STATE OF NEW YORK

9694

IN SENATE

May 21, 2024

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

AN ACT to amend the public health law, in relation to the New York state medical indemnity fund account payments; and to amend chapter 517 of the laws of 2016, amending the public health law relating to payments from the New York state medical indemnity fund, in relation to the effectiveness thereof; and providing for the repeal of certain provisions of the public health law upon the expiration thereof

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

Section 1. Paragraph (d) of subdivision 6 of section 2999-i of the public health law, as amended by section 2 of part K of chapter 57 of the laws of 2019, is amended and a new paragraph (e) is added to read as follows:

(d) The suspension of enrollment pursuant to paragraph (a) of this subdivision shall not impact payment under the fund for any qualified plaintiffs already enrolled in the fund **for the remainder of the qualified plaintiff's life. Notwithstanding any provision of law, rule or regulation to the contrary, the fund account is authorized to maintain payments for qualified plaintiffs already enrolled in the fund for the entire state fiscal year even if total expenditures exceed available appropriation authority**.

(e) Notwithstanding any provision of law, rule or regulation to the contrary, on or after April first, two thousand twenty-four and annually thereafter, the state comptroller shall transfer money from the state treasury into the fund account in an amount which shall be sufficient to avoid suspension of new enrollment for the entire state fiscal year. Notwithstanding any provision of law, rule or regulation to the contrary, any appropriation(s) in the enacted state budget that authorizes disbursement of funds from the fund account shall increase by an amount that is equal to the amount necessary to support such disbursement of money in the fund account that will avoid suspension of new enrollment for the entire state fiscal year.

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

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§ 2. Section 5 of chapter 517 of the laws of 2016, amending the public health law relating to payments from the New York state medical indemnity fund, as amended by chapter 112 of the laws of 2023, is amended to read as follows:

§ 5. This act shall take effect on the forty-fifth day after it shall have become a law, provided that the amendments to subdivision 4 of section 2999-j of the public health law made by section two of this act shall take effect on June 30, 2017 [~~and shall expire and be deemed repealed December 31, 2025~~].

§ 3. This act shall take effect immediately and be deemed to have been in full force and effect on April 1, 2024; provided however, paragraph (e) of subdivision 6 of section 2999-i of the public health law, as added by section one of this act, shall expire and be deemed repealed on March 31, 2026.