

STATE OF NEW YORK

10698--A

IN SENATE

September 11, 2026

Introduced by Sen. COONEY -- read twice and ordered printed, and when printed to be committed to the Committee on Rules -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the public health law, in relation to universal health care for children; and to repeal certain provisions of such law relating thereto

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

1 Section 1. Paragraphs (a), (b) and (c) of subdivision 6 of section
2 2510 of the public health law, as added by section 69 of part B of chap-
3 ter 58 of the laws of 2005, are amended to read as follows:

4 (a) the period of eligibility for a child who ceases to be eligible
5 because [~~he or she~~] they no longer [~~resides~~] reside in New York state or
6 [~~has access to or~~] obtained other health insurance coverage, as defined
7 by the commissioner in consultation with the superintendent pursuant to
8 paragraph (c) of subdivision two of section twenty-five hundred eleven
9 of this article, shall end the last day of the month in which the child
10 ceases to be an eligible child; and

11 (b) the period of eligibility for a child who becomes eligible for
12 medical assistance shall end the last day of the [~~third~~] sixth month
13 after the child becomes eligible for medical assistance[~~;~~ and

14 ~~(c) the period of eligibility for a child for whom an applicable~~
15 ~~premium payment has not been paid shall end in accordance with time~~
16 ~~frames and procedures determined by the commissioner].~~

17 § 2. Subdivision 9 of section 2510 of the public health law is amended
18 by adding a new paragraph (f) to read as follows:

19 (f) for periods on or after January first, two thousand twenty-eight,
20 no payments are required for eligible children.

21 § 3. Subparagraphs (ii) and (iii) of paragraph (a) of subdivision 2
22 of section 2511 of the public health law, subparagraph (ii) as amended
23 by section 28 of part A of chapter 58 of the laws of 2007, and subpara-
24 graph (iii) as amended by section 30 of part D of chapter 56 of the laws

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

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1 of 2013, are amended and a new subparagraph (iv) is added to read as
2 follows:

3 (ii) effective July first, two thousand, resides in a household having
4 a gross household income at or below two hundred fifty percent of the
5 non-farm federal poverty level (as defined and updated by the United
6 States department of health and human services); ~~[and]~~

7 (iii) effective September first, two thousand eight, resides in a
8 household having a household income at or below four hundred percent of
9 the non-farm federal poverty level (as defined and updated by the United
10 States department of health and human services); ~~and~~

11 (iv) effective January first, two thousand twenty-eight, household
12 income is removed as a factor for determining eligibility;

13 § 4. Paragraph (b) of subdivision 2 of section 2511 of the public
14 health law, as amended by chapter 639 of the laws of 1996, is amended to
15 read as follows:

16 (b) is not eligible for medical assistance, except that a child who
17 becomes eligible for medical assistance after becoming an eligible child
18 under this title, may be eligible for a subsidy payment pursuant to
19 subdivision three of this section as medical assistance for a period up
20 to ~~[three]~~ six months after becoming eligible for medical assistance;
21 and

22 § 5. Paragraph (f) of subdivision 2 of section 2511 of the public
23 health law is REPEALED and a new paragraph (f) is added to read as
24 follows:

25 (f) Notwithstanding any inconsistent provision of law to the contrary
26 and subject to the availability of federal financial participation under
27 title XIX of the federal social security act, a child under the age of
28 nineteen shall be presumed to be eligible for subsidy payments and
29 temporarily enrolled for coverage under this title, once during a
30 twelve-month period, beginning on the first day of the enrollment peri-
31 od. The temporary enrollment period shall continue until an eligibility
32 determination is made pursuant to title eleven of article five of the
33 social services law, or two months after the date temporary enrollment
34 begins; provided however, a temporary enrollment period may be extended
35 in the event an eligibility determination under title eleven of article
36 five of the social services law is not made within such two-month period
37 through no fault of the applicant for insurance for medical assistance.
38 The commissioner shall assure that children who are enrolled pursuant to
39 this paragraph receive the appropriate follow-up for a determination of
40 eligibility for benefits under title eleven of article five of the
41 social services law prior to the termination of the temporary enrollment
42 period. The commissioner shall ensure that children and their families
43 are informed of all available enrollment sites in accordance with subdi-
44 vision nine of this section.

45 § 6. Subdivision 4 of section 2511 of the public health law, as
46 amended by section 21 of part D of chapter 56 of the laws of 2013, is
47 amended to read as follows:

48 4. Households shall report to the approved organization or state
49 enrollment center, whichever is applicable, within thirty days, any
50 changes in New York state residency or health care coverage under insur-
51 ance that may make a child ineligible for subsidy payments pursuant to
52 this section. Any individual who, with the intent to obtain benefits,
53 willfully misstates ~~[income—or]~~ residence to establish eligibility
54 pursuant to subdivision two of this section or willfully fails to notify
55 an approved organization or state enrollment center of a change in resi-
56 dence or health care coverage pursuant to this subdivision shall repay

1 such subsidy to the commissioner. Individuals seeking to enroll children
2 for coverage shall be informed that such willful misstatement or failure
3 to notify shall result in such liability.

4 § 7. Paragraph (i) of subdivision 8 of section 2511 of the public
5 health law is amended by adding a new subparagraph (iii) to read as
6 follows:

7 (iii) Effective January first, two thousand twenty-eight, reimburse-
8 ment for covered health care services provided shall be at rates negoti-
9 ated between the insurer and the providers of such health care services,
10 provided that such rates are not less than the rates that would be paid
11 for such services pursuant to the corresponding Medicare rate. In the
12 instance that a covered health service under this section does not have
13 a corresponding billing code in Medicare, the rate of reimbursement to
14 the providers of the covered health care services shall be no less than
15 100% of the Medicaid fee for-service rate.

16 § 8. The commissioner of health shall, expeditiously and as necessary,
17 submit the appropriate waivers, including, but not limited to, those
18 authorized under section 1115, title XIX, or title XXI of the federal
19 social security act, or successor provisions, and any other waivers and
20 state plan amendments necessary to secure federal financial partic-
21 ipation under this act.

22 § 9. This act shall take effect on the first of January next succeed-
23 ing the date on which it shall have become a law. Effective immediately,
24 the addition, amendment and/or repeal of any rule or regulation neces-
25 sary for the implementation of this act on its effective date are
26 authorized to be made and completed on or before such effective date.