 57 of the laws
21 of 2023, is amended and three new paragraphs (z), (aa) and (bb) are
22 added to read as follows:

23 (y) for the period April first, two thousand twenty-five through March
24 thirty-first, two thousand twenty-six, up to twenty-eight million five
25 hundred thousand dollars[~~-~~];

26 (z) for the period April first, two thousand twenty-six through March
27 thirty-first, two thousand twenty-seven, up to twenty-eight million five
28 hundred thousand dollars;

29 (aa) for the period April first, two thousand twenty-seven through
30 March thirty-first, two thousand twenty-eight, up to twenty-eight
31 million five hundred thousand dollars;

32 (bb) for the period April first, two thousand twenty-eight through
33 March thirty-first, two thousand twenty-nine, up to twenty-eight million
34 five hundred thousand dollars.

35 § 21. This act shall take effect April 1, 2026; provided, however, if
36 this act shall become a law after such date it shall take effect imme-
37 diately and shall be deemed to have been in full force and effect on and
38 after April 1, 2026; and further provided, that:

39 (a) the amendments to sections 2807-j and 2807-s of the public health
40 law made by sections two, eleven, fourteen and fifteen of this act shall
41 not affect the expiration of such sections and shall expire therewith;

42 (b) the amendments to subdivision 6 of section 2807-t of the public
43 health law made by section sixteen of this act shall not affect the
44 expiration of such section and shall be deemed to expire therewith; and

45 (c) the amendments to paragraph (i-1) of subdivision 1 of section
46 2807-v of the public health law made by section seventeen of this act
47 shall not affect the repeal of such paragraph and shall be deemed
48 repealed therewith.

49 PART D

50 Section 1. Paragraph (a) of subdivision 1 of section 18 of chapter 266
51 of the laws of 1986, amending the civil practice law and rules and other
52 laws relating to malpractice and professional medical conduct, as
53 amended by section 1 of part G of chapter 57 of the laws of 2025, is
54 amended to read as follows:

(a) The superintendent of financial services and the commissioner of health or their designee shall, from funds available in the hospital excess liability pool created pursuant to subdivision 5 of this section, purchase a policy or policies for excess insurance coverage, as authorized by paragraph 1 of subsection (e) of section 5502 of the insurance law; or from an insurer, other than an insurer described in section 5502 of the insurance law, duly authorized to write such coverage and actually writing medical malpractice insurance in this state; or shall purchase equivalent excess coverage in a form previously approved by the superintendent of financial services for purposes of providing equivalent excess coverage in accordance with section 19 of chapter 294 of the laws of 1985, for medical or dental malpractice occurrences between July 1, 1986 and June 30, 1987, between July 1, 1987 and June 30, 1988, between July 1, 1988 and June 30, 1989, between July 1, 1989 and June 30, 1990, between July 1, 1990 and June 30, 1991, between July 1, 1991 and June 30, 1992, between July 1, 1992 and June 30, 1993, between July 1, 1993 and June 30, 1994, between July 1, 1994 and June 30, 1995, between July 1, 1995 and June 30, 1996, between July 1, 1996 and June 30, 1997, between July 1, 1997 and June 30, 1998, between July 1, 1998 and June 30, 1999, between July 1, 1999 and June 30, 2000, between July 1, 2000 and June 30, 2001, between July 1, 2001 and June 30, 2002, between July 1, 2002 and June 30, 2003, between July 1, 2003 and June 30, 2004, between July 1, 2004 and June 30, 2005, between July 1, 2005 and June 30, 2006, between July 1, 2006 and June 30, 2007, between July 1, 2007 and June 30, 2008, between July 1, 2008 and June 30, 2009, between July 1, 2009 and June 30, 2010, between July 1, 2010 and June 30, 2011, between July 1, 2011 and June 30, 2012, between July 1, 2012 and June 30, 2013, between July 1, 2013 and June 30, 2014, between July 1, 2014 and June 30, 2015, between July 1, 2015 and June 30, 2016, between July 1, 2016 and June 30, 2017, between July 1, 2017 and June 30, 2018, between July 1, 2018 and June 30, 2019, between July 1, 2019 and June 30, 2020, between July 1, 2020 and June 30, 2021, between July 1, 2021 and June 30, 2022, between July 1, 2022 and June 30, 2023, between July 1, 2023 and June 30, 2024, between July 1, 2024 and June 30, 2025, ~~[and]~~ between July 1, 2025 and June 30, 2026, and between July 1, 2026 and June 30, 2027 or reimburse the hospital where the hospital purchases equivalent excess coverage as defined in subparagraph (i) of paragraph (a) of subdivision 1-a of this section for medical or dental malpractice occurrences between July 1, 1987 and June 30, 1988, between July 1, 1988 and June 30, 1989, between July 1, 1989 and June 30, 1990, between July 1, 1990 and June 30, 1991, between July 1, 1991 and June 30, 1992, between July 1, 1992 and June 30, 1993, between July 1, 1993 and June 30, 1994, between July 1, 1994 and June 30, 1995, between July 1, 1995 and June 30, 1996, between July 1, 1996 and June 30, 1997, between July 1, 1997 and June 30, 1998, between July 1, 1998 and June 30, 1999, between July 1, 1999 and June 30, 2000, between July 1, 2000 and June 30, 2001, between July 1, 2001 and June 30, 2002, between July 1, 2002 and June 30, 2003, between July 1, 2003 and June 30, 2004, between July 1, 2004 and June 30, 2005, between July 1, 2005 and June 30, 2006, between July 1, 2006 and June 30, 2007, between July 1, 2007 and June 30, 2008, between July 1, 2008 and June 30, 2009, between July 1, 2009 and June 30, 2010, between July 1, 2010 and June 30, 2011, between July 1, 2011 and June 30, 2012, between July 1, 2012 and June 30, 2013, between July 1, 2013 and June 30, 2014, between July 1, 2014 and June 30, 2015, between July 1, 2015 and June 30, 2016, between July 1, 2016 and June 30, 2017, between July 1, 2017 and June 30, 2018,

1 between July 1, 2018 and June 30, 2019, between July 1, 2019 and June
2 30, 2020, between July 1, 2020 and June 30, 2021, between July 1, 2021
3 and June 30, 2022, between July 1, 2022 and June 30, 2023, between July
4 1, 2023 and June 30, 2024, between July 1, 2024 and June 30, 2025, [and]
5 between July 1, 2025 and June 30, 2026, and between July 1, 2026 and
6 June 30, 2027 for physicians or dentists certified as eligible for each
7 such period or periods pursuant to subdivision 2 of this section by a
8 general hospital licensed pursuant to article 28 of the public health
9 law; provided that no single insurer shall write more than fifty percent
10 of the total excess premium for a given policy year; and provided,
11 however, that such eligible physicians or dentists must have in force an
12 individual policy, from an insurer licensed in this state of primary
13 malpractice insurance coverage in amounts of no less than one million
14 three hundred thousand dollars for each claimant and three million nine
15 hundred thousand dollars for all claimants under that policy during the
16 period of such excess coverage for such occurrences or be endorsed as
17 additional insureds under a hospital professional liability policy which
18 is offered through a voluntary attending physician ("channeling")
19 program previously permitted by the superintendent of financial services
20 during the period of such excess coverage for such occurrences. During
21 such period, such policy for excess coverage or such equivalent excess
22 coverage shall, when combined with the physician's or dentist's primary
23 malpractice insurance coverage or coverage provided through a voluntary
24 attending physician ("channeling") program, total an aggregate level of
25 two million three hundred thousand dollars for each claimant and six
26 million nine hundred thousand dollars for all claimants from all such
27 policies with respect to occurrences in each of such years provided,
28 however, if the cost of primary malpractice insurance coverage in excess
29 of one million dollars, but below the excess medical malpractice insur-
30 ance coverage provided pursuant to this act, exceeds the rate of nine
31 percent per annum, then the required level of primary malpractice insur-
32 ance coverage in excess of one million dollars for each claimant shall
33 be in an amount of not less than the dollar amount of such coverage
34 available at nine percent per annum; the required level of such coverage
35 for all claimants under that policy shall be in an amount not less than
36 three times the dollar amount of coverage for each claimant; and excess
37 coverage, when combined with such primary malpractice insurance cover-
38 age, shall increase the aggregate level for each claimant by one million
39 dollars and three million dollars for all claimants; and provided
40 further, that, with respect to policies of primary medical malpractice
41 coverage that include occurrences between April 1, 2002 and June 30,
42 2002, such requirement that coverage be in amounts no less than one
43 million three hundred thousand dollars for each claimant and three
44 million nine hundred thousand dollars for all claimants for such occur-
45 rences shall be effective April 1, 2002.

46 § 2. Subdivision 3 of section 18 of chapter 266 of the laws of 1986,
47 amending the civil practice law and rules and other laws relating to
48 malpractice and professional medical conduct, as amended by section 2 of
49 part G of chapter 57 of the laws of 2025, is amended to read as follows:

50 (3)(a) The superintendent of financial services shall determine and
51 certify to each general hospital and to the commissioner of health the
52 cost of excess malpractice insurance for medical or dental malpractice
53 occurrences between July 1, 1986 and June 30, 1987, between July 1, 1988
54 and June 30, 1989, between July 1, 1989 and June 30, 1990, between July
55 1, 1990 and June 30, 1991, between July 1, 1991 and June 30, 1992,
56 between July 1, 1992 and June 30, 1993, between July 1, 1993 and June

1 30, 1994, between July 1, 1994 and June 30, 1995, between July 1, 1995
2 and June 30, 1996, between July 1, 1996 and June 30, 1997, between July
3 1, 1997 and June 30, 1998, between July 1, 1998 and June 30, 1999,
4 between July 1, 1999 and June 30, 2000, between July 1, 2000 and June
5 30, 2001, between July 1, 2001 and June 30, 2002, between July 1, 2002
6 and June 30, 2003, between July 1, 2003 and June 30, 2004, between July
7 1, 2004 and June 30, 2005, between July 1, 2005 and June 30, 2006,
8 between July 1, 2006 and June 30, 2007, between July 1, 2007 and June
9 30, 2008, between July 1, 2008 and June 30, 2009, between July 1, 2009
10 and June 30, 2010, between July 1, 2010 and June 30, 2011, between July
11 1, 2011 and June 30, 2012, between July 1, 2012 and June 30, 2013,
12 between July 1, 2013 and June 30, 2014, between July 1, 2014 and June
13 30, 2015, between July 1, 2015 and June 30, 2016, between July 1, 2016
14 and June 30, 2017, between July 1, 2017 and June 30, 2018, between July
15 1, 2018 and June 30, 2019, between July 1, 2019 and June 30, 2020,
16 between July 1, 2020 and June 30, 2021, between July 1, 2021 and June
17 30, 2022, between July 1, 2022 and June 30, 2023, between July 1, 2023
18 and June 30, 2024, between July 1, 2024 and June 30, 2025, [and] between
19 July 1, 2025 and June 30, 2026, and between July 1, 2026 and June 30,
20 2027 allocable to each general hospital for physicians or dentists
21 certified as eligible for purchase of a policy for excess insurance
22 coverage by such general hospital in accordance with subdivision 2 of
23 this section, and may amend such determination and certification as
24 necessary.

