STATE OF NEW YORK

5066--A

Cal. No. 441

2021-2022 Regular Sessions

IN SENATE

February 23, 2021

Introduced by Sens. HARCKHAM, HINCHEY -- read twice and ordered printed, and when printed to be committed to the Committee on Alcoholism and Substance Abuse -- reported favorably from said committee, ordered to first and second report, ordered to a third reading, passed by Senate and delivered to the Assembly, recalled, vote reconsidered, restored to third reading, amended and ordered reprinted, retaining its place in the order of third reading

AN ACT to amend the mental hygiene law, in relation to operating costs for substance abuse providers receiving federal aid

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

Section 1. Paragraph 7 of subdivision (a) of section 25.01 of the mental hygiene law, as added by section 3 of part G of chapter 56 of the laws of 2013, is amended to read as follows:

7. "Approved net operating cost" shall mean the remainder of total operating expenses approved by the office, less all sources of revenue, including voluntary agency contributions and local tax levy**; provided, however, that any federal paycheck protection program loan forgiveness funding, or other extraordinary federal funding provided in response to the COVID-19 pandemic, as determined by the office, shall not be considered a source of revenue**.

§ 2. Section 25.05 of the mental hygiene law, as amended by section 5 of part G of chapter 56 of the laws of 2013, is amended to read as follows:

§ 25.05 Reimbursement from other sources.

The office shall not provide a voluntary agency or a program operated by a local governmental unit with financial support for obligations incurred by or on behalf of such program or agency for substance use disorder and/or compulsive gambling services for which reimbursement is or may be claimed under any provision of law other than this article**, unless such financial support was provided as part of any federal**

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

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paycheck protection program loan forgiveness funding, or other extraordinary federal funding provided in response to the COVID-19 pandemic, as determined by the office.

§ 3. This act shall take effect immediately, and shall be deemed to have been in full force and effect on and after March 13, 2020.