STATE OF NEW YORK

2716

2019-2020 Regular Sessions

IN ASSEMBLY

January 25, 2019

Introduced by M. of A. L. ROSENTHAL -- read once and referred to the Committee on Mental Health

AN ACT to amend part C of chapter 57 of the laws of 2006, relating to establishing a cost of living adjustment for designated human services programs, in relation to extending COLA provisions for the purpose of establishing rates of payments and the effectiveness thereof

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

Section 1. Subdivision 3-c of section 1 of part C of chapter 57 of the laws of 2006, relating to establishing a cost of living adjustment for designated human services programs, as amended by section 1 of part AA of chapter 57 of the laws of 2018, is amended to read as follows:

3-c. Notwithstanding any inconsistent provision of law, beginning April 1, 2019 and ending March 31, [~~2022~~] **2020**, the commissioners shall develop the COLA under this section using the actual U.S. consumer price index for all urban consumers (CPI-U) published by the United States department of labor, bureau of labor statistics for the twelve month period ending in July of the budget year prior to such state fiscal year, for the purpose of establishing rates of payments, contracts or any other form of reimbursement.

§ 2. Section 1 of part C of chapter 57 of the laws of 2006, relating to establishing a cost of living adjustment for designated human services programs, is amended by adding a new subdivision 3-f to read as follows:

3-f. Notwithstanding any inconsistent provision of law, beginning April 1, 2020 and ending March 31, 2026, for human services programs not funded with federal medicaid funds, the commissioners shall develop the COLA under this section using the actual U.S. consumer price index for all urban consumers (CPI-U), excluding energy and food, published by the United States department of labor, bureau of labor statistics for the twelve month period ending in July of the budget year prior to such

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

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state fiscal year, for the purpose of establishing rates of payments, contracts or any other form of reimbursement and for human services programs funded with federal medicaid funds, the commissioners shall develop the COLA under this section using the actual U.S. consumer price index for medical care services, published by the United States department of labor, bureau of labor statistics for the twelve month period ending in July of the budget year prior to such state fiscal year, for the purpose of establishing rates of payments, contracts or any other form of reimbursement.

§ 3. Section 4 of part C of chapter 57 of the laws of 2006, relating to establishing a cost of living adjustment for designated human services programs, as amended by section 1 of part I of chapter 60 of the laws of 2014, is amended to read as follows:

§ 4. This act shall take effect immediately and shall be deemed to have been in full force and effect on and after April 1, 2006; provided section one of this act shall expire and be deemed repealed April 1, [~~2019~~] 2023; provided, further, that sections two and three of this act shall expire and be deemed repealed December 31, 2009.

§ 4. This act shall take effect immediately; provided, however, that the amendments to section 1 of part C of chapter 57 of the laws of 2006, relating to establishing a cost of living adjustment for designated human services programs made by sections one and two of this act shall not affect the repeal of such section and shall be deemed repealed therewith.