STATE OF NEW YORK

1021

2025-2026 Regular Sessions

IN ASSEMBLY

(Prefiled)

January 8, 2025

Introduced by M. of A. McDONALD -- read once and referred to the Committee on Health

AN ACT to amend the social services law, in relation to when services for traumatic brain injuries granted pursuant to a waiver by the federal social security act shall begin

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 a chapter of the laws of 2024 amending the social services law relating to the provision of services to certain persons suffering from traumatic brain injuries or qualifying for nursing home diversion and transition services, as proposed in legislative bills numbers S. 2867 and A. 7369, is amended to read as follows:

(d-2) Services provided pursuant to [~~waivers~~] a waiver, 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 established pursuant to this section[~~;~~]. Services provided pursuant to a waiver, [~~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~~] granted pursuant to subsection (c) of section 1915 of the federal social security act, to persons 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-seven.

§ 2. This act shall take effect on the same date and in the same manner as a chapter of the laws of 2024 amending the social services law

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

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relating to the provision of services to certain persons suffering from traumatic brain injuries or qualifying for nursing home diversion and transition services, as proposed in legislative bills numbers S. 2867 and A. 7369, takes effect.