

STATE OF NEW YORK

7515

2025-2026 Regular Sessions

IN ASSEMBLY

March 31, 2025

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 providing for the repeal of such provisions upon expiration thereof

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

1 Section 1. Legislative intent. The legislature hereby finds and
2 declares that the enactment of these appropriations provides sufficient
3 authority to the comptroller for the purpose of making payments for the
4 purposes described herein until such time as appropriation bills submitted
5 by the governor pursuant to article VII of the state constitution
6 for the support of government for the state fiscal year beginning April
7 1, 2025 are enacted.

8 § 2. The amounts specified in this section, or so much thereof as
9 shall be sufficient to accomplish the purposes designated, is hereby
10 appropriated and authorized to be paid as hereinafter provided, to the
11 public officers and for the purpose specified, which amount shall be
12 available for the state fiscal year beginning April 1, 2025.

13 ALL STATE DEPARTMENTS AND AGENCIES

14 For the purpose of making payments for
15 personal service, including liabilities
16 incurred prior to April 1, 2025, on the
17 payrolls scheduled to be paid during the
18 period April 1 through April 3, 2025 to
19 state officers and employees of the executive
20 branch. This appropriation also
21 includes payments for services performed
22 by mentally ill or developmentally disabled
23 persons who are employed in state-op-

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

LBD12002-01-5

1 erated special employment, work-for-pay or
 2 sheltered workshop programs 279,930,000
 3 -----

4 § 3. The amount specified in this section, or so much thereof as shall
 5 be sufficient to accomplish the purpose designated, is hereby appropri-
 6 ated and authorized to be paid as hereinafter provided, to the public
 7 officers and for the purpose specified, which amount shall be available
 8 for the state fiscal year beginning April 1, 2025.

9 ALL STATE DEPARTMENTS AND AGENCIES

10 For the payment of state operations non
 11 personal service liabilities to the execu-
 12 tive branch, including the comptroller,
 13 and the attorney general, incurred in the
 14 ordinary course of business, during the
 15 period April 1 through April 3, 2025,
 16 pursuant to existing state law and for
 17 purposes for which the legislature author-
 18 ized the expenditure of moneys during the
 19 2024-2025 state fiscal year; provided,
 20 however, that nothing contained herein
 21 shall be deemed to limit or restrict the
 22 power or authority of state departments or
 23 agencies to conduct their activities or
 24 operations in accordance with existing
 25 law, and further provided that nothing
 26 contained herein shall be deemed to super-
 27 sede, nullify or modify the provisions of
 28 section 40 of the state finance law
 29 prescribing when appropriations made for
 30 the 2024-2025 state fiscal year shall have
 31 ceased to have force and effect 10,000,000
 32 -----

33 § 4. The amounts specified in this section, or so much thereof as
 34 shall be sufficient to accomplish the purposes designated, is hereby
 35 appropriated and authorized to be paid as hereinafter provided, to the
 36 public officers and for the purposes specified, which amount shall be
 37 available for the state fiscal year beginning April 1, 2025.

38 MISCELLANEOUS -- ALL STATE DEPARTMENTS AND AGENCIES

39 GENERAL STATE CHARGES

40 STATE OPERATIONS
 41 GENERAL STATE CHARGES 20,650,000
 42 -----

43 General Fund
 44 State Purposes Account - 10050

45 For employee fringe benefits according to
 46 the following project schedule including

1 those benefits which are related to
 2 employees paid from funds, accounts, or
 3 programs where the division of the budget
 4 has issued waivers 20,650,000

5 Project Schedule

6 PROJECT AMOUNT
 7 -----

8 For the state's contribution
 9 to the social security
 10 contribution fund 20,300,000

11 For the payment of the metro-
 12 politan commuter transporta-
 13 tion mobility tax pursuant
 14 to article 23 of the tax
 15 law, as added by chapter 25
 16 of the laws of 2009, on
 17 behalf of the state employ-
 18 ees employed in the metro-
 19 politan commuter transporta-
 20 tion district 350,000

21 -----
 22 Project schedule total 20,650,000
 23 -----

24 § 5. The amounts specified in this section, or so much thereof as
 25 shall be sufficient to accomplish the purposes designated, is hereby
 26 appropriated and authorized to be paid as hereinafter provided, to the
 27 public officers and for the purposes specified, which amount shall be
 28 available for the state fiscal year beginning April 1, 2025.

