

STATE OF NEW YORK

10760

IN ASSEMBLY

March 30, 2026

Introduced by M. of A. PRETLOW -- (at request of the Governor) -- read
once and referred to the Committee on Ways and Means

AN ACT making appropriations for the support of government; and provid-
ing for the repeal of such provisions upon expiration thereof

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

Section 1. Legislative intent. The legislature hereby finds and
declares that the enactment of these appropriations provides sufficient
authority to the comptroller for the purpose of making payments for the
purposes described herein until such time as appropriation bills submit-
ted by the governor pursuant to article VII of the state constitution
for the support of government for the state fiscal year beginning April
1, 2026 are enacted.

§ 2. The amounts specified in this section, or so much thereof as
shall be sufficient to accomplish the purposes designated, is hereby
appropriated and authorized to be paid as hereinafter provided, to the
public officers and for the purpose specified, which amount shall be
available for the state fiscal year beginning April 1, 2026.

ALL STATE DEPARTMENTS AND AGENCIES

For the purpose of making payments for
personal service, including liabilities
incurred prior to April 1, 2026, on the
payrolls scheduled to be paid during the
period April 1 through April 7, 2026 to
state officers and employees of the execu-
tive branch. This appropriation also
includes payments for services performed
by mentally ill or developmentally disa-
bled persons who are employed in state-op-
erated special employment, work-for-pay or
sheltered workshop programs 247,904,000

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

LBD12026-01-6

1 § 3. The amount specified in this section, or so much thereof as shall
2 be sufficient to accomplish the purpose designated, is hereby appropri-
3 ated and authorized to be paid as hereinafter provided, to the public
4 officers and for the purpose specified, which amount shall be available
5 for the state fiscal year beginning April 1, 2026.

6 ALL STATE DEPARTMENTS AND AGENCIES

7 For the payment of state operations non
8 personal service liabilities to the execu-
9 tive branch, including the comptroller,
10 and the attorney general, incurred in the
11 ordinary course of business, during the
12 period April 1 through April 7, 2026,
13 pursuant to existing state law and for
14 purposes for which the legislature author-
15 ized the expenditure of moneys during the
16 2025-2026 state fiscal year; provided,
17 however, that nothing contained herein
18 shall be deemed to limit or restrict the
19 power or authority of state departments or
20 agencies to conduct their activities or
21 operations in accordance with existing
22 law, and further provided that nothing
23 contained herein shall be deemed to super-
24 sede, nullify or modify the provisions of
25 section 40 of the state finance law
26 prescribing when appropriations made for
27 the 2025-2026 state fiscal year shall have
28 ceased to have force and effect 10,000,000
29 -----

30 § 4. The amounts specified in this section, or so much thereof as
31 shall be sufficient to accomplish the purposes designated, is hereby
32 appropriated and authorized to be paid as hereinafter provided, to the
33 public officers and for the purposes specified, which amount shall be
34 available for the state fiscal year beginning April 1, 2026.

35 MISCELLANEOUS -- ALL STATE DEPARTMENTS AND AGENCIES

36 GENERAL STATE CHARGES

37 STATE OPERATIONS

38 GENERAL STATE CHARGES 22,525,000
39 -----

40 General Fund

41 State Purposes Account - 10050

42 For employee fringe benefits according to
43 the following project schedule including
44 those benefits which are related to
45 employees paid from funds, accounts, or
46 programs where the division of the budget
47 has issued waivers 22,525,000

Project Schedule	
PROJECT	AMOUNT

For the state's contribution to the social security contribution fund	21,500,000
For the payment of the metropolitan commuter transportation mobility tax pursuant to article 23 of the tax law, as added by chapter 25 of the laws of 2009, on behalf of the state employees employed in the metropolitan commuter transportation district	675,000
For the state's share of contributions to the voluntary defined contribution plan made on behalf of eligible employees pursuant to chapter 18 of the laws of 2012 who elect to participate in such plan and who are not otherwise eligible to participate in the SUNY optional retirement program	350,000

Project schedule total	22,525,000

§ 5. The amounts specified in this section, or so much thereof as shall be sufficient to accomplish the purposes designated, is hereby appropriated and authorized to be paid as hereinafter provided, to the public officers and for the purposes specified, which amount shall be available for the state fiscal year beginning April 1, 2026.	
DEPARTMENT OF HEALTH	
AID TO LOCALITIES	
CENTER FOR COMMUNITY HEALTH PROGRAM	6,420,000

Special Revenue Funds - Federal	
Federal USDA-Food and Nutrition Services Fund	
Federal Food and Nutrition Services Account - 25022	
For various federal food and nutritional services. The moneys hereby appropriated shall be available for payment of financial assistance heretofore accrued (26986) ...	6,420,000

MEDICAL ASSISTANCE PROGRAM	609,931,000

1 General Fund
2 Local Assistance Account - 10000

3 For the medical assistance program, includ-
4 ing administrative expenses, for local
5 social services districts, and for medical
6 care rates for authorized child care agen-
7 cies.

