

6486

I N S E N A T E

January 20, 2016

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

AN ACT to amend the public health law, in relation to funding early the intervention program

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1 Section 1. Subdivisions 2 and 3 of section 2557 of the public health
2 law, subdivision 2 as amended by section 9-a of part A of chapter 56 of
3 the laws of 2012 and subdivision 3 as amended by section 7 of part B3 of
4 chapter 62 of the laws of 2003, are amended to read as follows:
5 2. The department shall reimburse the approved costs paid by a munici-
6 pality for the purposes of this title, other than those reimbursable by
7 the medical assistance program or by third party payors, in an amount of
8 [fifty] SEVENTY-FIVE percent of the amount expended in accordance with
9 the rules and regulations of the commissioner[; provided, however, that
10 in the discretion of the department and with the approval of the direc-
11 tor of the division of the budget, the department may reimburse munici-
12 palities in an amount greater than fifty percent of the amount
13 expended]. Such state reimbursement to the municipality shall not be
14 paid prior to April first of the year in which the approved costs are
15 paid by the municipality, provided, however that, subject to the
16 approval of the director of the budget, the department may pay such
17 state aid reimbursement to the municipality prior to such date. NO LESS
18 THAN NINETY PERCENT OF THE ANNUAL SAVINGS FROM THIS EARLY INTERVENTION
19 EXPENDITURE REDUCTION TO LOCAL MUNICIPALITIES, COMPARED TO THE PRIOR
20 YEAR EARLY INTERVENTION EXPENDITURES SHALL BE USED FOR PROPERTY TAX LEVY
21 REDUCTIONS OR PROPERTY TAX REBATES, EFFECTIVE IN THE LOCAL MUNICI-
22 PALITY'S NEXT FISCAL YEAR AFTER THE EFFECTIVE DATE OF THIS SUBDIVISION.
23 THE MINIMUM AMOUNT OF ANNUAL PROPERTY TAX LEVY REDUCTIONS RESULTING FROM
24 SAVINGS ACHIEVED AS DEFINED IN THIS SUBDIVISION, SHALL BE DETERMINED BY
25 THE COMPTROLLER AND TRANSMITTED TO EACH LOCAL MUNICIPALITY ONE HUNDRED
26 EIGHTY DAYS IN ADVANCE OF THE START OF THE FISCAL YEAR FOR WHICH THE
27 PROPERTY TAX REDUCTION IS TO BE EFFECTIVE.

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

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1 3. The department may perform audits, which may include site visita-
2 tion, to all or any of the following: municipalities; service coordina-
3 tors; evaluators or providers of early intervention services. The
4 department shall provide the municipalities with a copy of the findings
5 of such audits. Early intervention program state aid reimbursement or
6 portion thereof may be withheld if, on post-audit and review, the
7 commissioner finds that the early intervention services were not
8 provided or those provided were not in substantial conformance with the
9 rules and regulations established by the commissioner or that the recip-
10 ient of such services was not an eligible child as defined in section
11 twenty-five hundred forty-one of this title. In the event that the
12 commissioner determines that there may be a withholding of state
13 reimbursement to any municipality under this section, he OR SHE shall
14 inform the state early intervention coordinating council and the rele-
15 vant local early intervention coordinating council and shall consider
16 alternative courses of action recommended within sixty days by either
17 body prior to withholding state reimbursement.

18 S 2. Subdivision 4 of section 2558 of the public health law, as
19 amended by section 10 of part A of chapter 56 of the laws of 2012, is
20 amended to read as follows:

21 4. Local contribution. The municipality of residence shall be finan-
22 cially responsible for the local contribution in the amount of [fifty]
23 TWENTY-FIVE percent of the amount expended provided, however, that in
24 the discretion of the department and with the approval of the director
25 of the division of the budget, in accordance with subdivision two of
26 section twenty-five hundred fifty-seven of this title[, the department
27 may require that municipalities be financially responsible for a local
28 contribution in an amount less than fifty percent of the amount
29 expended]. The commissioner shall certify to the comptroller the amount
30 of the local contribution owed by each municipality to the state. The
31 comptroller shall deduct the amount of such local contribution first
32 from any moneys due the municipality pursuant to section twenty-five
33 hundred fifty-six of this title and then from any other moneys due or to
34 become due to the municipality.

35 S 3. This act shall take effect on the ninetieth day after it shall
36 have become a law.