STATE OF NEW YORK

10561

IN SENATE

May 21, 2026

Introduced by Sen. RIVERA -- read twice and ordered printed, and when printed to be committed to the Committee on Health

AN ACT to amend the social services law, in relation to barring the nursing diversion and transition Medicaid waiver from being carved into Medicaid managed care

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

Section 1. Paragraph (d-2) of subdivision 3 of section 364-j of the social services law, as amended by chapter 41 of the laws of 2025, is amended to read as follows:

(d-2) Services provided pursuant to a waiver, granted pursuant to subsection (c) of section 1915 of the federal social security act, to persons suffering from traumatic brain injuries, shall not be provided to medical assistance recipients through managed care programs established pursuant to this section. Services provided pursuant to a waiver, granted pursuant to subsection (c) of section 1915 of the federal social security act, to persons qualifying for nursing home diversion and transition services, shall not be provided to medical assistance recipients through managed care programs [~~until at least January first, two thousand twenty-seven~~].

§ 2. This act shall take effect immediately; provided that the amendments to section 364-j of the social services law made by section one of this act shall not affect the repeal of such section and shall be deemed repealed therewith.

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

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