29 DEPARTMENT OF HEALTH

30 AID TO LOCALITIES

31 CENTER FOR COMMUNITY HEALTH PROGRAM 3,210,000
 32 -----

33 Special Revenue Funds - Federal
 34 Federal USDA-Food and Nutrition Services Fund
 35 Federal Food and Nutrition Services Account - 25022

36 For various federal food and nutritional
 37 services. The moneys hereby appropriated
 38 shall be available for payment of finan-
 39 cial assistance heretofore accrued (26986) ... 3,210,000
 40 -----

41 MEDICAL ASSISTANCE PROGRAM 1,111,204,000
 42 -----

43 General Fund
 44 Local Assistance Account - 10000

45 For the medical assistance program, includ-
 46 ing administrative expenses, for local
 47 social services districts, and for medical

1 care rates for authorized child care agen-
2 cies.
3 Notwithstanding section 40 of the state
4 finance law or any provision of law to the
5 contrary, subject to federal approval,
6 department of health state funds medicaid
7 spending, excluding payments for medical
8 services provided at state facilities
9 operated by the office of mental health,
10 the office for people with developmental
11 disabilities and the office of addiction
12 services and supports and further exclud-
13 ing any payments which are not appropri-
14 ated within the department of health, in
15 the aggregate, for the period April 1,
16 2025 through March 31, 2026, shall not
17 exceed \$33,417,285,000 except as provided
18 below provided, however, such aggregate
19 limits may be adjusted by the director of
20 the budget to account for any changes in
21 the New York state federal medical assist-
22 ance percentage amount established pursu-
23 ant to the federal social security act,
24 increases in provider revenues, reductions
25 in local social services district payments
26 for medical assistance administration,
27 minimum wage increases, and beginning
28 April 1, 2012 the operational costs of the
29 New York state medical indemnity fund,
30 pursuant to chapter 59 of the laws of
31 2011, and state costs or savings from the
32 essential plan program. Such projections
33 may be adjusted by the director of the
34 budget to account for increased or expe-
35 dited department of health state funds
36 medicaid expenditures as a result of a
37 natural or other type of disaster, includ-
38 ing a governmental declaration of emergen-
39 cy.
40 The director of the budget, in consultation
41 with the commissioner of health, shall
42 assess on a quarterly basis known and
43 projected medicaid expenditures by catego-
44 ry of service and by geographic region, as
45 defined by the commissioner, incurred both
46 prior to and subsequent to such assessment
47 for each such period, and if the director
48 of the budget determines that such expend-
49 itures are expected to cause medicaid
50 spending for such period to exceed the
51 aggregate limit specified herein for such
52 period, the state medicaid director, in
53 consultation with the director of the
54 budget and the commissioner of health,
55 shall develop a medicaid savings allo-
56 cation adjustment to limit such spending

1 to the aggregate limit specified herein
2 for such period.
3 Such medicaid savings allocation adjustment
4 shall be designed, to reduce the expendi-
5 tures authorized by the appropriations
6 herein in compliance with the following
7 guidelines: (1) reductions shall be made
8 in compliance with applicable federal law,
9 including the provisions of the Patient
10 Protection and Affordable Care Act, Public
11 Law No. 111-148, and the Health Care and
12 Education Reconciliation Act of 2010,
13 Public Law No. 111-152 (collectively
14 "Affordable Care Act") and any subsequent
15 amendments thereto or regulations promul-
16 gated thereunder; (2) reductions shall be
17 made in a manner that complies with the
18 state medicaid plan approved by the feder-
19 al centers for medicare and medicaid
20 services, provided, however, that the
21 commissioner of health is authorized to
22 submit any state plan amendment or seek
23 other federal approval, including waiver
24 authority, to implement the provisions of
25 the medicaid savings allocation adjustment
26 that meets the other criteria set forth
27 herein; (3) reductions shall be made in a
28 manner that maximizes federal financial
29 participation, to the extent practicable,
30 including any federal financial partic-
31 ipation that is available or is reasonably
32 expected to become available, in the
33 discretion of the commissioner, under the
34 Affordable Care Act; (4) reductions shall
35 be made uniformly among categories of
36 services and geographic regions of the
37 state, to the extent practicable, and
38 shall be made uniformly within a category
39 of service, to the extent practicable,
40 except where the commissioner determines
41 that there are sufficient grounds for
42 non-uniformity, including but not limited
43 to: the extent to which specific catego-
44 ries of services contributed to department
45 of health medicaid state funds spending in
46 excess of the limits specified herein; the
47 need to maintain safety net services in
48 underserved communities; or the potential
49 benefits of pursuing innovative payment
50 models contemplated by the Affordable Care
51 Act, in which case such grounds shall be
52 set forth in the medicaid savings allo-
53 cation adjustment; and (5) reductions
54 shall be made in a manner that does not
55 unnecessarily create administrative