8 Notwithstanding section 40 of the state
9 finance law or any provision of law to the
10 contrary, subject to federal approval,
11 department of health state funds medicaid
12 spending, excluding payments for medical
13 services provided at state facilities
14 operated by the office of mental health,
15 the office for people with developmental
16 disabilities and the office of addiction
17 services and supports and further exclud-
18 ing any payments which are not appropri-
19 ated within the department of health, in
20 the aggregate, for the period April 1,
21 2026 through March 31, 2027, shall not
22 exceed \$36,099,200,000 except as provided
23 below provided, however, such aggregate
24 limits may be adjusted by the director of
25 the budget to account for any changes in
26 the New York state federal medical assist-
27 ance percentage amount established pursu-
28 ant to the federal social security act,
29 increases in provider revenues, reductions
30 in local social services district payments
31 for medical assistance administration,
32 minimum wage increases, and beginning
33 April 1, 2012 the operational costs of the
34 New York state medical indemnity fund,
35 pursuant to chapter 59 of the laws of
36 2011, and state costs or savings from the
37 essential plan program. Such projections
38 may be adjusted by the director of the
39 budget to account for increased or expe-
40 dited department of health state funds
41 medicaid expenditures as a result of a
42 natural or other type of disaster, includ-
43 ing a governmental declaration of emergen-
44 cy.

45 The director of the budget, in consultation
46 with the commissioner of health, shall
47 assess on a quarterly basis known and
48 projected medicaid expenditures by catego-
49 ry of service and by geographic region, as
50 defined by the commissioner, incurred both
51 prior to and subsequent to such assessment
52 for each such period, and if the director
53 of the budget determines that such expend-
54 itures are expected to cause medicaid
55 spending for such period to exceed the

1 aggregate limit specified herein for such
2 period, the state medicaid director, in
3 consultation with the director of the
4 budget and the commissioner of health,
5 shall develop a medicaid savings allo-
6 cation adjustment to limit such spending
7 to the aggregate limit specified herein
8 for such period.

9 Such medicaid savings allocation adjustment
10 shall be designed, to reduce the expendi-
11 tures authorized by the appropriations
12 herein in compliance with the following
13 guidelines: (1) reductions shall be made
14 in compliance with applicable federal law,
15 including the provisions of the Patient
16 Protection and Affordable Care Act, Public
17 Law No. 111-148, and the Health Care and
18 Education Reconciliation Act of 2010,
19 Public Law No. 111-152 (collectively
20 "Affordable Care Act") and any subsequent
21 amendments thereto or regulations promul-
22 gated thereunder; (2) reductions shall be
23 made in a manner that complies with the
24 state medicaid plan approved by the feder-
25 al centers for medicare and medicaid
26 services, provided, however, that the
27 commissioner of health is authorized to
28 submit any state plan amendment or seek
29 other federal approval, including waiver
30 authority, to implement the provisions of
31 the medicaid savings allocation adjustment
32 that meets the other criteria set forth
33 herein; (3) reductions shall be made in a
34 manner that maximizes federal financial
35 participation, to the extent practicable,
36 including any federal financial partic-
37 ipation that is available or is reasonably
38 expected to become available, in the
39 discretion of the commissioner, under the
40 Affordable Care Act; (4) reductions shall
41 be made uniformly among categories of
42 services and geographic regions of the
43 state, to the extent practicable, and
44 shall be made uniformly within a category
45 of service, to the extent practicable,
46 except where the commissioner determines
47 that there are sufficient grounds for
48 non-uniformity, including but not limited
49 to: the extent to which specific catego-
50 ries of services contributed to department
51 of health medicaid state funds spending in
52 excess of the limits specified herein; the
53 need to maintain safety net services in
54 underserved communities; or the potential
55 benefits of pursuing innovative payment
56 models contemplated by the Affordable Care

1 Act, in which case such grounds shall be
2 set forth in the medicaid savings allo-
3 cation adjustment; and (5) reductions
4 shall be made in a manner that does not
5 unnecessarily create administrative
6 burdens to medicaid applicants and recipi-
7 ents or providers.

8 The commissioner shall seek the input of the
9 legislature, as well as organizations
10 representing health care providers,
11 consumers, businesses, workers, health
12 insurers, and others with relevant exper-
13 tise, in developing such medicaid savings
14 allocation adjustment, to the extent that
15 all or part of such adjustment, in the
16 discretion of the commissioner, is likely
17 to have a material impact on the overall
18 medicaid program, particular categories of
19 service or particular geographic regions
20 of the state.

