

STATE OF NEW YORK

1375

2023-2024 Regular Sessions

IN ASSEMBLY

January 17, 2023

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:

1 Section 1. Subdivision 3-c of section 1 of part C of chapter 57 of the
2 laws of 2006, relating to establishing a cost of living adjustment for
3 designated human services programs, as amended by section 1 of part FFF
4 of chapter 59 of the laws of 2021, is amended to read as follows:

5 3-c. Notwithstanding any inconsistent provision of law, beginning
6 April 1, 2021 and ending March 31, [~~2022~~] **2023**, the commissioners shall
7 develop the COLA under this section using the actual U.S. consumer price
8 index for all urban consumers (CPI-U) published by the United States
9 department of labor, bureau of labor statistics for the twelve month
10 period ending in July of the budget year prior to such state fiscal
11 year, for the purpose of establishing rates of payments, contracts or
12 any other form of reimbursement.

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

17 **3-h. Notwithstanding any inconsistent provision of law, beginning**
18 **April 1, 2023 and ending March 31, 2029, for human services programs not**
19 **funded with federal medicaid funds, the commissioners shall develop the**
20 **COLA under this section using the actual U.S. consumer price index for**
21 **all urban consumers (CPI-U), excluding energy and food, published by the**
22 **United States department of labor, bureau of labor statistics for the**
23 **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 3 of part FFF of chapter 59 of the laws of 2021, 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, ~~2022~~ 2024; 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.