

STATE OF NEW YORK

806

2025-2026 Regular Sessions

IN SENATE

(Prefiled)

January 8, 2025

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

AN ACT to amend the social services law, in relation to when services for traumatic brain injuries granted pursuant to a waiver by the federal social security act shall begin

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

1 Section 1. Paragraph (d-2) of subdivision 3 of section 364-j of the
2 social services law, as amended by a chapter of the laws of 2024 amend-
3 ing the social services law relating to the provision of services to
4 certain persons suffering from traumatic brain injuries or qualifying
5 for nursing home diversion and transition services, as proposed in
6 legislative bills numbers S. 2867 and A. 7369, is amended to read as
7 follows:

8 (d-2) Services provided pursuant to [~~waivers~~] a waiver, granted pursu-
9 ant to subsection (c) of section 1915 of the federal social security
10 act, to persons suffering from traumatic brain injuries [~~or qualifying~~
11 ~~for nursing home diversion and transition services~~], shall not be
12 provided to medical assistance recipients through managed care programs
13 established pursuant to this section[+]. Services provided pursuant to a
14 waiver, [~~further that the commissioner of health is hereby directed to~~
15 ~~take any action required, including but not limited to filing waivers~~
16 ~~and waiver extensions as necessary with the federal government, to~~
17 ~~continue the provision of such services~~] granted pursuant to subsection
18 (c) of section 1915 of the federal social security act, to persons qual-
19 ifying for nursing home diversion and transition services, shall not be
20 provided to medical assistance recipients through managed care programs
21 until at least January first, two thousand twenty-seven.

22 § 2. This act shall take effect on the same date and in the same
23 manner as a chapter of the laws of 2024 amending the social services law

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

LBD02849-01-5

1 relating to the provision of services to certain persons suffering from
2 traumatic brain injuries or qualifying for nursing home diversion and
3 transition services, as proposed in legislative bills numbers S. 2867
4 and A. 7369, takes effect.