21 (a) The commissioner shall post the medicaid
22 savings allocation adjustment on the
23 department of health's website and shall
24 provide written copies of such adjustment
25 to the chairs of the senate finance and
26 the assembly ways and means committees at
27 least 30 days before the date on which
28 implementation is expected to begin.

29 (b) The commissioner may revise the medicaid
30 savings allocation adjustment subsequent
31 to the provisions of notice and prior to
32 implementation but needs to provide a new
33 notice pursuant to subparagraph (i) of
34 this paragraph only if the commissioner
35 determines, in his or her discretion, that
36 such revisions materially alter the
37 adjustment.

38 Notwithstanding the provisions of paragraphs
39 (a) and (b) of this subdivision, the
40 commissioner need not seek the input
41 described in paragraph (a) of this subdi-
42 vision or provide notice pursuant to para-
43 graph (b) of this subdivision if, in the
44 discretion of the commissioner, expedited
45 development and implementation of a medi-
46 caid savings allocation adjustment is
47 necessary due to a public health emergen-
48 cy.

49 For purposes of this section, a public
50 health emergency is defined as: (i) a
51 disaster, natural or otherwise, that
52 significantly increases the immediate need
53 for health care personnel in an area of
54 the state; (ii) an event or condition that
55 creates a widespread risk of exposure to a
56 serious communicable disease, or the

1 potential for such widespread risk of
2 exposure; or (iii) any other event or
3 condition determined by the commissioner
4 to constitute an imminent threat to public
5 health.

6 Nothing in this paragraph shall be deemed to
7 prevent all or part of such medicaid
8 savings allocation adjustment from taking
9 effect retroactively to the extent permit-
10 ted by the federal centers for medicare
11 and medicaid services.

12 In accordance with the medicaid savings
13 allocation adjustment, the commissioner of
14 the department of health shall reduce
15 department of health state funds medicaid
16 spending by the amount of the projected
17 overspending through, actions including,
18 but not limited to modifying or suspending
19 reimbursement methods, including but not
20 limited to all fees, premium levels and
21 rates of payment, notwithstanding any
22 provision of law that sets a specific
23 amount or methodology for any such
24 payments or rates of payment; modifying or
25 discontinuing medicaid program benefits;
26 seeking all necessary federal approvals,
27 including, but not limited to waivers,
28 waiver amendments; and suspending time
29 frames for notice, approval or certif-
30 ication of rate requirements, notwith-
31 standing any provision of law, rule or
32 regulation to the contrary, including but
33 not limited to sections 2807 and 3614 of
34 the public health law, section 18 of chap-
35 ter 2 of the laws of 1988, and 18 NYCRR
36 505.14(h).

37 The department of health shall prepare a
38 quarterly report that sets forth: (a)
39 known and projected department of health
40 medicaid expenditures as described in
41 subdivision (1) of this section, and
42 factors that could result in medicaid
43 disbursements for the relevant state
44 fiscal year to exceed the projected
45 department of health state funds disburse-
46 ments in the enacted budget financial plan
47 pursuant to subdivision 3 of section 23 of
48 the state finance law, including spending
49 increases or decreases due to: enrollment
50 fluctuations, rate changes, utilization
51 changes, MRT investments, and shift of
52 beneficiaries to managed care; and vari-
53 ations in offline medicaid payments; and
54 (b) the actions taken to implement any
55 medicaid savings allocation adjustment
56 implemented pursuant to subdivision (4) of

1 this section, including information
2 concerning the impact of such actions on
3 each category of service and each
4 geographic region of the state. Each such
5 quarterly report shall be provided to the
6 chairs of the senate finance and the
7 assembly ways and means committees and
8 shall be posted on the department of
9 health's website in a timely manner.

10 The money hereby appropriated is to be
11 available for payment of aid heretofore
12 accrued or hereafter accrued to munici-
13 palities, and to providers of medical
14 services pursuant to section 367-b of the
15 social services law, and for payment of
16 state aid to municipalities and to provid-
17 ers of family care where payment systems
18 through the fiscal intermediaries are not
19 operational.

20 Notwithstanding any inconsistent provision
21 of law to the contrary, funds may be used
22 by the department for outside legal
23 assistance on issues involving the federal
24 government, the conduct of preadmission
25 screening and annual resident reviews
26 required by the state's medicaid program,
27 computer matching with insurance carriers
28 to insure that medicaid is the payer of
29 last resort and activities related to the
30 management of the pharmacy benefit avail-
31 able under the medicaid program.