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

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

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

33 Notwithstanding the provisions of paragraphs
34 (a) and (b) of this subdivision, the
35 commissioner need not seek the input
36 described in paragraph (a) of this subdivi-
37 sion or provide notice pursuant to para-
38 graph (b) of this subdivision if, in the
39 discretion of the commissioner, expedited
40 development and implementation of a medi-
41 caid savings allocation adjustment is
42 necessary due to a public health emergen-
43 cy.

44 For purposes of this section, a public
45 health emergency is defined as: (i) a
46 disaster, natural or otherwise, that
47 significantly increases the immediate need
48 for health care personnel in an area of
49 the state; (ii) an event or condition that
50 creates a widespread risk of exposure to a
51 serious communicable disease, or the
52 potential for such widespread risk of
53 exposure; or (iii) any other event or
54 condition determined by the commissioner
55 to constitute an imminent threat to public
56 health.

1 Nothing in this paragraph shall be deemed to
2 prevent all or part of such medicaid
3 savings allocation adjustment from taking
4 effect retroactively to the extent permit-
5 ted by the federal centers for medicare
6 and medicaid services.

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

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

1 chairs of the senate finance and the
2 assembly ways and means committees and
3 shall be posted on the department of
4 health's website in a timely manner.

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

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

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

51 Notwithstanding any inconsistent provision
52 of law, funding made available by these
53 appropriations shall support direct salary
54 costs and related fringe benefits within
55 the medical assistance program associated
56 with any minimum wage increase that takes

1 effect during the timeframe of these
2 appropriations, pursuant to section 652 of
3 the labor law. Each eligible organization
4 in receipt of funding made available by
5 these appropriations may be required to
6 submit written certification, in such form
7 and at such time the commissioner may
8 prescribe, attesting to the total amount
9 of funds used by the eligible organiza-
10 tion, how such funding will be or was used
11 for purposes eligible under these appro-
12 priations and any other reporting deemed
13 necessary by the commissioner. The amounts
14 appropriated herein may include advances
15 to organizations authorized to receive
16 such funds to accomplish this purpose.

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

46 Notwithstanding any inconsistent provision
47 of law to the contrary, the moneys hereby
48 appropriated may be used for payments to
49 the centers for medicaid and medicare
50 services for obligations incurred related
51 to the pharmaceutical costs of dually
52 eligible medicare/medicaid beneficiaries
53 participating in the medicare drug benefit
54 authorized by P.L. 108-173.

55 Notwithstanding any inconsistent provision
56 of law, the moneys hereby appropriated

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

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

39 Notwithstanding any inconsistent provision
40 of law, the moneys hereby appropriated may
41 be available for payments associated with
42 the resolution by settlement agreement or
43 judgment of rate appeals and/or litigation
44 where the department of health is a party.

45 For services and expenses of the medical
46 assistance program including hospital
47 inpatient services and general hospitals
48 that are safety-net providers that evince
49 severe financial distress, pursuant to
50 criteria determined by the commissioner,
51 shall be eligible for awards for amounts
52 appropriated herein, to enable such
53 providers to maintain operations and vital
54 services while establishing long term
55 solutions to achieve sustainable health
56 services.

1 Notwithstanding any inconsistent provisions
2 of law, no expenditures shall be used for
3 the medical assistance program for any
4 expenses not explicitly authorized in law
5 without the approval of the director of
6 the budget.

7 Notwithstanding any provision of law to the
8 contrary, the portion of this appropri-
9 ation covering fiscal year 2025-26 shall
10 supersede and replace any duplicative (i)
11 reappropriation for this item covering
12 fiscal year 2025-26, and (ii) appropri-
13 ation for this item covering fiscal year
14 2025-26 set forth in chapter 53 of the
15 laws of 2024 (26947) 20,200,000

16 For services and expenses of the medical
17 assistance program including hospital
18 outpatient and emergency room services.