25 (b) The superintendent of financial services shall determine and
26 certify to each general hospital and to the commissioner of health the
27 cost of excess malpractice insurance or equivalent excess coverage for
28 medical or dental malpractice occurrences between July 1, 1987 and June
29 30, 1988, between July 1, 1988 and June 30, 1989, between July 1, 1989
30 and June 30, 1990, between July 1, 1990 and June 30, 1991, between July
31 1, 1991 and June 30, 1992, between July 1, 1992 and June 30, 1993,
32 between July 1, 1993 and June 30, 1994, between July 1, 1994 and June
33 30, 1995, between July 1, 1995 and June 30, 1996, between July 1, 1996
34 and June 30, 1997, between July 1, 1997 and June 30, 1998, between July
35 1, 1998 and June 30, 1999, between July 1, 1999 and June 30, 2000,
36 between July 1, 2000 and June 30, 2001, between July 1, 2001 and June
37 30, 2002, between July 1, 2002 and June 30, 2003, between July 1, 2003
38 and June 30, 2004, between July 1, 2004 and June 30, 2005, between July
39 1, 2005 and June 30, 2006, between July 1, 2006 and June 30, 2007,
40 between July 1, 2007 and June 30, 2008, between July 1, 2008 and June
41 30, 2009, between July 1, 2009 and June 30, 2010, between July 1, 2010
42 and June 30, 2011, between July 1, 2011 and June 30, 2012, between July
43 1, 2012 and June 30, 2013, between July 1, 2013 and June 30, 2014,
44 between July 1, 2014 and June 30, 2015, between July 1, 2015 and June
45 30, 2016, between July 1, 2016 and June 30, 2017, between July 1, 2017
46 and June 30, 2018, between July 1, 2018 and June 30, 2019, between July
47 1, 2019 and June 30, 2020, between July 1, 2020 and June 30, 2021,
48 between July 1, 2021 and June 30, 2022, between July 1, 2022 and June
49 30, 2023, between July 1, 2023 and June 30, 2024, between July 1, 2024
50 and June 30, 2025, [and] between July 1, 2025 and June 30, 2026, and
51 between July 1, 2026 and June 30, 2027 allocable to each general hospi-
52 tal for physicians or dentists certified as eligible for purchase of a
53 policy for excess insurance coverage or equivalent excess coverage by
54 such general hospital in accordance with subdivision 2 of this section,
55 and may amend such determination and certification as necessary. The
56 superintendent of financial services shall determine and certify to each

1 general hospital and to the commissioner of health the ratable share of
2 such cost allocable to the period July 1, 1987 to December 31, 1987, to
3 the period January 1, 1988 to June 30, 1988, to the period July 1, 1988
4 to December 31, 1988, to the period January 1, 1989 to June 30, 1989, to
5 the period July 1, 1989 to December 31, 1989, to the period January 1,
6 1990 to June 30, 1990, to the period July 1, 1990 to December 31, 1990,
7 to the period January 1, 1991 to June 30, 1991, to the period July 1,
8 1991 to December 31, 1991, to the period January 1, 1992 to June 30,
9 1992, to the period July 1, 1992 to December 31, 1992, to the period
10 January 1, 1993 to June 30, 1993, to the period July 1, 1993 to December
11 31, 1993, to the period January 1, 1994 to June 30, 1994, to the period
12 July 1, 1994 to December 31, 1994, to the period January 1, 1995 to June
13 30, 1995, to the period July 1, 1995 to December 31, 1995, to the period
14 January 1, 1996 to June 30, 1996, to the period July 1, 1996 to December
15 31, 1996, to the period January 1, 1997 to June 30, 1997, to the period
16 July 1, 1997 to December 31, 1997, to the period January 1, 1998 to June
17 30, 1998, to the period July 1, 1998 to December 31, 1998, to the period
18 January 1, 1999 to June 30, 1999, to the period July 1, 1999 to December
19 31, 1999, to the period January 1, 2000 to June 30, 2000, to the period
20 July 1, 2000 to December 31, 2000, to the period January 1, 2001 to June
21 30, 2001, to the period July 1, 2001 to June 30, 2002, to the period
22 July 1, 2002 to June 30, 2003, to the period July 1, 2003 to June 30,
23 2004, to the period July 1, 2004 to June 30, 2005, to the period July 1,
24 2005 and June 30, 2006, to the period July 1, 2006 and June 30, 2007, to
25 the period July 1, 2007 and June 30, 2008, to the period July 1, 2008
26 and June 30, 2009, to the period July 1, 2009 and June 30, 2010, to the
27 period July 1, 2010 and June 30, 2011, to the period July 1, 2011 and
28 June 30, 2012, to the period July 1, 2012 and June 30, 2013, to the
29 period July 1, 2013 and June 30, 2014, to the period July 1, 2014 and
30 June 30, 2015, to the period July 1, 2015 and June 30, 2016, to the
31 period July 1, 2016 and June 30, 2017, to the period July 1, 2017 to
32 June 30, 2018, to the period July 1, 2018 to June 30, 2019, to the peri-
33 od July 1, 2019 to June 30, 2020, to the period July 1, 2020 to June 30,
34 2021, to the period July 1, 2021 to June 30, 2022, to the period July 1,
35 2022 to June 30, 2023, to the period July 1, 2023 to June 30, 2024, to
36 the period July 1, 2024 to June 30, 2025, ~~and~~ to the period July 1,
37 2025 to June 30, 2026, and to the period July 1, 2026 to June 30, 2027.

38 § 3. Paragraphs (a), (b), (c), (d) and (e) of subdivision 8 of section
39 18 of chapter 266 of the laws of 1986, amending the civil practice law
40 and rules and other laws relating to malpractice and professional
41 medical conduct, as amended by section 3 of part G of chapter 57 of the
42 laws of 2025, are amended to read as follows:

43 (a) To the extent funds available to the hospital excess liability
44 pool pursuant to subdivision 5 of this section as amended, and pursuant
45 to section 6 of part J of chapter 63 of the laws of 2001, as may from
46 time to time be amended, which amended this subdivision, are insuffi-
47 cient to meet the costs of excess insurance coverage or equivalent
48 excess coverage for coverage periods during the period July 1, 1992 to
49 June 30, 1993, during the period July 1, 1993 to June 30, 1994, during
50 the period July 1, 1994 to June 30, 1995, during the period July 1, 1995
51 to June 30, 1996, during the period July 1, 1996 to June 30, 1997,
52 during the period July 1, 1997 to June 30, 1998, during the period July
53 1, 1998 to June 30, 1999, during the period July 1, 1999 to June 30,
54 2000, during the period July 1, 2000 to June 30, 2001, during the period
55 July 1, 2001 to October 29, 2001, during the period April 1, 2002 to
56 June 30, 2002, during the period July 1, 2002 to June 30, 2003, during

1 the period July 1, 2003 to June 30, 2004, during the period July 1, 2004
2 to June 30, 2005, during the period July 1, 2005 to June 30, 2006,
3 during the period July 1, 2006 to June 30, 2007, during the period July
4 1, 2007 to June 30, 2008, during the period July 1, 2008 to June 30,
5 2009, during the period July 1, 2009 to June 30, 2010, during the period
6 July 1, 2010 to June 30, 2011, during the period July 1, 2011 to June
7 30, 2012, during the period July 1, 2012 to June 30, 2013, during the
8 period July 1, 2013 to June 30, 2014, during the period July 1, 2014 to
9 June 30, 2015, during the period July 1, 2015 to June 30, 2016, during
10 the period July 1, 2016 to June 30, 2017, during the period July 1, 2017
11 to June 30, 2018, during the period July 1, 2018 to June 30, 2019,
12 during the period July 1, 2019 to June 30, 2020, during the period July
13 1, 2020 to June 30, 2021, during the period July 1, 2021 to June 30,
14 2022, during the period July 1, 2022 to June 30, 2023, during the period
15 July 1, 2023 to June 30, 2024, during the period July 1, 2024 to June
16 30, 2025, [and] during the period July 1, 2025 to June 30, 2026, and
17 during the period July 1, 2026 to June 30, 2027 allocated or reallocated
18 in accordance with paragraph (a) of subdivision 4-a of this section to
19 rates of payment applicable to state governmental agencies, each physi-
20 cian or dentist for whom a policy for excess insurance coverage or
21 equivalent excess coverage is purchased for such period shall be respon-
22 sible for payment to the provider of excess insurance coverage or equiv-
23 alent excess coverage of an allocable share of such insufficiency, based
24 on the ratio of the total cost of such coverage for such physician to
25 the sum of the total cost of such coverage for all physicians applied to
26 such insufficiency.

27 (b) Each provider of excess insurance coverage or equivalent excess
28 coverage covering the period July 1, 1992 to June 30, 1993, or covering
29 the period July 1, 1993 to June 30, 1994, or covering the period July 1,
30 1994 to June 30, 1995, or covering the period July 1, 1995 to June 30,
31 1996, or covering the period July 1, 1996 to June 30, 1997, or covering
32 the period July 1, 1997 to June 30, 1998, or covering the period July 1,
33 1998 to June 30, 1999, or covering the period July 1, 1999 to June 30,
34 2000, or covering the period July 1, 2000 to June 30, 2001, or covering
35 the period July 1, 2001 to October 29, 2001, or covering the period
36 April 1, 2002 to June 30, 2002, or covering the period July 1, 2002 to
37 June 30, 2003, or covering the period July 1, 2003 to June 30, 2004, or
38 covering the period July 1, 2004 to June 30, 2005, or covering the peri-
39 od July 1, 2005 to June 30, 2006, or covering the period July 1, 2006 to
40 June 30, 2007, or covering the period July 1, 2007 to June 30, 2008, or
41 covering the period July 1, 2008 to June 30, 2009, or covering the peri-
42 od July 1, 2009 to June 30, 2010, or covering the period July 1, 2010 to
43 June 30, 2011, or covering the period July 1, 2011 to June 30, 2012, or
44 covering the period July 1, 2012 to June 30, 2013, or covering the peri-
45 od July 1, 2013 to June 30, 2014, or covering the period July 1, 2014 to
46 June 30, 2015, or covering the period July 1, 2015 to June 30, 2016, or
47 covering the period July 1, 2016 to June 30, 2017, or covering the peri-
48 od July 1, 2017 to June 30, 2018, or covering the period July 1, 2018 to
49 June 30, 2019, or covering the period July 1, 2019 to June 30, 2020, or
50 covering the period July 1, 2020 to June 30, 2021, or covering the peri-
51 od July 1, 2021 to June 30, 2022, or covering the period July 1, 2022 to
52 June 30, 2023, or covering the period July 1, 2023 to June 30, 2024, or
53 covering the period July 1, 2024 to June 30, 2025, or covering the peri-
54 od July 1, 2025 to June 30, 2026, or covering the period July 1, 2026 to
55 June 30, 2027 shall notify a covered physician or dentist by mail,
56 mailed to the address shown on the last application for excess insurance

1 coverage or equivalent excess coverage, of the amount due to such
2 provider from such physician or dentist for such coverage period deter-
3 mined in accordance with paragraph (a) of this subdivision. Such amount
4 shall be due from such physician or dentist to such provider of excess
5 insurance coverage or equivalent excess coverage in a time and manner
6 determined by the superintendent of financial services.