32 Notwithstanding any inconsistent provision
33 of law, in lieu of payments authorized by
34 the social services law, or payments of
35 federal funds otherwise due to the local
36 social services districts for programs
37 provided under the federal social security
38 act or the federal food stamp act, funds
39 herein appropriated, in amounts certified
40 by the state commissioner of temporary and
41 disability assistance or the state commis-
42 sioner of health as due from local social
43 services districts each month as their
44 share of payments made pursuant to section
45 367-b of the social services law may be
46 set aside by the state comptroller in an
47 interest-bearing account in order to
48 ensure the orderly and prompt payment of
49 providers under section 367-b of the
50 social services law pursuant to an esti-
51 mate provided by the commissioner of
52 health of each local social services
53 district's share of payments made pursuant
54 to section 367-b of the social services
55 law.

1 Notwithstanding any inconsistent provision
2 of law, funding made available by these
3 appropriations shall support direct salary
4 costs and related fringe benefits within
5 the medical assistance program associated
6 with any minimum wage increase that takes
7 effect during the timeframe of these
8 appropriations, pursuant to section 652 of
9 the labor law. Each eligible organization
10 in receipt of funding made available by
11 these appropriations may be required to
12 submit written certification, in such form
13 and at such time the commissioner may
14 prescribe, attesting to the total amount
15 of funds used by the eligible organiza-
16 tion, how such funding will be or was used
17 for purposes eligible under these appro-
18 priations and any other reporting deemed
19 necessary by the commissioner. The amounts
20 appropriated herein may include advances
21 to organizations authorized to receive
22 such funds to accomplish this purpose.

23 Notwithstanding any other provision of law,
24 the money hereby appropriated may be
25 increased or decreased by interchange or
26 transfer, with any appropriation of the
27 department of health and the office of
28 medicaid inspector general and may be
29 increased or decreased by transfer or
30 suballocation between these appropriated
31 amounts and appropriations of the depart-
32 ment of health state purpose account, the
33 office of mental health, office for people
34 with developmental disabilities, the
35 office of addiction services and supports,
36 the department of family assistance office
37 of temporary and disability assistance,
38 the department of corrections and communi-
39 ty supervision, the office of information
40 technology services, the state university
41 of New York, and office of children and
42 family services, the office of medicaid
43 inspector general, the state education
44 department, and the state office for the
45 aging with the approval of the director of
46 the budget, who shall file such approval
47 with the department of audit and control
48 and copies thereof with the chairman of
49 the senate finance committee and the
50 chairman of the assembly ways and means
51 committee.

52 Notwithstanding any inconsistent provision
53 of law to the contrary, the moneys hereby
54 appropriated may be used for payments to
55 the centers for medicaid and medicare
56 services for obligations incurred related

1 to the pharmaceutical costs of dually
2 eligible medicare/medicaid beneficiaries
3 participating in the medicare drug benefit
4 authorized by P.L. 108-173.

5 Notwithstanding any inconsistent provision
6 of law, the moneys hereby appropriated
7 shall not be used for any existing rates,
8 fees, fee schedule, or procedures which
9 may affect the cost of care and services
10 provided by personal care providers, case
11 managers, health maintenance organiza-
12 tions, out of state medical facilities
13 which provide care and services to resi-
14 dents of the state, providers of transpor-
15 tation services, that are altered,
16 amended, adjusted or otherwise changed by
17 a local social services district unless
18 previously approved by the department of
19 health and the director of the budget.

20 Notwithstanding any inconsistent provision
21 of law to the contrary, funds shall be
22 made available to the commissioner of the
23 office of mental health or the commission-
24 er of the office of addiction services and
25 supports, in consultation with the commis-
26 sioner of health and approved by the
27 director of the budget, and consistent
28 with appropriations made therefor, to
29 implement allocation adjustment developed
30 by each such commissioner which shall
31 describe mental health or substance use
32 disorder services that should be developed
33 to meet service needs resulting from the
34 reduction of inpatient behavioral health
35 services provided under the medicaid
36 program, by programs licensed pursuant to
37 article 31 or 32 of the mental hygiene
38 law. Such programs may include programs
39 that are licensed pursuant to both article
40 31 of the mental hygiene law and article
41 28 of the public health law, or certified
42 under both article 32 of the mental
43 hygiene law and article 28 of the public
44 health law.

45 Notwithstanding any inconsistent provision
46 of law, the moneys hereby appropriated may
47 be available for payments associated with
48 the resolution by settlement agreement or
49 judgment of rate appeals and/or litigation
50 where the department of health is a party.

51 For services and expenses of the medical
52 assistance program including hospital
53 inpatient services and general hospitals
54 that are safety-net providers that evince
55 severe financial distress, pursuant to
56 criteria determined by the commissioner,

1 shall be eligible for awards for amounts
2 appropriated herein, to enable such
3 providers to maintain operations and vital
4 services while establishing long term
5 solutions to achieve sustainable health
6 services.

7 Notwithstanding any inconsistent provisions
8 of law, no expenditures shall be used for
9 the medical assistance program for any
10 expenses not explicitly authorized in law
11 without the approval of the director of
12 the budget.

