

# STATE OF NEW YORK

5658

2023-2024 Regular Sessions

## IN SENATE

March 10, 2023

Introduced by Sens. RIVERA, BROUK, HARCKHAM -- read twice and ordered printed, and when printed to be committed to the Committee on Finance

AN ACT to amend the state finance law, in relation to the health care transformation fund

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

1 Section 1. Subdivision 4 of section 92-hh of the state finance law, as  
2 added by section 1 of subpart A of part FFF of chapter 59 of the laws of  
3 2018, is amended to read as follows:

4 4. Notwithstanding any provision of law to the contrary, moneys of the  
5 health care transformation fund shall be available for transfer to any  
6 other fund of the state as authorized and directed by the director of  
7 the budget to support health care delivery, including for capital  
8 investment, debt retirement or restructuring, housing and other social  
9 determinants of health, or transitional operating support to health care  
10 providers. On and after the date this sentence becomes a law, at least  
11 twenty-five percent of the moneys deposited into such fund on an annual  
12 basis shall be allocated exclusively for community-based health care  
13 providers which shall be defined as a diagnostic and treatment center  
14 licensed or granted an operating certificate under article twenty-eight  
15 of the public health law, a mental health outpatient provider licensed  
16 or granted an operating certificate under article thirty-one of the  
17 mental hygiene law, a substance use disorder treatment provider licensed  
18 or granted an operating certificate under article thirty-two of the  
19 mental hygiene law, a program licensed under article forty-one of the  
20 mental hygiene law, a community-based program funded under the office of  
21 mental health, the office for people with developmental disabilities,  
22 the office of addiction services and supports or through a local govern-  
23 ment unit as defined under article forty-one of the mental hygiene law,  
24 a home care provider certified or licensed pursuant to article thirty-  
25 six of the public health law, a primary care provider, a clinic licensed

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

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1 or granted an operating certificate under article sixteen of the mental  
2 hygiene law, a provider of health home services as authorized under  
3 section 2703 of the federal protection and affordable care act, a  
4 hospice provider licensed or granted an operating certificate under  
5 article forty of the public health law, or a family and child service  
6 provider licensed under article twenty-nine-I of the public health law,  
7 for the exclusive purpose of supporting the programs and services  
8 defined in this subdivision.

9 § 2. This act shall take effect immediately.