7 (c) If a physician or dentist liable for payment of a portion of the
8 costs of excess insurance coverage or equivalent excess coverage cover-
9 ing the period July 1, 1992 to June 30, 1993, or covering the period
10 July 1, 1993 to June 30, 1994, or covering the period July 1, 1994 to
11 June 30, 1995, or covering the period July 1, 1995 to June 30, 1996, or
12 covering the period July 1, 1996 to June 30, 1997, or covering the peri-
13 od July 1, 1997 to June 30, 1998, or covering the period July 1, 1998 to
14 June 30, 1999, or covering the period July 1, 1999 to June 30, 2000, or
15 covering the period July 1, 2000 to June 30, 2001, or covering the peri-
16 od July 1, 2001 to October 29, 2001, or covering the period April 1,
17 2002 to June 30, 2002, or covering the period July 1, 2002 to June 30,
18 2003, or covering the period July 1, 2003 to June 30, 2004, or covering
19 the period July 1, 2004 to June 30, 2005, or covering the period July 1,
20 2005 to June 30, 2006, or covering the period July 1, 2006 to June 30,
21 2007, or covering the period July 1, 2007 to June 30, 2008, or covering
22 the period July 1, 2008 to June 30, 2009, or covering the period July 1,
23 2009 to June 30, 2010, or covering the period July 1, 2010 to June 30,
24 2011, or covering the period July 1, 2011 to June 30, 2012, or covering
25 the period July 1, 2012 to June 30, 2013, or covering the period July 1,
26 2013 to June 30, 2014, or covering the period July 1, 2014 to June 30,
27 2015, or covering the period July 1, 2015 to June 30, 2016, or covering
28 the period July 1, 2016 to June 30, 2017, or covering the period July 1,
29 2017 to June 30, 2018, or covering the period July 1, 2018 to June 30,
30 2019, or covering the period July 1, 2019 to June 30, 2020, or covering
31 the period July 1, 2020 to June 30, 2021, or covering the period July 1,
32 2021 to June 30, 2022, or covering the period July 1, 2022 to June 30,
33 2023, or covering the period July 1, 2023 to June 30, 2024, or covering
34 the period July 1, 2024 to June 30, 2025, or covering the period July 1,
35 2025 to June 30, 2026, or covering the period July 1, 2026 to June 30,

36 2027 determined in accordance with paragraph (a) of this subdivision
37 fails, refuses or neglects to make payment to the provider of excess
38 insurance coverage or equivalent excess coverage in such time and manner
39 as determined by the superintendent of financial services pursuant to
40 paragraph (b) of this subdivision, excess insurance coverage or equiv-
41 alent excess coverage purchased for such physician or dentist in accord-
42 ance with this section for such coverage period shall be cancelled and
43 shall be null and void as of the first day on or after the commencement
44 of a policy period where the liability for payment pursuant to this
45 subdivision has not been met.

46 (d) Each provider of excess insurance coverage or equivalent excess
47 coverage shall notify the superintendent of financial services and the
48 commissioner of health or their designee of each physician and dentist
49 eligible for purchase of a policy for excess insurance coverage or
50 equivalent excess coverage covering the period July 1, 1992 to June 30,
51 1993, or covering the period July 1, 1993 to June 30, 1994, or covering
52 the period July 1, 1994 to June 30, 1995, or covering the period July 1,
53 1995 to June 30, 1996, or covering the period July 1, 1996 to June 30,
54 1997, or covering the period July 1, 1997 to June 30, 1998, or covering
55 the period July 1, 1998 to June 30, 1999, or covering the period July 1,
56 1999 to June 30, 2000, or covering the period July 1, 2000 to June 30,

2001, or covering the period July 1, 2001 to October 29, 2001, or covering the period April 1, 2002 to June 30, 2002, or covering the period July 1, 2002 to June 30, 2003, or covering the period July 1, 2003 to June 30, 2004, or covering the period July 1, 2004 to June 30, 2005, or covering the period July 1, 2005 to June 30, 2006, or covering the period July 1, 2006 to June 30, 2007, or covering the period July 1, 2007 to June 30, 2008, or covering the period July 1, 2008 to June 30, 2009, or covering the period July 1, 2009 to June 30, 2010, or covering the period July 1, 2010 to June 30, 2011, or covering the period July 1, 2011 to June 30, 2012, or covering the period July 1, 2012 to June 30, 2013, or covering the period July 1, 2013 to June 30, 2014, or covering the period July 1, 2014 to June 30, 2015, or covering the period July 1, 2015 to June 30, 2016, or covering the period July 1, 2016 to June 30, 2017, or covering the period July 1, 2017 to June 30, 2018, or covering the period July 1, 2018 to June 30, 2019, or covering the period July 1, 2019 to June 30, 2020, or covering the period July 1, 2020 to June 30, 2021, or covering the period July 1, 2021 to June 30, 2022, or covering the period July 1, 2022 to June 30, 2023, or covering the period July 1, 2023 to June 30, 2024, or covering the period July 1, 2024 to June 30, 2025, or covering the period July 1, 2025 to June 30, 2026, or covering the period July 1, 2026 to June 30, 2027 that has made payment to such provider of excess insurance coverage or equivalent excess coverage in accordance with paragraph (b) of this subdivision and of each physician and dentist who has failed, refused or neglected to make such payment.

(e) A provider of excess insurance coverage or equivalent excess coverage shall refund to the hospital excess liability pool any amount allocable to the period July 1, 1992 to June 30, 1993, and to the period July 1, 1993 to June 30, 1994, and to the period July 1, 1994 to June 30, 1995, and to the period July 1, 1995 to June 30, 1996, and to the period July 1, 1996 to June 30, 1997, and to the period July 1, 1997 to June 30, 1998, and to the period July 1, 1998 to June 30, 1999, and to the period July 1, 1999 to June 30, 2000, and to the period July 1, 2000 to June 30, 2001, and to the period July 1, 2001 to October 29, 2001, and to the period April 1, 2002 to June 30, 2002, and to the period July 1, 2002 to June 30, 2003, and to the period July 1, 2003 to June 30, 2004, and to the period July 1, 2004 to June 30, 2005, and to the period July 1, 2005 to June 30, 2006, and to the period July 1, 2006 to June 30, 2007, and to the period July 1, 2007 to June 30, 2008, and to the period July 1, 2008 to June 30, 2009, and to the period July 1, 2009 to June 30, 2010, and to the period July 1, 2010 to June 30, 2011, and to the period July 1, 2011 to June 30, 2012, and to the period July 1, 2012 to June 30, 2013, and to the period July 1, 2013 to June 30, 2014, and to the period July 1, 2014 to June 30, 2015, and to the period July 1, 2015 to June 30, 2016, to the period July 1, 2016 to June 30, 2017, and to the period July 1, 2017 to June 30, 2018, and to the period July 1, 2018 to June 30, 2019, and to the period July 1, 2019 to June 30, 2020, and to the period July 1, 2020 to June 30, 2021, and to the period July 1, 2021 to June 30, 2022, and to the period July 1, 2022 to June 30, 2023, and to the period July 1, 2023 to June 30, 2024, and to the period July 1, 2024 to June 30, 2025, and to the period July 1, 2025 to June 30, 2026, and to the period July 1, 2026 to June 30, 2027 received from the hospital excess liability pool for purchase of excess insurance coverage or equivalent excess coverage covering the period July 1, 1992 to June 30, 1993, and covering the period July 1, 1993 to June 30, 1994, and covering the period July 1, 1994 to June 30, 1995, and covering the period July 1, 1995 to June 30, 1996, and covering the period July 1,

1 1996 to June 30, 1997, and covering the period July 1, 1997 to June 30,
2 1998, and covering the period July 1, 1998 to June 30, 1999, and cover-
3 ing the period July 1, 1999 to June 30, 2000, and covering the period
4 July 1, 2000 to June 30, 2001, and covering the period July 1, 2001 to
5 October 29, 2001, and covering the period April 1, 2002 to June 30,
6 2002, and covering the period July 1, 2002 to June 30, 2003, and cover-
7 ing the period July 1, 2003 to June 30, 2004, and covering the period
8 July 1, 2004 to June 30, 2005, and covering the period July 1, 2005 to
9 June 30, 2006, and covering the period July 1, 2006 to June 30, 2007,
10 and covering the period July 1, 2007 to June 30, 2008, and covering the
11 period July 1, 2008 to June 30, 2009, and covering the period July 1,
12 2009 to June 30, 2010, and covering the period July 1, 2010 to June 30,
13 2011, and covering the period July 1, 2011 to June 30, 2012, and cover-
14 ing the period July 1, 2012 to June 30, 2013, and covering the period
15 July 1, 2013 to June 30, 2014, and covering the period July 1, 2014 to
16 June 30, 2015, and covering the period July 1, 2015 to June 30, 2016,
17 and covering the period July 1, 2016 to June 30, 2017, and covering the
18 period July 1, 2017 to June 30, 2018, and covering the period July 1,
19 2018 to June 30, 2019, and covering the period July 1, 2019 to June 30,
20 2020, and covering the period July 1, 2020 to June 30, 2021, and cover-
21 ing the period July 1, 2021 to June 30, 2022, and covering the period
22 July 1, 2022 to June 30, 2023 for, and covering the period July 1, 2023
23 to June 30, 2024, and covering the period July 1, 2024 to June 30, 2025,
24 and covering the period July 1, 2025 to June 30, 2026, and covering the
25 period July 1, 2026 to June 30, 2027 a physician or dentist where such
26 excess insurance coverage or equivalent excess coverage is cancelled in
27 accordance with paragraph (c) of this subdivision.

28 § 4. Section 40 of chapter 266 of the laws of 1986, amending the civil
29 practice law and rules and other laws relating to malpractice and
30 professional medical conduct, as amended by section 4 of part G of chap-
31 ter 57 of the laws of 2025, is amended to read as follows:

32 § 40. The superintendent of financial services shall establish rates
33 for policies providing coverage for physicians and surgeons medical
34 malpractice for the periods commencing July 1, 1985 and ending June 30,
35 ~~[2026]~~ 2027; provided, however, that notwithstanding any other provision
36 of law, the superintendent shall not establish or approve any increase
37 in rates for the period commencing July 1, 2009 and ending June 30,
38 2010. The superintendent shall direct insurers to establish segregated
39 accounts for premiums, payments, reserves and investment income attrib-
40 utable to such premium periods and shall require periodic reports by the
41 insurers regarding claims and expenses attributable to such periods to
42 monitor whether such accounts will be sufficient to meet incurred claims
43 and expenses. On or after July 1, 1989, the superintendent shall impose
44 a surcharge on premiums to satisfy a projected deficiency that is
45 attributable to the premium levels established pursuant to this section
46 for such periods; provided, however, that such annual surcharge shall
47 not exceed eight percent of the established rate until July 1, ~~[2026]~~
48 2027, at which time and thereafter such surcharge shall not exceed twen-
49 ty-five percent of the approved adequate rate, and that such annual
50 surcharges shall continue for such period of time as shall be sufficient
51 to satisfy such deficiency. The superintendent shall not impose such
52 surcharge during the period commencing July 1, 2009 and ending June 30,
53 2010. On and after July 1, 1989, the surcharge prescribed by this
54 section shall be retained by insurers to the extent that they insured
55 physicians and surgeons during the July 1, 1985 through June 30, ~~[2026]~~
56 2027 policy periods; in the event and to the extent physicians and

1 surgeons were insured by another insurer during such periods, all or a
2 pro rata share of the surcharge, as the case may be, shall be remitted
3 to such other insurer in accordance with rules and regulations to be
4 promulgated by the superintendent. Surcharges collected from physicians
5 and surgeons who were not insured during such policy periods shall be
6 apportioned among all insurers in proportion to the premium written by
7 each insurer during such policy periods; if a physician or surgeon was
8 insured by an insurer subject to rates established by the superintendent
9 during such policy periods, and at any time thereafter a hospital,
10 health maintenance organization, employer or institution is responsible
11 for responding in damages for liability arising out of such physician's
12 or surgeon's practice of medicine, such responsible entity shall also
13 remit to such prior insurer the equivalent amount that would then be
14 collected as a surcharge if the physician or surgeon had continued to
15 remain insured by such prior insurer. In the event any insurer that
16 provided coverage during such policy periods is in liquidation, the
17 property/casualty insurance security fund shall receive the portion of
18 surcharges to which the insurer in liquidation would have been entitled.
19 The surcharges authorized herein shall be deemed to be income earned for
20 the purposes of section 2303 of the insurance law. The superintendent,
21 in establishing adequate rates and in determining any projected defi-
22 ciency pursuant to the requirements of this section and the insurance
23 law, shall give substantial weight, determined in [~~his~~] their discretion
24 and judgment, to the prospective anticipated effect of any regulations
25 promulgated and laws enacted and the public benefit of stabilizing
26 malpractice rates and minimizing rate level fluctuation during the peri-
27 od of time necessary for the development of more reliable statistical
28 experience as to the efficacy of such laws and regulations affecting
29 medical, dental or podiatric malpractice enacted or promulgated in 1985,
30 1986, by this act and at any other time. Notwithstanding any provision
31 of the insurance law, rates already established and to be established by
32 the superintendent pursuant to this section are deemed adequate if such
33 rates would be adequate when taken together with the maximum authorized
34 annual surcharges to be imposed for a reasonable period of time whether
35 or not any such annual surcharge has been actually imposed as of the
36 establishment of such rates.