13 Notwithstanding any provision of law to the
14 contrary, the portion of this appropri-
15 ation covering fiscal year 2026-27 shall
16 supersede and replace any duplicative (i)
17 reappropriation for this item covering
18 fiscal year 2026-27, and (ii) appropri-
19 ation for this item covering fiscal year
20 2026-27 set forth in chapter 53 of the
21 laws of 2025 (26947) 24,238,000

22 For services and expenses of the medical
23 assistance program including hospital
24 outpatient and emergency room services.

25 Notwithstanding any provision of law to the
26 contrary, the portion of this appropri-
27 ation covering fiscal year 2026-27 shall
28 supersede and replace any duplicative (i)
29 reappropriation for this item covering
30 fiscal year 2026-27, and (ii) appropri-
31 ation for this item covering fiscal year
32 2026-27 set forth in chapter 53 of the
33 laws of 2025 (26948) 7,249,000

34 For services and expenses of the medical
35 assistance program including clinic
36 services.

37 Notwithstanding any provision of law to the
38 contrary, the portion of this appropri-
39 ation covering fiscal year 2026-27 shall
40 supersede and replace any duplicative (i)
41 reappropriation for this item covering
42 fiscal year 2026-27, and (ii) appropri-
43 ation for this item covering fiscal year
44 2026-27 set forth in chapter 53 of the
45 laws of 2025 (26949) 14,198,000

46 For services and expenses of the medical
47 assistance program including nursing home
48 services.

49 Notwithstanding any provision of law to the
50 contrary, the portion of this appropri-
51 ation covering fiscal year 2026-27 shall
52 supersede and replace any duplicative (i)
53 reappropriation for this item covering
54 fiscal year 2026-27, and (ii) appropri-
55 ation for this item covering fiscal year

1 2026-27 set forth in chapter 53 of the
2 laws of 2025 (26950) 35,685,000
3 For services and expenses of the medical
4 assistance program including other long
5 term care services.
6 Notwithstanding any provision of law to the
7 contrary, the portion of this appropri-
8 ation covering fiscal year 2026-27 shall
9 supersede and replace any duplicative (i)
10 reappropriation for this item covering
11 fiscal year 2026-27, and (ii) appropri-
12 ation for this item covering fiscal year
13 2026-27 set forth in chapter 53 of the
14 laws of 2025 (26951) 169,986,000
15 For services and expenses of the medical
16 assistance program including managed care
17 services including regional planning
18 activities of the finger lakes health
19 systems agency, including statewide coord-
20 ination and demonstration of best prac-
21 tices. The department shall make grants
22 within amounts appropriated therefor, to
23 assure high-quality and accessible primary
24 care, to provide technical assistance to
25 support financial and business planning
26 for integrated systems of care, and to
27 assist primary care providers in the
28 adoption, implementation, and meaningful
29 use of electronic health record technolo-
30 gy.
31 Notwithstanding any provision of law to the
32 contrary, the portion of this appropri-
33 ation covering fiscal year 2026-27 shall
34 supersede and replace any duplicative (i)
35 reappropriation for this item covering
36 fiscal year 2026-27, and (ii) appropri-
37 ation for this item covering fiscal year
38 2026-27 set forth in chapter 53 of the
39 laws of 2025 (26952) 155,710,000
40 For services and expenses for health homes
41 including grants to health homes.
42 Notwithstanding any provision of law to the
43 contrary, the portion of this appropri-
44 ation covering fiscal year 2026-27 shall
45 supersede and replace any duplicative (i)
46 reappropriation for this item covering
47 fiscal year 2026-27, and (ii) appropri-
48 ation for this item covering fiscal year
49 2026-27 set forth in chapter 53 of the
50 laws of 2025 (29548) 3,770,000
51 For services and expenses of the medical
52 assistance program including pharmacy
53 services provided, however, that no funds
54 shall be made available pursuant to this
55 appropriation for any drug not explicitly
56 authorized in any enacted law, rule, or

1 regulation without approval from the
2 director of the budget.

3 Notwithstanding any provision of law to the
4 contrary, the portion of this appropri-
5 ation covering fiscal year 2026-27 shall
6 supersede and replace any duplicative (i)
7 reappropriation for this item covering
8 fiscal year 2026-27, and (ii) appropri-
9 ation for this item covering fiscal year
10 2026-27 set forth in chapter 53 of the
11 laws of 2025 (26953) 71,926,000

12 For services and expenses of the medical
13 assistance program including transporta-
14 tion services.

15 Notwithstanding any provision of law to the
16 contrary, the portion of this appropri-
17 ation covering fiscal year 2026-27 shall
18 supersede and replace any duplicative (i)
19 reappropriation for this item covering
20 fiscal year 2026-27, and (ii) appropri-
21 ation for this item covering fiscal year
22 2026-27 set forth in chapter 53 of the
23 laws of 2025 (26954) 10,332,000

