STATE OF NEW YORK

5458

2021-2022 Regular Sessions

IN SENATE

March 5, 2021

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

AN ACT to amend the social services law, in relation to fiscal intermediary services

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

Section 1. Subparagraph (vi) of paragraph (b) of subdivision 4-a of section 365-f of the social services law, as amended by section 4 of part G of chapter 57 of the laws of 2019, is amended to read as follows:

(vi) the commissioner is authorized to reoffer contracts [~~under the same terms of this subdivision, if determined necessary by the~~], **to ensure that all provisions in this section are met. The** commissioner **shall reoffer contracts to ensure that there are at least two fiscal intermediaries headquartered in each county with a population of two hundred thousand or more**.

§ 2. Section 365-f of the social services law is amended by adding two new subdivisions 4-e and 4-f to read as follows:

4-e. Following the selection of contractors pursuant to this section and in order to ensure regional choice and experience serving individuals with developmental disabilities, the commissioner shall provide no less than five additional awards to entities which meet the following criteria:

(a) are a not-for-profit entity;

(b) have been established as fiscal intermediaries prior to January first, two thousand twelve and have been continuously providing such services for eligible individuals pursuant to this section; and

(c) are currently authorized, funded, approved and certified to deliver state plan and homes and community-based waiver supports and services to individuals with developmental disabilities by the office for people with developmental disabilities.

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

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4-f. Following the selection of contractors pursuant to this section and in order to ensure regional choice and experience serving racial and ethnic minorities, the commissioner shall provide no less than five additional awards to entities which meet the following criteria:

(a) are a not-for-profit entity;

(b) have been established as fiscal intermediaries prior to January first, two thousand twelve and have been continuously providing such services for eligible individuals pursuant to this section; and

(c) primarily provide services to racial and ethnic minority residents or persons who have recently become American citizens in such person's native language.

§ 3. This act shall take effect immediately and shall be deemed to have been in full force and effect on January 1, 2021.