37 § 5. Section 5 and subdivisions (a) and (e) of section 6 of part J of
38 chapter 63 of the laws of 2001, amending chapter 266 of the laws of
39 1986, amending the civil practice law and rules and other laws relating
40 to malpractice and professional medical conduct, as amended by section 5
41 of part G of chapter 57 of the laws of 2025, are amended to read as
42 follows:

43 § 5. The superintendent of financial services and the commissioner of
44 health shall determine, no later than June 15, 2002, June 15, 2003, June
45 15, 2004, June 15, 2005, June 15, 2006, June 15, 2007, June 15, 2008,
46 June 15, 2009, June 15, 2010, June 15, 2011, June 15, 2012, June 15,
47 2013, June 15, 2014, June 15, 2015, June 15, 2016, June 15, 2017, June
48 15, 2018, June 15, 2019, June 15, 2020, June 15, 2021, June 15, 2022,
49 June 15, 2023, June 15, 2024, June 15, 2025, [~~and~~] June 15, 2026, and
50 June 15, 2027 the amount of funds available in the hospital excess
51 liability pool, created pursuant to section 18 of chapter 266 of the
52 laws of 1986, and whether such funds are sufficient for purposes of
53 purchasing excess insurance coverage for eligible participating physi-
54 cians and dentists during the period July 1, 2001 to June 30, 2002, or
55 July 1, 2002 to June 30, 2003, or July 1, 2003 to June 30, 2004, or July
56 1, 2004 to June 30, 2005, or July 1, 2005 to June 30, 2006, or July 1,

1 2006 to June 30, 2007, or July 1, 2007 to June 30, 2008, or July 1, 2008
2 to June 30, 2009, or July 1, 2009 to June 30, 2010, or July 1, 2010 to
3 June 30, 2011, or July 1, 2011 to June 30, 2012, or July 1, 2012 to June
4 30, 2013, or July 1, 2013 to June 30, 2014, or July 1, 2014 to June 30,
5 2015, or July 1, 2015 to June 30, 2016, or July 1, 2016 to June 30,
6 2017, or July 1, 2017 to June 30, 2018, or July 1, 2018 to June 30,
7 2019, or July 1, 2019 to June 30, 2020, or July 1, 2020 to June 30,
8 2021, or July 1, 2021 to June 30, 2022, or July 1, 2022 to June 30,
9 2023, or July 1, 2023 to June 30, 2024, or July 1, 2024 to June 30,
10 2025, or July 1, 2025 to June 30, 2026, or July 1, 2026 to June 30, 2027
11 as applicable.

12 (a) This section shall be effective only upon a determination, pursu-
13 ant to section five of this act, by the superintendent of financial
14 services and the commissioner of health, and a certification of such
15 determination to the state director of the budget, the chair of the
16 senate committee on finance and the chair of the assembly committee on
17 ways and means, that the amount of funds in the hospital excess liabil-
18 ity pool, created pursuant to section 18 of chapter 266 of the laws of
19 1986, is insufficient for purposes of purchasing excess insurance cover-
20 age for eligible participating physicians and dentists during the period
21 July 1, 2001 to June 30, 2002, or July 1, 2002 to June 30, 2003, or July
22 1, 2003 to June 30, 2004, or July 1, 2004 to June 30, 2005, or July 1,
23 2005 to June 30, 2006, or July 1, 2006 to June 30, 2007, or July 1, 2007
24 to June 30, 2008, or July 1, 2008 to June 30, 2009, or July 1, 2009 to
25 June 30, 2010, or July 1, 2010 to June 30, 2011, or July 1, 2011 to June
26 30, 2012, or July 1, 2012 to June 30, 2013, or July 1, 2013 to June 30,
27 2014, or July 1, 2014 to June 30, 2015, or July 1, 2015 to June 30,
28 2016, or July 1, 2016 to June 30, 2017, or July 1, 2017 to June 30,
29 2018, or July 1, 2018 to June 30, 2019, or July 1, 2019 to June 30,
30 2020, or July 1, 2020 to June 30, 2021, or July 1, 2021 to June 30,
31 2022, or July 1, 2022 to June 30, 2023, or July 1, 2023 to June 30,
32 2024, or July 1, 2024 to June 30, 2025, or July 1, 2025 to June 30,
33 2026, or July 1, 2026 to June 30, 2027 as applicable.

34 (e) The commissioner of health shall transfer for deposit to the
35 hospital excess liability pool created pursuant to section 18 of chapter
36 266 of the laws of 1986 such amounts as directed by the superintendent
37 of financial services for the purchase of excess liability insurance
38 coverage for eligible participating physicians and dentists for the
39 policy year July 1, 2001 to June 30, 2002, or July 1, 2002 to June 30,
40 2003, or July 1, 2003 to June 30, 2004, or July 1, 2004 to June 30,
41 2005, or July 1, 2005 to June 30, 2006, or July 1, 2006 to June 30,
42 2007, as applicable, and the cost of administering the hospital excess
43 liability pool for such applicable policy year, pursuant to the program
44 established in chapter 266 of the laws of 1986, as amended, no later
45 than June 15, 2002, June 15, 2003, June 15, 2004, June 15, 2005, June
46 15, 2006, June 15, 2007, June 15, 2008, June 15, 2009, June 15, 2010,
47 June 15, 2011, June 15, 2012, June 15, 2013, June 15, 2014, June 15,
48 2015, June 15, 2016, June 15, 2017, June 15, 2018, June 15, 2019, June
49 15, 2020, June 15, 2021, June 15, 2022, June 15, 2023, June 15, 2024,
50 June 15, 2025, ~~and~~ June 15, 2026, and June 15, 2027 as applicable.

51 § 6. Section 20 of part H of chapter 57 of the laws of 2017, amending
52 the New York Health Care Reform Act of 1996 and other laws relating to
53 extending certain provisions thereto, as amended by section 6 of part G
54 of chapter 57 of the laws of 2025, is amended to read as follows:

55 § 20. Notwithstanding any law, rule or regulation to the contrary,
56 only physicians or dentists who were eligible, and for whom the super-

intendent of financial services and the commissioner of health, or their designee, purchased, with funds available in the hospital excess liability pool, a full or partial policy for excess coverage or equivalent excess coverage for the coverage period ending the thirtieth of June, two thousand ~~[twenty-five]~~ twenty-six, shall be eligible to apply for such coverage for the coverage period beginning the first of July, two thousand ~~[twenty-five]~~ twenty-six; provided, however, if the total number of physicians or dentists for whom such excess coverage or equivalent excess coverage was purchased for the policy year ending the thirtieth of June, two thousand ~~[twenty-five]~~ twenty-six exceeds the total number of physicians or dentists certified as eligible for the coverage period beginning the first of July, two thousand ~~[twenty-five]~~ twenty-six, then the general hospitals may certify additional eligible physicians or dentists in a number equal to such general hospital's proportional share of the total number of physicians or dentists for whom excess coverage or equivalent excess coverage was purchased with funds available in the hospital excess liability pool as of the thirtieth of June, two thousand ~~[twenty-five]~~ twenty-six, as applied to the difference between the number of eligible physicians or dentists for whom a policy for excess coverage or equivalent excess coverage was purchased for the coverage period ending the thirtieth of June, two thousand ~~[twenty-five]~~ twenty-six and the number of such eligible physicians or dentists who have applied for excess coverage or equivalent excess coverage for the coverage period beginning the first of July, two thousand ~~[twenty-five]~~ twenty-six.

§ 7. This act shall take effect immediately and shall be deemed to have been in full force and effect on and after April 1, 2026.

PART E

Intentionally Omitted

PART F

Section 1. Intentionally omitted.

§ 1-a. Intentionally omitted.

§ 2. Section 9 of part JJ of chapter 57 of the laws of 2025 amending the public health law relating to reporting pregnancy losses and clarifying which agencies are responsible for such reports, is amended to read as follows:

§ 9. This act shall take effect immediately and shall be deemed to have been in full force and effect on and after April 1, 2025; provided, however that ~~[the amendments to subdivision 2 of section 4160 of the public health law made by]~~ section ~~[two]~~ three of this act shall ~~[expire and be deemed repealed]~~ take effect March 30, 2027~~[, when upon such date the provisions of section three of this act shall take effect]~~.

§ 3. Section 5 of part P of chapter 57 of the laws of 2025 amending the public health law relating to requiring hospitals to provide stabilizing care to pregnant individuals, is amended to read as follows:

§ 5. This act shall take effect immediately; provided, however, that the amendments to subdivision 3 of section 2805-b of the public health law ~~[made by]~~ as designated subdivision 5 in section one of this act shall be subject to the expiration and reversion of such subdivision pursuant to section 21 of chapter 723 of the laws of 1989, as amended,

1 when upon such date the provisions of section two of this act shall take
2 effect.

3 § 4. Intentionally omitted.

4 § 5. Subdivision 6 of section 3331 of the public health law, as
5 amended by chapter 178 of the laws of 2010, is amended to read as
6 follows:

7 6. A practitioner dispensing a controlled substance shall file infor-
8 mation pursuant to such dispensing with the department by electronic
9 means in such manner and detail as the commissioner shall, by regu-
10 lation, require. This requirement shall not apply to the dispensing by a
11 practitioner pursuant to subdivision ~~[five]~~ six of section thirty-three
12 hundred fifty-one of this article.

13 § 6. Subparagraph (ii) of paragraph (a) of subdivision 2 of section
14 3343-a of the public health law, as added by section 2 of part A of
15 chapter 447 of the laws of 2012, is amended to read as follows:

16 (ii) a practitioner dispensing pursuant to subdivision ~~[three]~~ four of
17 section thirty-three hundred fifty-one of this article;

18 § 7. Intentionally omitted.

19 § 8. Subsection (c) of section 1119 of the insurance law, as amended
20 by chapter 76 of the laws of 2026, is amended to read as follows:

21 (c) Such organization shall be subject to the provisions of article
22 seventy-four of this chapter. Prior to commencing action under such
23 article seventy-four, the superintendent shall consult with the continu-
24 ing care retirement community council established pursuant to section
25 ~~[forty-six hundred two]~~ forty-six hundred three of the public health
26 law.

27 § 9. This act shall take effect immediately; provided, however, that
28 sections five and six of this act shall take effect on the same date and
29 in the same manner as chapter 546 of the laws of 2025 took effect.

30 PART G

31 Intentionally Omitted

32 PART H

33 Intentionally Omitted

34 PART I

35 Intentionally Omitted

36 PART J

37 Section 1. Subdivisions 2 and 8 of section 2999-ii of the public
38 health law, subdivision 2 as added by section 1 of part X of chapter 57
39 of the laws of 2023 and subdivision 8 as amended by chapter 598 of the
40 laws of 2025, are amended to read as follows:

41 2. "Controlling person" means a person, officer, program administra-
42 tor, or director whose responsibilities include the direction of the
43 management or policies of a temporary health care services agency.
44 "Controlling person" also means ~~[an individual]~~ a person who~~[7]~~ directly

owns at least ten percent voting interest in a corporation, partnership, or other business entity that is a controlling person.

