STATE OF NEW YORK

2867

2023-2024 Regular Sessions

IN SENATE

January 25, 2023

Introduced by Sens. RIVERA, HARCKHAM, HINCHEY -- 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 the provision of services to certain persons suffering from traumatic brain injuries or qualifying for nursing home diversion and transition services

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

Section 1. Paragraph (d-2) of subdivision 3 of section 364-j of the social services law, as amended by section 1 of part II of chapter 57 of the laws of 2021, is amended to read as follows:

(d-2) Services provided pursuant to waivers, granted pursuant to subsection (c) of section 1915 of the federal social security act, to persons suffering from traumatic brain injuries or qualifying for nursing home diversion and transition services, shall not be provided to medical assistance recipients through managed care programs [~~until at least January first, two thousand twenty-six~~] established pursuant to this section; provided, further that the commissioner of health is hereby directed to take any action required, including but not limited to filing waivers and waiver extensions as necessary with the federal government, to continue the provision of such services.

§ 2. This act shall take effect immediately, provided that the amendments to section 364-j of the social services law, made by section one of this act, shall not affect the repeal of such section, and shall be deemed repealed therewith.

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

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