24 For services and expenses of the medical
25 assistance program including dental
26 services.

27 Notwithstanding any provision of law to the
28 contrary, the portion of this appropri-
29 ation covering fiscal year 2026-27 shall
30 supersede and replace any duplicative (i)
31 reappropriation for this item covering
32 fiscal year 2026-27, and (ii) appropri-
33 ation for this item covering fiscal year
34 2026-27 set forth in chapter 53 of the
35 laws of 2025 (26955) 79,000

36 For services and expenses of the medical
37 assistance program including non-institu-
38 tional and other spending.

39 The money hereby appropriated is available
40 for payment of liabilities heretofore
41 accrued or hereafter accrued.

42 Notwithstanding any inconsistent provision
43 of law, the money hereby appropriated may
44 be available for payments to any county or
45 public school districts associated with
46 additional claims for school supportive
47 health services.

48 Notwithstanding any provision of law to the
49 contrary, the portion of this appropri-
50 ation covering fiscal year 2026-27 shall
51 supersede and replace any duplicative (i)
52 reappropriation for this item covering
53 fiscal year 2026-27, and (ii) appropri-
54 ation for this item covering fiscal year
55 2026-27 set forth in chapter 53 of the
56 laws of 2025 (26956) 20,604,000

1 For services and expenses of the medical
2 assistance program including medical
3 services provided at state facilities
4 operated by the office of mental health,
5 the office for people with developmental
6 disabilities and the office of addiction
7 services and supports.
8 Notwithstanding any provision of law to the
9 contrary, the portion of this appropri-
10 ation covering fiscal year 2026-27 shall
11 supersede and replace any duplicative (i)
12 reappropriation for this item covering
13 fiscal year 2026-27, and (ii) appropri-
14 ation for this item covering fiscal year
15 2026-27 set forth in chapter 53 of the
16 laws of 2025 (26961) 96,154,000
17 -----

18 § 6. The amounts specified in this section, or so much thereof as
19 shall be sufficient to accomplish the purposes designated, is hereby
20 appropriated and authorized to be paid as hereinafter provided, to the
21 public officers and for the purposes specified, which amount shall be
22 available for the state fiscal year beginning April 1, 2026.

23 DEPARTMENT OF LABOR

24 AID TO LOCALITIES

25 UNEMPLOYMENT INSURANCE BENEFIT PROGRAM 135,000,000
26 -----

27 Enterprise Funds
28 Unemployment Insurance Benefit Fund
29 Unemployment Insurance Benefit Account - 50650

30 For payment of unemployment insurance bene-
31 fits pursuant to article 18 of the labor
32 law or as authorized by the federal
33 government through the disaster unemploy-
34 ment assistance program, the emergency
35 unemployment compensation program, the
36 extended benefit program, the federal
37 additional compensation program or any
38 other federally funded unemployment bene-
39 fit program (34787) 135,000,000
40 -----

41 § 7. The amounts specified in this section, or so much thereof as
42 shall be sufficient to accomplish the purposes designated, is hereby
43 appropriated and authorized to be paid as hereinafter provided, to the
44 public officers and for the purposes specified, which amount shall be
45 available for the state fiscal year beginning April 1, 2026.

1 DEPARTMENT OF MENTAL HYGIENE
2 OFFICE FOR PEOPLE WITH DEVELOPMENTAL DISABILITIES
3 AID TO LOCALITIES
4 COMMUNITY SERVICES PROGRAM 10,098,000
5 -----

6 General Fund
7 Local Assistance Account - 10000

8 For services and expenses of the community
9 services program, net of disallowances,
10 for community programs for people with
11 developmental disabilities pursuant to
12 article 41 of the mental hygiene law,
13 and/or chapter 620 of the laws of 1974,
14 chapter 660 of the laws of 1977, chapter
15 412 of the laws of 1981, chapter 27 of the
16 laws of 1987, chapter 729 of the laws of
17 1989, chapter 329 of the laws of 1993 and
18 other provisions of the mental hygiene
19 law. Notwithstanding any inconsistent
20 provision of law, the following appropri-
21 ation shall be net of prior and/or current
22 year refunds, rebates, reimbursements, and
23 credits.

24 Notwithstanding any other provision of law,
25 advances and reimbursement made pursuant
26 to subdivision (d) of section 41.15 and
27 section 41.18 of the mental hygiene law
28 shall be allocated pursuant to a plan and
29 in a manner prescribed by the agency head
30 and approved by the director of the budg-
31 et. The moneys hereby appropriated are
32 available to reimburse or advance locali-
33 ties and voluntary non-profit agencies for
34 expenditures made during local fiscal
35 periods commencing January 1, 2026, April
36 1, 2026 or July 1, 2026, and for advances
37 for the 3 month period beginning January
38 1, 2027.