8. "Temporary health care services agency" or "agency" means a person, firm, corporation, partnership, association or other entity in the business of providing or procuring temporary employment or engaging individuals to provide health care services for health care entities, or of enabling health care entities, directly or indirectly, to engage individuals to perform health care services. Temporary health care services agency shall include a nurses' registry licensed under article eleven of the general business law and entities that utilize apps or other technology-based solutions to provide, procure or enable health care entities to engage individuals to perform health care services, including vendor management systems and subcontracting arrangements with other agencies that result in the engagement of individuals. Temporary health care services agency shall not include: (a) an individual who only engages in providing the individual's own services on a temporary basis to health care entities; or (b) a home care agency licensed under article thirty-six of this chapter.

§ 2. Subdivision 3 of section 2999-jj of the public health law, as added by section 1 of part X of chapter 57 of the laws of 2023 and paragraph (a) as amended by chapter 598 of the laws of 2025, is amended to read as follows:

3. As a condition of registration, a temporary health care services agency:

(a) Shall document that each individual engaged to provide health care services to health care entities currently meets the minimum licensing, training, and continuing education standards for the position in which the ~~health care personnel~~ individual will be working.

(b) Shall comply with all pertinent requirements and qualifications for personnel employed in health care entities.

(c) Shall not restrict in any manner the employment opportunities of ~~its health care personnel~~ individuals it connects with health care entities to provide health care services.

(d) Shall not require the payment of liquidated damages, employment fees, or other compensation should the ~~health care personnel~~ individuals it connects with health care entities to provide health care services be hired as a permanent employee, contractor, or contingent worker of a health care entity in any contract with any ~~health care personnel~~ individual engaged to provide health care services or health care entity or otherwise.

(e) Shall retain all records related to ~~health care personnel~~ individuals engaged to provide health care services for six ~~calendar~~ years and make them available to the department upon request.

(f) Shall comply with any requests made by the department to examine the books and records of the agency, subpoena witnesses and documents and make such other investigation as is necessary in the event that the department has reason to believe that the books or records do not accurately reflect the financial condition or financial transactions of the agency.

(g) Shall comply with any additional requirements the department may deem necessary.

§ 3. Subdivision 2 of section 2999-kk of the public health law, as added by section 1 of part X of chapter 57 of the laws of 2023, paragraphs (a), (b), (f) and (h) as amended by chapter 598 of the laws of 2025, is amended to read as follows:

2. A temporary health care services agency shall maintain, and require subcontracting arrangements with other agencies to maintain, a written agreement or contract with each health care entity, which shall include, at a minimum:

(a) The required minimum licensing, training, and continuing education requirements for each individual engaged in a health care position.

(b) Any requirement for minimum advance notice in order to ensure prompt arrival of individuals engaged to provide health care services.

(c) The maximum rates that can be billed or charged by the temporary health care services agency pursuant to section twenty-nine hundred ninety-nine-mm of this article and any applicable regulations.

(d) The rates to be charged by the temporary health care services agency.

(e) Procedures for the investigation and resolution of complaints about the performance of [~~temporary health care services agency personnel~~] individuals engaged to provide health care services.

(f) Procedures for notice from health care entities of failure of individuals engaged to provide health care services to report to an agreed upon scheduled shift.

(g) Procedures for notice of actual or suspected abuse, theft, tampering or other diversion of controlled substances by [~~medical personnel~~] individuals engaged to provide health care services.

(h) The types and qualifications of individuals engaged to provide health care services available through the temporary health care services agency.

§ 4. Section 2999-11 of the public health law, as added by section 1 of part X of chapter 57 of the laws of 2023, is amended to read as follows:

§ 2999-11. Violations; penalties. In addition to other remedies available by law, violations of the provisions of this article and any regulations promulgated thereunder shall be subject to penalties and fines pursuant to section twelve of this chapter; provided, however, that each violation committed by [~~any health care personnel of~~] a temporary health care services agency shall be considered a separate violation.

§ 5. Section 2999-mm of the public health law, as added by section 1 of part X of chapter 57 of the laws of 2023, is amended to read as follows:

§ 2999-mm. Rates for temporary health care services; reports. A temporary health care services agency shall report quarterly to the department a full disclosure of charges and compensation, including a schedule of all hourly bill rates per category of [~~health care personnel~~] individuals engaged to provide health care services, a full description of administrative charges, and a schedule of rates of all compensation per category of [~~health care personnel~~] individuals engaged to provide health care services including, but not limited to:

1. hourly regular pay rate, shift differential, weekend differential, hazard pay, charge nurse add-on, overtime, holiday pay, travel or mileage pay, and any health or other fringe benefits provided;

2. the percentage of health care entity dollars that the agency expended on [~~temporary personnel wages and benefits~~] compensation, including, as applicable, benefits, to individuals engaged to provide health care services compared to the temporary health care services agency's profits and other administrative costs;

3. a list of the states and zip codes of [~~their health care personnel~~] the primary residences of individuals engaged to provide health care services;

1 4. the names of all health care entities they or a third party with
2 whom the agency is subcontracting have contracted within New York state;
3 5. the number of [~~health care personnel of~~] individuals engaged to
4 provide health care services by the temporary health care services agen-
5 cy working at each entity; and
6 6. any other information prescribed by the commissioner.
7 § 6. This act shall take effect one year after it shall have become a
8 law.

9 PART K

10 Intentionally Omitted

11 PART L

12 Section 1. Subparagraph (iv) of paragraph (b) of subdivision 2-b of
13 section 2808 of the public health law, as amended by section 2 of part E
14 of chapter 57 of the laws of 2024, is amended to read as follows:

15 (iv) The capital cost component of rates on and after January first,
16 two thousand nine shall: (A) fully reflect the cost of local property
17 taxes and payments made in lieu of local property taxes, as reported in
18 each facility's cost report submitted for the year two years prior to
19 the rate year; (B) provided, however, notwithstanding any inconsistent
20 provision of this article, commencing April first, two thousand twenty
21 and ending March thirty-first, two thousand twenty-six for rates of
22 payment for patients eligible for payments made by state governmental
23 agencies, the capital cost component determined in accordance with this
24 subparagraph and inclusive of any shared savings for eligible facilities
25 that elect to refinance their mortgage loans pursuant to paragraph (d)
26 of subdivision two-a of this section, shall be reduced by the commis-
27 sioner by five percent; and (C) provided, however, notwithstanding any
28 inconsistent provision of this article, commencing April first, two
29 thousand twenty-four and ending March thirty-first, two thousand twen-
30 ty-six for rates of payment for patients eligible for payments made by
31 state governmental agencies, the capital cost component determined in
32 accordance with this subparagraph and inclusive of any shared savings
33 for eligible facilities that elect to refinance their mortgage loans
34 pursuant to paragraph (d) of subdivision two-a of this section, shall be
35 reduced by the commissioner by an additional ten percent, provided,
36 however, that such reduction shall not apply to rates of payment for
37 patients in pediatric residential health care facilities as defined in
38 paragraph (c) of subdivision two of section twenty-eight hundred eight-e
39 of this article.

40 § 2. Intentionally omitted.

41 § 3. This act shall take effect immediately and shall be deemed to
42 have been in full force and effect on and after April 1, 2026.

43 PART M

44 Section 1. Paragraph (mm) of subdivision 2 of section 365-a of the
45 social services law, as amended by chapter 29 of the laws of 2024, is
46 amended to read as follows:

47 (mm) (i) medically necessary biomarker precision medical testing for
48 the purposes of diagnosis, treatment, or appropriate management of, or
49 ongoing monitoring to guide treatment decisions for, a recipient's

disease or condition when one or more of the following recognizes the efficacy and appropriateness of biomarker precision medical testing for diagnosis, treatment, appropriate management, or guiding treatment decisions for a recipient's disease or condition:

(1) labeled indications for a test approved or cleared by the federal food and drug administration or indicated tests for a food and drug administration approved drug; **or**

(2) centers for medicare and medicaid services national coverage determinations or medicare administrative contractor local coverage determinations[;

~~(3) nationally recognized clinical practice guidelines; or~~

~~(4) peer reviewed literature and peer reviewed scientific studies published in or accepted for publication by medical journals that meet nationally recognized requirements for scientific manuscripts and that submit most of their published articles for review by experts who are not part of the editorial staff].~~

(ii) As used in this paragraph, the following terms shall have the following meanings:

(1) "Biomarker" means a characteristic that is measured as an indicator of normal biological processes, pathogenic processes, or responses to an exposure or intervention, including therapeutic interventions.

(2) "Biomarker precision medical testing" means the analysis of a patient's tissue, blood, or other biospecimen for the presence of a biomarker. Biomarker testing includes but is not limited to single-analyte tests and multi-plex panel tests performed at a participating in-network laboratory facility that is either CLIA certified or CLIA waived by the federal food and drug administration.

~~[(3) "Nationally recognized clinical practice guidelines" means evidence-based clinical practice guidelines informed by a systematic review of evidence and an assessment of the benefits, and risks of alternative care options intended to optimize patient care developed by independent organizations or medical professional societies utilizing a transparent methodology and reporting structure and with a conflict of interest policy.]~~

§ 2. This act shall take effect immediately and shall be deemed to have been in full force and effect on and after April 1, 2026.

PART N

Intentionally Omitted

PART O

Section 1. Section 1-c of part I of chapter 57 of the laws of 2022 providing a one percent across the board payment increase to all qualifying fee-for-service Medicaid rates, as added by section 5 of part F of chapter 57 of the laws of 2025, is amended to read as follows:

§ 1-c. Notwithstanding any provision of law to the contrary, for the period April 1, 2025 through March 31, 2026 Medicaid payments made for clinic service provided by federally qualified health centers and diagnostic and treatment centers licensed pursuant to article 28 of the public health law shall be increased by an aggregate amount of up to \$40,000,000 in addition to any applicable increase contained in section one of this act subject to the approval of the commissioner of health and the director of the budget. Notwithstanding any provision of law to

1 the contrary, for the period April 1, 2026, and thereafter, Medicaid
2 payments made for clinic service provided by federally qualified health
3 centers and diagnostic and treatment centers licensed pursuant to arti-
4 cle ~~[twenty-eight]~~ 28 of the public health law shall be increased by an
5 aggregate amount of up to ~~[\$20,000,000]~~ \$80,000,000 in addition to any
6 applicable increase contained in section one of this act subject to the
7 approval of the commissioner of health and the director of the budget.
8 Such rate increases shall be subject to federal financial participation
9 and the provisions established under section one-f of this act.

10 § 2. Section 1-e of part I of chapter 57 of the laws of 2022 providing
11 a one percent across the board payment increase to all qualifying fee-
12 for-service Medicaid rates, as amended by section 7 of part F of chapter
13 57 of the laws of 2025, is amended to read as follows:

14 § 1-e. Such increases as added by ~~[the]~~ part NN of chapter 57 of the
15 laws of 2024 ~~[that added this section]~~, part F of chapter 57 of the laws
16 of 2025, or the chapter of the laws of 2026 that added section one-g to
17 this act may take the form of increased rates of payment in Medicaid
18 fee-for-service and/or Medicaid managed care, lump sum payments, or
19 state directed payments under 42 CFR 438.6(c). Such rate increases shall
20 be subject to federal financial participation and the provisions estab-
21 lished under section one-f of this act.

