

# STATE OF NEW YORK

---

5462

2023-2024 Regular Sessions

## IN ASSEMBLY

March 10, 2023

---

Introduced by M. of A. BARCLAY, BRABENEC, DiPIETRO, MILLER, WALSH, MANK-  
TELOW, GALLAHAN, LEMONDES, NORRIS, SIMPSON, J. M. GIGLIO -- Multi-  
Sponsored by -- M. of A. ANGELINO, K. BROWN, FITZPATRICK, FRIEND,  
GOODELL, HAWLEY, McDONOUGH, PALMESANO -- read once and referred to the  
Committee on Health

AN ACT to amend the social services law, in relation to requiring the  
state to allow counties to opt out of certain Medicaid services

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

1 Section 1. Section 365-a of the social services law is amended by  
2 adding a new subdivision 11 to read as follows:

3 11. (a) Notwithstanding any other provision of this section or any  
4 other provision of law, on and after the effective date of this subdivi-  
5 sion, the state is required to allow counties to opt out of providing  
6 optional medical assistance services to any new enrollees who have  
7 either never received such benefits or who have reenrolled after a peri-  
8 od of absence.

9 (b) The commissioner of health is authorized to apply for any and all  
10 federal waivers required to implement the provisions of this subdivi-  
11 sion.

12 § 2. This act shall take effect immediately.

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

LBD02576-01-3