39 Notwithstanding the provisions of article 41
40 of the mental hygiene law or any other
41 inconsistent provision of law, rule or
42 regulation, the commissioner, pursuant to
43 such contract and in the manner provided
44 therein, may pay all or a portion of the
45 expenses incurred by such voluntary agen-
46 cies arising out of loans which are funded
47 from the proceeds of bonds and notes
48 issued by the dormitory authority of the
49 state of New York.

50 Notwithstanding any other provision of law,
51 the money hereby appropriated may be

transferred to state operations and/or any appropriation of the office for people with developmental disabilities with the approval of the director of the budget.

Notwithstanding any inconsistent provision of law, moneys from this appropriation may be used for state aid of up to 100 percent of the net deficit costs of day training programs and family support services.

Notwithstanding the provisions of section 16.23 of the mental hygiene law and any other inconsistent provision of law, with relation to the operation of certified family care homes, including family care homes sponsored by voluntary not-for-profit agencies, moneys from this appropriation may be used for payments to purchase general services including but not limited to respite providers, up to a maximum of 14 days, at rates to be established by the commissioner and approved by the director of the budget in consideration of factors including, but not limited to, geographic area and number of clients cared for in the home and for payment in an amount determined by the commissioner for the personal needs of each client residing in the family care home.

Notwithstanding the provisions of subdivision 12 of section 8 of the state finance law and any other inconsistent provision of law, moneys from this appropriation may be used for expenses of family care homes including payments to operators of certified family care homes for damages caused by clients to personal and real property in accordance with standards established by the commissioner and approved by the director of the budget.

Notwithstanding any inconsistent provision of law, moneys from this appropriation may be used for appropriate day program services and residential services including, but not limited to, direct housing subsidies to individuals, start-up expenses for family care providers, environmental modifications, adaptive technologies, appraisals, property options, feasibility studies and preoperational expenses.

Notwithstanding any inconsistent provision of law, moneys from this appropriation may be used to fund continuity of care services, family reimbursed respite, other than personal services and direct housing subsidies for people who are enrolled in

1 OPWDD's self-direction program, provided
2 any or all such costs are identified in a
3 self-direction budget approved by OPWDD.
4 Notwithstanding any inconsistent provision
5 of law except pursuant to a chapter of the
6 laws of 2025 authorizing a 2.6 percent
7 targeted inflationary increase, for the
8 period commencing on April 1, 2025 and
9 ending March 31, 2026 the commissioner
10 shall not apply any other inflationary
11 increases, cost of living type increases,
12 inflation factors, or trend factors for
13 the purpose of establishing rates of
14 payments, contracts or any other form of
15 reimbursement; provided that this shall
16 not prevent the commissioner from applying
17 prior adjustments for the purpose of
18 establishing rates resulting from a rebas-
19 ing of base year costs.
20 Notwithstanding section 6908 of the educa-
21 tion law and any other provision of law,
22 rule or regulation to the contrary, direct
23 support staff in programs certified or
24 approved by the office for people with
25 developmental disabilities, including the
26 home and community based services waiver
27 programs that the office for people with
28 developmental disabilities is authorized
29 to administer with federal approval pursu-
30 ant to subdivision (c) of section 1915 of
31 the federal social security act, are
32 authorized to provide such tasks as OPWDD
33 may specify when performed under the
34 supervision, training and periodic
35 inspection of a registered professional
36 nurse and in accordance with an authorized
37 practitioner's ordered care.
38 Notwithstanding any other provision of law
39 to the contrary, and consistent with
40 section 33.07 of the mental hygiene law,
41 the directors of facilities licensed but
42 not operated by the office for people with
43 developmental disabilities who act as
44 federally-appointed representative payees
45 and who assume management responsibility
46 over the funds of a resident may continue
47 to use such funds for the cost of the
48 resident's care and treatment, consistent
49 with federal law and regulations.
50 Funds appropriated herein shall be available
51 in accordance with the following:
52 Notwithstanding any other provision of law
53 to the contrary, funds appropriated herein
54 are available to reimburse in- and
55 out-of-state private residential schools,
56 pursuant to subdivision (c) of section