22 § 3. Section 1-f of part I of chapter 57 of the laws of 2022 providing
23 a one percent across the board payment increase to all qualifying fee-
24 for-service Medicaid rates, as added by section 7 of part F of chapter
25 57 of the laws of 2025, is amended and a new section 1-g is added to
26 read as follows:

27 § 1-f. Such increases as added by ~~[the]~~ part F of chapter 57 of the
28 laws of 2025 ~~[that added this section]~~ and the chapter of the laws of
29 2026 that added section one-g to this act shall be contingent upon the
30 availability of funds within the healthcare stability fund established
31 by section 99-ss of the state finance law, as added by section 2 of part
32 II of chapter 57 of the laws of 2024 and later renumbered and amended by
33 section 2 of part F of chapter 57 of the laws of 2025. Upon a determi-
34 nation by the director of the budget that the balance of such fund is
35 projected to be insufficient to support the continuation of such
36 increases, the commissioner of health, subject to the approval of the
37 director of the budget, shall take steps necessary to suspend or termi-
38 nate such increases, until a determination is made that there are suffi-
39 cient balances to support these increases.

40 § 1-g. Notwithstanding any provision of law to the contrary, for the
41 period April 1, 2026 through March 31, 2027 Medicaid payments made for
42 hospital services and nursing home services shall be increased by an
43 aggregate amount of up to \$2,342,000,000 in addition to the increase
44 contained in sections one, one-a, and one-b of this act, subject to the
45 approval of the commissioner of health and the director of the budget.
46 Notwithstanding any provision of law to the contrary, for state fiscal
47 years beginning April 1, 2027, through March 31, 2028, Medicaid payments
48 made for hospital services and nursing home services shall be increased
49 by an aggregate amount of up to \$1,142,000,000 in addition to the
50 increase contained in sections one, one-a and one-b of this act, subject
51 to the approval of the commissioner of health and the director of the
52 budget. Notwithstanding any provision of law to the contrary, for state
53 fiscal years beginning April 1, 2028 and thereafter Medicaid payments
54 made for hospital services and nursing home services shall be increased
55 by an aggregate amount of up to \$1,000,000,000 in addition to the
56 increase contained in sections one, one-a, and one-b of this act,

subject to the approval of the commissioner of health and the director of the budget. Such rate increases shall be subject to federal financial participation and the provisions established under section one-f of this act.

§ 4. This act shall take effect immediately.

PART P

Section 1. 1. Subject to available appropriations and approval of the director of the budget, the commissioners of the office of mental health, office for people with developmental disabilities, office of addiction services and supports, office of temporary and disability assistance, office of children and family services, and the director of the state office for the aging (hereinafter "the commissioners") shall establish a state fiscal year 2026-2027 targeted inflationary increase, effective April 1, 2026, for projecting for the effects of inflation upon rates of payments, contracts, or any other form of reimbursement for the programs and services listed in subdivision four of this section. The targeted inflationary increase established herein shall be applied to the appropriate portion of reimbursable costs or contract amounts. Where appropriate, transfers to the department of health (DOH) shall be made as reimbursement for the state and/or local share of medical assistance.

2. Notwithstanding any inconsistent provision of law, subject to the approval of the director of the budget and available appropriations therefor, for the period of April 1, 2026 through March 31, 2027, the commissioners shall provide funding to support a four percent (4.0%) targeted inflationary increase under this section for all eligible programs and services as determined pursuant to subdivision four of this section.

3. Notwithstanding any inconsistent provision of law, and as approved by the director of the budget, the 4.0 percent targeted inflationary increase established herein shall be inclusive of all other inflationary increases, cost of living type increases, inflation factors, or trend factors that are newly applied effective April 1, 2026. Except for the 4.0 percent targeted inflationary increase established herein, for the period commencing on April 1, 2026 and ending March 31, 2027 the commissioners shall not apply any other new targeted inflationary increases or cost of living adjustments for the purpose of establishing rates of payments, contracts or any other form of reimbursement. The phrase "all other inflationary increases, cost of living type increases, inflation factors, or trend factors" as defined in this subdivision shall not include payments made pursuant to the American Rescue Plan Act or other federal relief programs related to the Coronavirus Disease 2019 (COVID-19) pandemic public health emergency. This subdivision shall not prevent the office of children and family services from applying additional trend factors or staff retention factors to eligible programs and services under paragraph (v) of subdivision four of this section.

3-a. Each local government unit or direct contract provider receiving the targeted inflationary increase established herein shall use such funding to provide a targeted salary increase of at least two and three-tenths percent (2.3%) to eligible individuals in accordance with subdivision four-a of this section. Notwithstanding any inconsistent provision of law, the commissioners shall develop guidelines for local government units and direct contract providers on implementation of such targeted salary increase.

1 4. Eligible programs and services. (i) Programs and services funded,
2 licensed, or certified by the office of mental health (OMH) eligible for
3 the targeted inflationary increase established herein, pending federal
4 approval where applicable, include: office of mental health licensed
5 outpatient programs, pursuant to parts 587 and 599 of title 14 CRR-NY of
6 the office of mental health regulations including clinic (mental health
7 outpatient treatment and rehabilitative services programs), continuing
8 day treatment, day treatment, intensive outpatient programs and partial
9 hospitalization; outreach; crisis residence; crisis stabilization,
10 crisis/respite beds; mobile crisis, part 590 comprehensive psychiatric
11 emergency program services; crisis intervention; home based crisis
12 intervention; family care; residential program services, excluding prop-
13 erty costs, for supported single room occupancy and community residence
14 single room occupancy; supported housing programs/services excluding
15 rent; treatment congregate; supported congregate; community residence -
16 children and youth; treatment/apartment; supported apartment; on-site
17 rehabilitation; employment programs; recreation; respite care; transpor-
18 tation; psychosocial club; assertive community treatment; case manage-
19 ment; care coordination, including health home plus services; local
20 government unit administration; monitoring and evaluation; children and
21 youth vocational services; single point of access; school-based mental
22 health program; family support children and youth; advocacy/support
23 services; drop in centers; recovery centers; transition management
24 services; bridger; home and community based waiver services; behavioral
25 health waiver services authorized pursuant to the section 1115 MRT waiv-
26 er; self-help programs; consumer service dollars; conference of local
27 mental hygiene directors; multicultural initiative; ongoing integrated
28 supported employment services; supported education; mentally
29 ill/chemical abuse (MICA) network; personalized recovery oriented
30 services; children and family treatment and support services; residen-
31 tial treatment facilities operating pursuant to part 584 of title
32 14-NYCRR; geriatric demonstration programs; community-based mental
33 health family treatment and support; coordinated children's service
34 initiative; homeless services; and promise zones.

35 (ii) Programs and services funded, licensed, or certified by the
36 office for people with developmental disabilities (OPWDD) eligible for
37 the targeted inflationary increase established herein, pending federal
38 approval where applicable, include: local/unified services; chapter 620
39 services; voluntary operated community residential services; article 16
40 clinics; day treatment services; family support services; 100% day
41 training; epilepsy services; traumatic brain injury services; hepatitis
42 B services; independent practitioner services for individuals with
43 intellectual and/or developmental disabilities; crisis services for
44 individuals with intellectual and/or developmental disabilities; family
45 care residential habilitation; supervised residential habilitation;
46 supportive residential habilitation; respite; day habilitation; prevoca-
47 tional services; supported employment; community habilitation; interme-
48 diate care facility day and residential services; specialty hospital;
49 pathways to employment; intensive behavioral services; community transi-
50 tion services; family education and training; fiscal intermediary;
51 support broker; and personal resource accounts.

52 (iii) Programs and services funded, licensed, or certified by the
53 office of addiction services and supports (OASAS) eligible for the
54 targeted inflationary increase established herein, pending federal
55 approval where applicable, include: medically supervised withdrawal
56 services - residential; medically supervised withdrawal services -

1 outpatient; medically managed detoxification; inpatient rehabilitation
2 services; outpatient opioid treatment; residential opioid treatment;
3 residential opioid treatment to abstinence; problem gambling treatment;
4 medically supervised outpatient; outpatient rehabilitation; specialized
5 services substance abuse programs; home and community based waiver
6 services pursuant to subdivision 9 of section 366 of the social services
7 law; children and family treatment and support services; continuum of
8 care rental assistance case management; supported housing services,
9 excluding rent, for the following programs: NY/NY III post-treatment
10 housing, NY/NY III housing for persons at risk for homelessness, and
11 permanent supported housing; youth clubhouse; recovery community
12 centers; recovery community organizing initiative; residential rehabili-
13 tation services for youth (RRSY); intensive residential; community resi-
14 dential; supportive living; residential services; job placement initi-
15 ative; case management; family support navigator; local government unit
16 administration; peer engagement; vocational rehabilitation; HIV early
17 intervention services; dual diagnosis coordinator; problem gambling
18 resource centers; problem gambling prevention; prevention resource
19 centers; primary prevention services; other prevention services; compre-
20 hensive outpatient clinic; jail-based supports; and regional addiction
21 resource centers.

22 (iv) Programs and services funded, licensed, or certified by the
23 office of temporary and disability assistance (OTDA) eligible for the
24 targeted inflationary increase established herein, pending federal
25 approval where applicable, include: the nutrition outreach and education
26 program (NOEP).

27 (v) Programs and services funded, licensed, or certified by the office
28 of children and family services (OCFS) eligible for the targeted infla-
29 tionary increase established herein, pending federal approval where
30 applicable, include: programs for which the office of children and fami-
31 ly services establishes maximum state aid rates pursuant to section
32 398-a of the social services law and section 4003 of the education law;
33 emergency foster homes; foster family boarding homes and therapeutic
34 foster homes; supervised settings as defined by subdivision 22 of
35 section 371 of the social services law; adoptive parents receiving
36 adoption subsidy pursuant to section 453 of the social services law; and
37 congregate and scattered supportive housing programs and supportive
38 services provided under the NY/NY III supportive housing agreement to
39 young adults leaving or having recently left foster care.

40 (vi) Programs and services funded, licensed, or certified by the state
41 office for the aging (SOFA) eligible for the targeted inflationary
42 increase established herein, pending federal approval where applicable,
43 include: community services for the elderly; expanded in-home services
44 for the elderly; and the wellness in nutrition program.

45 4-a. Eligible individuals. Support staff, direct care staff, clinical
46 staff, and non-executive administrative staff in programs and services
47 listed in subdivision five of this section shall be eligible for the
48 2.3% targeted salary increase established pursuant to subdivision four
49 of this section.

50 (a) For the office of mental health, office for people with develop-
51 mental disabilities, and office of addiction services and supports,
52 support staff shall mean individuals employed in consolidated fiscal
53 report position title codes ranging from 100 to 199; direct care staff
54 shall mean individuals employed in consolidated fiscal report position
55 title codes ranging from 200 to 299; clinical staff shall mean individ-
56 uals employed in consolidated fiscal report position title codes ranging

1 from 300 to 399; and non-executive administrative staff shall mean indi-
2 viduals employed in consolidated fiscal report position title codes 400,
3 500 to 599, 605 to 699, and 703 to 799. Individuals employed in consol-
4 idated fiscal report position titles 601 to 604, 701 and 702 shall be
5 ineligible for the 2.3% targeted salary increase established herein.

6 (b) For the office of temporary and disability assistance, office of
7 children and family services, and the state office for the aging, eligi-
8 ble support staff, direct care staff, clinical staff, and non-executive
9 administrative staff titles shall be determined by each agency's commis-
10 sioner.

11 5. Each local government unit or direct contract provider receiving
12 funding for the targeted inflationary increase established herein shall
13 submit a written certification, in such form and at such time as each
14 commissioner shall prescribe, attesting how such funding will be or was
15 used to first promote the recruitment and retention of support staff,
16 direct care staff, clinical staff, non-executive administrative staff,
17 or respond to other critical non-personal service costs prior to
18 supporting any salary increases or other compensation for executive
19 level job titles.

20 6. Notwithstanding any inconsistent provision of law to the contrary,
21 agency commissioners shall be authorized to recoup funding from a local
22 governmental unit or direct contract provider for the targeted infla-
23 tionary increase established herein determined to have been used in a
24 manner inconsistent with the appropriation, or any other provision of
25 this section. Such agency commissioners shall be authorized to employ
26 any legal mechanism to recoup such funds, including an offset of other
27 funds that are owed to such local governmental unit or direct contract
28 provider.

29 § 2. This act shall take effect immediately and shall be deemed to
30 have been in full force and effect on and after April 1, 2026.

31 PART Q

32 Intentionally Omitted

33 PART R

34 Intentionally Omitted

35 PART S

36 Intentionally Omitted

37 PART T

38 Section 1. Section 5 of part ZZ of chapter 56 of the laws of 2020
39 amending the tax law and the social services law relating to certain
40 Medicaid management, as amended by section 2 of part D of chapter 57 of
41 the laws of 2024, is amended to read as follows:

42 § 5. This act shall take effect immediately [~~and~~]; provided, however,
43 that sections two and three of this act shall be deemed repealed [~~eight~~
44 ~~years after such effective date~~] March 31, 2026.

§ 2. Subdivision 2 of section 605 of the public health law, as amended by section 2 of part E of chapter 57 of the laws of 2022, is amended to read as follows:

2. State aid reimbursement for public health services provided by a municipality under this title, shall be made if the municipality is providing some or all of the core public health services identified in section six hundred two of this title, pursuant to an approved application for state aid, at a rate of no less than thirty-six per centum~~[, except for the city of New York which shall receive no less than twenty per centum,]~~ of the difference between the amount of moneys expended by the municipality for public health services required by section six hundred two of this title during the fiscal year and the base grant provided pursuant to subdivision one of this section. Provided, however, that a municipality's documented fringe benefit costs submitted under an application for state aid and otherwise eligible for reimbursement under this article shall not exceed fifty per centum of the municipality's eligible personnel services. No such reimbursement shall be provided for services that are not eligible for state aid pursuant to this article.

§ 3. Subdivision 1 of section 616 of the public health law, as amended by section 2 of part O of chapter 57 of the laws of 2019, is amended to read as follows:

1. The total amount of state aid provided pursuant to this article shall be limited to the amount of the annual appropriation made by the legislature. In no event, however, shall such state aid be less than an amount to provide the full base grant and, as otherwise provided by subdivision two of section six hundred five of this article, no less than thirty-six per centum~~[, except for the city of New York which shall receive no less than twenty per centum,]~~ of the difference between the amount of moneys expended by the municipality for eligible public health services pursuant to an approved application for state aid during the fiscal year and the base grant provided pursuant to subdivision one of section six hundred five of this article.

§ 4. This act shall take effect immediately.

PART U

Section 1. Section 48-a of part A of chapter 56 of the laws of 2013 amending the public health law and other laws relating to general hospital reimbursement for annual rates, as amended by section 1 of part LL of chapter 57 of the laws of 2022, is amended to read as follows:

§ 48-a. 1. Notwithstanding any contrary provision of law, the commissioners of the office of addiction services and supports and the office of mental health are authorized, subject to the approval of the director of the budget, to transfer to the commissioner of health state funds to be utilized as the state share for the purpose of increasing payments under the medicaid program to managed care organizations licensed under article 44 of the public health law or under article 43 of the insurance law. Such managed care organizations shall utilize such funds for the purpose of reimbursing providers licensed pursuant to article 28 of the public health law or article 36, 31 or 32 of the mental hygiene law for ambulatory behavioral health services, as determined by the commissioner of health, in consultation with the commissioner of addiction services and supports and the commissioner of the office of mental health, provided to medicaid enrolled outpatients and for all other behavioral health services except inpatient included in New York state's Medicaid

1 redesign waiver approved by the centers for medicare and Medicaid
2 services (CMS). Such reimbursement shall be in the form of fees for
3 such services which are equivalent to the payments established for such
4 services under the ambulatory patient group (APG) rate-setting methodol-
5 ogy as utilized by the department of health, the office of addiction
6 services and supports, or the office of mental health for rate-setting
7 purposes or any such other fees pursuant to the Medicaid state plan or
8 otherwise approved by CMS in the Medicaid redesign waiver; provided,
9 however, that the increase to such fees that shall result from the
10 provisions of this section shall not, in the aggregate and as determined
11 by the commissioner of health, in consultation with the commissioner of
12 addiction services and supports and the commissioner of the office of
13 mental health, be greater than the increased funds made available pursu-
14 ant to this section. The increase of such ambulatory behavioral health
15 fees to providers available under this section shall be for all rate
16 periods on and after the effective date of section ~~[18]~~ 1 of part ~~[E]~~ LL
17 of chapter 57 of the laws of ~~[2019]~~ 2022 through March 31, ~~[2027]~~ 2031
18 for patients in the city of New York, for all rate periods on and after
19 the effective date of section ~~[18]~~ 1 of part ~~[E]~~ LL of chapter 57 of the
20 laws of ~~[2019]~~ 2022 through March 31, ~~[2027]~~ 2031 for patients outside
21 the city of New York, and for all rate periods on and after the effec-
22 tive date of such chapter through March 31, ~~[2027]~~ 2031 for all services
23 provided to persons under the age of twenty-one; provided, however, the
24 commissioner of health, in consultation with the commissioner of
25 addiction services and supports and the commissioner of mental health,
26 may require, as a condition of approval of such ambulatory behavioral
27 health fees, that aggregate managed care expenditures to eligible
28 providers meet the alternative payment methodology requirements as set
29 forth in attachment I of the New York state medicaid section one thou-
30 sand one hundred fifteen medicaid redesign team waiver as approved by
31 the centers for medicare and medicaid services. The commissioner of
32 health shall, in consultation with the commissioner of addiction
33 services and supports and the commissioner of mental health, waive such
34 conditions if a sufficient number of providers, as determined by the
35 commissioner, suffer a financial hardship as a consequence of such
36 alternative payment methodology requirements, or if ~~[he or she]~~ such
37 commissioner shall determine that such alternative payment methodologies
38 significantly threaten individuals access to ambulatory behavioral
39 health services. Such waiver may be applied on a provider specific or
40 industry wide basis. Further, such conditions may be waived, as the
41 commissioner determines necessary, to comply with federal rules or regu-
42 lations governing these payment methodologies. Nothing in this section
43 shall prohibit managed care organizations and providers from negotiating
44 different rates and methods of payment during such periods described
45 above, subject to the approval of the department of health. The depart-
46 ment of health shall consult with the office of addiction services and
47 supports and the office of mental health in determining whether such
48 alternative rates shall be approved. The commissioner of health may, in
49 consultation with the commissioner of addiction services and supports
50 and the commissioner of the office of mental health, promulgate regu-
51 lations, including emergency regulations promulgated prior to October 1,
52 2015 to establish rates for ambulatory behavioral health services, as
53 are necessary to implement the provisions of this section. Rates promul-
54 gated under this section shall be included in the report required under
55 section 45-c of part A of this chapter.

2. Notwithstanding any contrary provision of law, the fees paid by managed care organizations licensed under article 44 of the public health law or under article 43 of the insurance law, to providers licensed pursuant to article 28 of the public health law or article 36, 31 or 32 of the mental hygiene law, for ambulatory behavioral health services provided to patients enrolled in the child health insurance program pursuant to title 1-A of article 25 of the public health law, shall be in the form of fees for such services which are equivalent to the payments established for such services under the ambulatory patient group (APG) rate-setting methodology or any such other fees established pursuant to the Medicaid state plan. The commissioner of health shall consult with the commissioner of addiction services and supports and the commissioner of the office of mental health in determining such services and establishing such fees. Such ambulatory behavioral health fees to providers available under this section shall be for all rate periods on and after the effective date of this chapter through March 31, ~~2027~~ 2031, provided, however, that managed care organizations and providers may negotiate different rates and methods of payment during such periods described above, subject to the approval of the department of health. The department of health shall consult with the office of addiction services and supports and the office of mental health in determining whether such alternative rates shall be approved. The report required under section 16-a of part C of chapter 60 of the laws of 2014 shall also include the population of patients enrolled in the child health insurance program pursuant to title 1-A of article 25 of the public health law in its examination on the transition of behavioral health services into managed care.

§ 2. Section 1 of part H of chapter 111 of the laws of 2010 relating to increasing Medicaid payments to providers through managed care organizations and providing equivalent fees through an ambulatory patient group methodology, as amended by section 2 of part LL of chapter 57 of the laws of 2022, is amended to read as follows:

Section 1. a. Notwithstanding any contrary provision of law, the commissioners of mental health and addiction services and supports are authorized, subject to the approval of the director of the budget, to transfer to the commissioner of health state funds to be utilized as the state share for the purpose of increasing payments under the Medicaid program to managed care organizations licensed under article 44 of the public health law or under article 43 of the insurance law. Such managed care organizations shall utilize such funds for the purpose of reimbursing providers licensed pursuant to article 28 of the public health law, or pursuant to article 36, 31 or article 32 of the mental hygiene law for ambulatory behavioral health services, as determined by the commissioner of health in consultation with the commissioner of mental health and commissioner of addiction services and supports, provided to Medicaid enrolled outpatients and for all other behavioral health services except inpatient included in New York state's Medicaid redesign waiver approved by the centers for Medicare and Medicaid services (CMS). Such reimbursement shall be in the form of fees for such services which are equivalent to the payments established for such services under the ambulatory patient group (APG) rate-setting methodology as utilized by the department of health or by the office of mental health or office of addiction services and supports for rate-setting purposes or any such other fees pursuant to the Medicaid state plan or otherwise approved by CMS in the Medicaid redesign waiver; provided, however, that the increase to such fees that shall result from the provisions of this

1 section shall not, in the aggregate and as determined by the commission-
2 er of health in consultation with the commissioners of mental health and
3 addiction services and supports, be greater than the increased funds
4 made available pursuant to this section. The increase of such behavioral
5 health fees to providers available under this section shall be for all
6 rate periods on and after the effective date of section ~~[19]~~ 2 of part
7 ~~[E]~~ LL of chapter 57 of the laws of ~~[2019]~~ 2022 through March 31, ~~[2027]~~
8 2031 for patients in the city of New York, for all rate periods on and
9 after the effective date of section ~~[19]~~ 2 of part ~~[E]~~ LL of chapter 57
10 of the laws of ~~[2019]~~ 2022 through March 31, ~~[2027]~~ 2031 for patients
11 outside the city of New York, and for all rate periods on and after the
12 effective date of section ~~[19]~~ 2 of part ~~[E]~~ LL of chapter 57 of the
13 laws of ~~[2019]~~ 2022 through March 31, ~~[2027]~~ 2031 for all services
14 provided to persons under the age of twenty-one; provided, however, the
15 commissioner of health, in consultation with the commissioner of
16 addiction services and supports and the commissioner of mental health,
17 may require, as a condition of approval of such ambulatory behavioral
18 health fees, that aggregate managed care expenditures to eligible
19 providers meet the alternative payment methodology requirements as set
20 forth in attachment I of the New York state medicaid section one thou-
21 sand one hundred fifteen medicaid redesign team waiver as approved by
22 the centers for medicare and medicaid services. The commissioner of
23 health shall, in consultation with the commissioner of addiction
24 services and supports and the commissioner of mental health, waive such
25 conditions if a sufficient number of providers, as determined by the
26 commissioner, suffer a financial hardship as a consequence of such
27 alternative payment methodology requirements, or if ~~[he or she]~~ such
28 commissioner shall determine that such alternative payment methodologies
29 significantly threaten individuals access to ambulatory behavioral
30 health services. Such waiver may be applied on a provider specific or
31 industry wide basis. Further, such conditions may be waived, as the
32 commissioner determines necessary, to comply with federal rules or regu-
33 lations governing these payment methodologies. Nothing in this section
34 shall prohibit managed care organizations and providers from negotiating
35 different rates and methods of payment during such periods described,
36 subject to the approval of the department of health. The department of
37 health shall consult with the office of addiction services and supports
38 and the office of mental health in determining whether such alternative
39 rates shall be approved. The commissioner of health may, in consultation
40 with the commissioners of mental health and addiction services and
41 supports, promulgate regulations, including emergency regulations
42 promulgated prior to October 1, 2013 that establish rates for behavioral
43 health services, as are necessary to implement the provisions of this
44 section. Rates promulgated under this section shall be included in the
45 report required under section 45-c of part A of chapter 56 of the laws
46 of 2013.