1 13.37-a and subdivision (g) of section
 2 13.38 of the mental hygiene law, for costs
 3 of supporting the residential and day
 4 program services available to individuals
 5 who are over the age of 21 years of age,
 6 provided that the amount paid for residen-
 7 tial services and/or maintenance costs is
 8 net of any supplemental security income
 9 benefit to which the individual receiving
 10 services is eligible, and provided further
 11 that funding for nonresidential services
 12 will be in an amount not to exceed the
 13 maximum reimbursement for appropriate day
 14 services delivered by the office for
 15 people with developmental disabilities
 16 certified or approved providers other than
 17 in- and out-of-state private residential
 18 schools, unless otherwise authorized by
 19 the director of the budget.
 20 Notwithstanding section 163 of the state
 21 finance law, section 142 of the economic
 22 development law, and article 41 of the
 23 mental hygiene law, the commissioner of
 24 the office for people with developmental
 25 disabilities may make the funds appropri-
 26 ated herein available as state aid, a loan
 27 or a grant, pursuant to terms and condi-
 28 tions established by the commissioner of
 29 the office for people with developmental
 30 disabilities, to cover a portion of the
 31 development costs of private, public
 32 and/or non-profit organizations, including
 33 corporations and partnerships established
 34 pursuant to the private housing finance
 35 law and/or any other statutory provisions,
 36 for supportive housing units that have
 37 been set aside for individuals with intel-
 38 lectual and developmental disabilities.
 39 Further, the office for people with devel-
 40 opmental disabilities shall have a lien on
 41 the real property developed with such
 42 state aid, loans or grants, which shall be
 43 in the amount of the loan or grant, for a
 44 maximum term of 30 years, or other longer
 45 term consistent with the requirements of
 46 another regulatory agency.
 47 For services and expenses related to the
 48 provision of residential services to
 49 people with developmental disabilities
 50 (37802) 5,862,000
 51 For services and expenses related to the
 52 provision of day program services to
 53 people with developmental disabilities
 54 (37803) 1,440,000
 55 For services and expenses related to the
 56 provision of family support services to

1 people with developmental disabilities
 2 (37804) 1,620,000
 3 For services and expenses related to the
 4 provision of workshop, day training and
 5 employment services to people with devel-
 6 opmental disabilities. Notwithstanding any
 7 other provision of law, up to \$13,800 of
 8 this appropriation may be transferred to
 9 the New York State Education Departments'
 10 Adult Career and Continuing Education
 11 Services - Vocational Rehabilitation
 12 (ACCES-VR) program to support the LongTerm
 13 Sheltered Employment program operated by
 14 FEDCAP Rehabilitation Services, Inc.
 15 (37805) 936,000
 16 For other services and expenses provided to
 17 people with developmental disabilities
 18 including but not limited to hepatitis B,
 19 care at home waiver, epilepsy services,
 20 Special Olympics New York, Inc. and volun-
 21 tary fingerprinting (37806) 240,000
 22 -----

23 § 8. The amounts specified in this section, or so much thereof as
 24 shall be sufficient to accomplish the purposes designated, is hereby
 25 appropriated and authorized to be paid as hereinafter provided, to the
 26 public officers and for the purposes specified, which amount shall be
 27 available for the state fiscal year beginning April 1, 2026.

28 DEPARTMENT OF VETERANS' SERVICES

29 AID TO LOCALITIES

30 VETERANS' BENEFITS ADVISING PROGRAM 36,000
 31 -----

32 Special Revenue Funds - Other
 33 Homeless Veterans Assistance Fund
 34 Homeless Veterans Assistance Account - 20204

35 For services and expenses related to home-
 36 less veterans' housing (54815) 36,000

37 § 9. No expenditure may be made from any appropriation in this act,
 38 until a certificate of approval has been issued by the director of the
 39 budget and a copy of such certificate shall have been filed with the
 40 state comptroller, the chairman of the senate finance committee and the
 41 chairman of the assembly ways and means committee provided, however,
 42 that any expenditures from any appropriation in this act made by the
 43 legislature or judiciary shall not require such certificate.

44 § 10. All expenditures and disbursements made against the appropri-
 45 ations in this act shall, upon final action by the legislature on appro-
 46 priation bills submitted by the governor pursuant to article VII of the
 47 state constitution for the support of government for the state fiscal
 48 year beginning April 1, 2026, be transferred by the comptroller as

1 expenditures and disbursements to such appropriations for all state
2 departments and agencies, as applicable, in amounts equal to the amounts
3 charged against the appropriations in this act for each such department,
4 agency, and the legislature and the judiciary.

5 § 11. Severability clause. If any clause, sentence, paragraph, subdi-
6 vision, section or part of this act shall be adjudged by any court of
7 competent jurisdiction to be invalid, such judgment shall not affect,
8 impair, or invalidate the remainder thereof, but shall be confined in
9 its operation to the clause, sentence, paragraph, subdivision, section
10 or part thereof directly involved in the controversy in which such judg-
11 ment shall have been rendered. It is hereby declared to be the intent of
12 the legislature that this act would have been enacted even if such
13 invalid provisions had not been included herein.

14 § 12. This act shall take effect immediately and shall be deemed to
15 have been in full force and effect on and after April 1, 2026; provided,
16 however, that upon the transfer of expenditures and disbursements by the
17 comptroller as provided in section ten of this act, the appropriations
18 made by this act and subject to such section shall be deemed repealed.