47 b. Notwithstanding any contrary provision of law, the fees paid by
48 managed care organizations licensed under article 44 of the public
49 health law or under article 43 of the insurance law, to providers
50 licensed pursuant to article 28 of the public health law or article 36,
51 31 or 32 of the mental hygiene law, for ambulatory behavioral health
52 services provided to patients enrolled in the child health insurance
53 program pursuant to title 1-A of article 25 of the public health law,
54 shall be in the form of fees for such services which are equivalent to
55 the payments established for such services under the ambulatory patient
56 group (APG) rate-setting methodology. The commissioner of health shall

1 consult with the commissioner of addiction services and supports and the
2 commissioner of the office of mental health in determining such services
3 and establishing such fees. Such ambulatory behavioral health fees to
4 providers available under this section shall be for all rate periods on
5 and after the effective date of this chapter through March 31, [2027]
6 2031, provided, however, that managed care organizations and providers
7 may negotiate different rates and methods of payment during such periods
8 described above, subject to the approval of the department of health.
9 The department of health shall consult with the office of addiction
10 services and supports and the office of mental health in determining
11 whether such alternative rates shall be approved. The report required
12 under section 16-a of part C of chapter 60 of the laws of 2014 shall
13 also include the population of patients enrolled in the child health
14 insurance program pursuant to title 1-A of article 25 of the public
15 health law in its examination on the transition of behavioral health
16 services into managed care.

17 § 3. Section 2 of part H of chapter 111 of the laws of 2010 relating
18 to increasing Medicaid payments to providers through managed care organ-
19 izations and providing equivalent fees through an ambulatory patient
20 group methodology, as amended by section 3 of part LL of chapter 57 of
21 the laws of 2022, is amended to read as follows:

22 § 2. This act shall take effect immediately and shall be deemed to
23 have been in full force and effect on and after April 1, 2010, and shall
24 expire on March 31, [2027] 2031.

25 § 4. This act shall take effect immediately; provided, however that
26 the amendments to section 1 of part H of chapter 111 of the laws of 2010
27 relating to increasing Medicaid payments to providers through managed
28 care organizations and providing equivalent fees through an ambulatory
29 patient group methodology, made by section two of this act shall not
30 affect the expiration of such section and shall expire therewith.

31 PART V

32 Section 1. Paragraph (d-3) of subdivision 3 of section 364-j of the
33 social services law, as amended by section 1 of part HH of chapter 57 of
34 the laws of 2025, is amended to read as follows:

35 (d-3) Services provided in school-based health centers shall not be
36 provided to medical assistance recipients through managed care programs
37 established pursuant to this section [~~until at least April first, two~~
38 ~~thousand twenty-six~~].

39 § 2. This act shall take effect immediately; provided, however, that
40 the amendments to section 364-j of the social services law made by this
41 act shall not affect the repeal of such section and shall be deemed
42 repealed therewith.

43 PART W

44 Section 1. Section 2 of part Q of chapter 59 of the laws of 2016,
45 amending the mental hygiene law relating to the closure or transfer of a
46 state-operated individualized residential alternative, as amended by
47 section 11 of part B of chapter 57 of the laws of 2024, is amended to
48 read as follows:

49 § 2. This act shall take effect immediately and shall expire and be
50 deemed repealed March 31, [2026] 2028.

51 § 2. This act shall take effect immediately.

1

PART X

2 Section 1. Section 3 of chapter 670 of the laws of 2021, requiring the
3 office for people with developmental disabilities to establish the care
4 demonstration program, as amended by section 13 of part B of chapter 57
5 of the laws of 2024, is amended to read as follows:

6 § 3. This act shall take effect immediately and shall expire and be
7 deemed repealed March 31, ~~2026~~ 2028.

8 § 2. This act shall take effect immediately.

9

PART Y

10 Section 1. Paragraph (c) of subdivision 8 of section 2807-c of the
11 public health law, as amended by section 1 of part D of chapter 57 of
12 the laws of 2024, is amended to read as follows:

13 (c) (i) In order to reconcile capital related inpatient expenses
14 included in rates of payment based on a budget to actual expenses and
15 statistics for the rate period for a general hospital, rates of payment
16 for a general hospital shall be adjusted to reflect the dollar value of
17 the difference between capital related inpatient expenses included in
18 the computation of rates of payment for a prior rate period based on a
19 budget and actual capital related inpatient expenses for such prior rate
20 period, each as determined in accordance with paragraph (a) of this
21 subdivision, adjusted to reflect increases or decreases in volume of
22 service in such prior rate period compared to statistics applied in
23 determining the capital related inpatient expenses component of rates of
24 payment based on a budget for such prior rate period.

25 (ii) For rates effective April first, two thousand twenty through
26 March thirty-first, two thousand twenty-one, the budgeted capital-relat-
27 ed expenses add-on as described in paragraph (a) of this subdivision,
28 based on a budget submitted in accordance to paragraph (a) of this
29 subdivision, shall be reduced by five percent relative to the rate in
30 effect on such date; and the actual capital expenses add-on as described
31 in paragraph (a) of this subdivision, based on actual expenses and
32 statistics through appropriate audit procedures in accordance with para-
33 graph (a) of this subdivision shall be reduced by five percent relative
34 to the rate in effect on such date.

35 (iii) For rates effective April first, two thousand twenty-one through
36 September thirtieth, two thousand twenty-four, the budgeted capital-re-
37 lated expenses add-on as described in paragraph (a) of this subdivision,
38 based on a budget submitted in accordance to paragraph (a) of this
39 subdivision, shall be reduced by ten percent relative to the rate in
40 effect on such date; and the actual capital expenses add-on as described
41 in paragraph (a) of this subdivision, based on actual expenses and
42 statistics through appropriate audit procedures in accordance with para-
43 graph (a) of this subdivision shall be reduced by ten percent relative
44 to the rate in effect on such date.

45 (iv) For rates effective ~~on and after~~ October first, two thousand
46 twenty-four through March thirty-first, two thousand twenty-six, the
47 budgeted capital-related expenses add-on as described in paragraph (a)
48 of this subdivision, based on a budget submitted in accordance with
49 paragraph (a) of this subdivision, shall be reduced by twenty percent
50 relative to the rate in effect on such date; and the actual capital
51 expenses add-on as described in paragraph (a) of this subdivision shall
52 be reduced by twenty percent relative to the rate in effect on such
53 date.

(v) For any rate year, all reconciliation add-on amounts calculated for the period of April first, two thousand twenty through September thirtieth, two thousand twenty-four shall be reduced by ten percent, and all reconciliation recoupment amounts calculated for the period of April first, two thousand twenty through September thirtieth, two thousand twenty-four shall increase by ten percent.

(vi) For any rate year, all reconciliation add-on amounts calculated ~~[on and after]~~ for the period October first, two thousand twenty-four through March thirty-first, two thousand twenty-six shall be reduced by twenty percent, and all reconciliation recoupment amounts calculated ~~[on or after]~~ for the period October first, two thousand twenty-four through March thirty-first, two thousand twenty-six shall increase by twenty percent.

(vii) Notwithstanding any inconsistent provision of subparagraph (i) of paragraph (e) of subdivision nine of this section, capital related inpatient expenses of a general hospital included in the computation of rates of payment based on a budget shall not be included in the computation of a volume adjustment made in accordance with such subparagraph. Adjustments to rates of payment for a general hospital made pursuant to this paragraph shall be made in accordance with paragraph (c) of subdivision eleven of this section. Such adjustments shall not be carried forward except for such volume adjustment as may be authorized in accordance with subparagraph (i) of paragraph (e) of subdivision nine of this section for such general hospital.

§ 2. This act shall take effect immediately

PART Z

Section 1. 1. Notwithstanding any other provision of law to the contrary, to maintain access to health care coverage for Essential Plan enrollees in the event that the federal government does not approve the termination of the 1332 State Innovation Waiver and reactivation of the 1331 Basic Health Plan ("waiver submission") for the state of New York by July 1, 2026, funds shall be made available through transfer from the general fund to the essential plan contingency fund established under section 99-uu of the state finance law, as added by section two of this act, for unmet liabilities not to exceed \$2,400,000,000. Payments under this section shall be made as necessary in accordance with a written plan prepared by the director of the budget, in consultation with the commissioner of health, which shall be filed with the state comptroller, the temporary president of the senate, the chair of the senate finance committee, the speaker of the assembly, and the chair of the assembly ways and means committee. Upon the request of the director of the budget, the comptroller shall transfer the cash equal to anticipated medical assistance payments resulting from the absence of federal approval of the waiver submission.

2. Payments shall be subject to the following conditions: (a) if at any time after the effective date of this section, the federal government approves the waiver submission, no further payments shall occur other than to repay liabilities incurred prior to the date of federal approval; and (b) if the federal government does not approve the waiver submission prior to April 1, 2027, no further payments shall be made other than to repay liabilities incurred throughout the 2026--2027 state fiscal year.

§ 2. The state finance law is amended by adding a new section 99-uu to read as follows:

1 § 99-uu. Essential plan contingency fund. 1. There is hereby estab-
2 lished in the sole custody of the office of the state comptroller a
3 special fund to be known as the "Essential Plan contingency fund"
4 ("fund").

5 2. Such fund shall be kept separate and shall not be commingled with
6 any other funds in the custody of the state comptroller.

7 3. The fund shall consist of all monies received from the general
8 fund, and all other monies appropriated, credited, or transferred there-
9 to from any other fund or source pursuant to law.

10 4. Notwithstanding any provision of law to the contrary and subject to
11 available appropriation and approval of the director of the budget,
12 monies of the fund shall be made available for payments to the medical
13 assistance program for liabilities incurred on or after July first, two
14 thousand twenty-six, due to changes to premium tax credit eligibility
15 under the Patient Protection and Affordable Care Act enacted by the
16 federal government pursuant to H.R.1.

17 5. Monies disbursed from the fund shall be exempt from the calculation
18 of department of health state funds Medicaid expenditures under subdivi-
19 sion one of section ninety-two of part H of chapter fifty-nine of the
20 laws of two thousand eleven, as amended.

21 § 3. This act shall take effect April 1, 2026 and shall expire July 1,
22 2027 when upon such date the provisions of this act shall be deemed
23 repealed.

24 § 2. Severability clause. If any clause, sentence, paragraph, subdivi-
25 sion, section or part of this act shall be adjudged by any court of
26 competent jurisdiction to be invalid, such judgment shall not affect,
27 impair, or invalidate the remainder thereof, but shall be confined in
28 its operation to the clause, sentence, paragraph, subdivision, section
29 or part thereof directly involved in the controversy in which such judg-
30 ment shall have been rendered. It is hereby declared to be the intent of
31 the legislature that this act would have been enacted even if such
32 invalid provisions had not been included herein.

33 § 3. This act shall take effect immediately provided, however, that
34 the applicable effective date of Parts A through Z of this act shall be
35 as specifically set forth in the last section of such Parts.