19 Notwithstanding any provision of law to the
20 contrary, the portion of this appropri-
21 ation covering fiscal year 2025-26 shall
22 supersede and replace any duplicative (i)
23 reappropriation for this item covering
24 fiscal year 2025-26, and (ii) appropri-
25 ation for this item covering fiscal year
26 2025-26 set forth in chapter 53 of the
27 laws of 2024 (26948) 5,216,000

28 For services and expenses of the medical
29 assistance program including clinic
30 services.

31 Notwithstanding any provision of law to the
32 contrary, the portion of this appropri-
33 ation covering fiscal year 2025-26 shall
34 supersede and replace any duplicative (i)
35 reappropriation for this item covering
36 fiscal year 2025-26, and (ii) appropri-
37 ation for this item covering fiscal year
38 2025-26 set forth in chapter 53 of the
39 laws of 2024 (26949) 9,513,000

40 For services and expenses of the medical
41 assistance program including nursing home
42 services.

43 Notwithstanding any provision of law to the
44 contrary, the portion of this appropri-
45 ation covering fiscal year 2025-26 shall
46 supersede and replace any duplicative (i)
47 reappropriation for this item covering
48 fiscal year 2025-26, and (ii) appropri-
49 ation for this item covering fiscal year
50 2025-26 set forth in chapter 53 of the
51 laws of 2024 (26950) 25,468,000

52 For services and expenses of the medical
53 assistance program including other long
54 term care services.

55 Notwithstanding any provision of law to the
56 contrary, the portion of this appropri-

1 ation covering fiscal year 2025-26 shall
 2 supersede and replace any duplicative (i)
 3 reappropriation for this item covering
 4 fiscal year 2025-26, and (ii) appropri-
 5 ation for this item covering fiscal year
 6 2025-26 set forth in chapter 53 of the
 7 laws of 2024 (26951) 70,389,000

8 For services and expenses of the medical
 9 assistance program including managed care
 10 services including regional planning
 11 activities of the finger lakes health
 12 systems agency, including statewide coor-
 13 dination and demonstration of best prac-
 14 tices. The department shall make grants
 15 within amounts appropriated therefor, to
 16 assure high-quality and accessible primary
 17 care, to provide technical assistance to
 18 support financial and business planning
 19 for integrated systems of care, and to
 20 assist primary care providers in the
 21 adoption, implementation, and meaningful
 22 use of electronic health record technolo-
 23 gy.

24 Notwithstanding any provision of law to the
 25 contrary, the portion of this appropri-
 26 ation covering fiscal year 2025-26 shall
 27 supersede and replace any duplicative (i)
 28 reappropriation for this item covering
 29 fiscal year 2025-26, and (ii) appropri-
 30 ation for this item covering fiscal year
 31 2025-26 set forth in chapter 53 of the
 32 laws of 2024 (26952) 43,431,000

33 For services and expenses for health homes
 34 including grants to health homes.
 35 Notwithstanding any provision of law to the
 36 contrary, the portion of this appropri-
 37 ation covering fiscal year 2025-26 shall
 38 supersede and replace any duplicative (i)
 39 reappropriation for this item covering
 40 fiscal year 2025-26, and (ii) appropri-
 41 ation for this item covering fiscal year
 42 2025-26 set forth in chapter 53 of the
 43 laws of 2024 (29548) 3,016,000

44 For services and expenses of the medical
 45 assistance program including pharmacy
 46 services provided, however, that no funds
 47 shall be made available pursuant to this
 48 appropriation for any drug not explicitly
 49 authorized in any enacted law, rule, or
 50 regulation without approval from the
 51 director of the budget.

52 Notwithstanding any provision of law to the
 53 contrary, the portion of this appropri-
 54 ation covering fiscal year 2025-26 shall
 55 supersede and replace any duplicative (i)
 56 reappropriation for this item covering

1 fiscal year 2025-26, and (ii) appropri-
2 ation for this item covering fiscal year
3 2025-26 set forth in chapter 53 of the
4 laws of 2024 (26953) 48,476,000
5 For services and expenses of the medical
6 assistance program including transporta-
7 tion services.

8 Notwithstanding any provision of law to the
9 contrary, the portion of this appropri-
10 ation covering fiscal year 2025-26 shall
11 supersede and replace any duplicative (i)
12 reappropriation for this item covering
13 fiscal year 2025-26, and (ii) appropri-
14 ation for this item covering fiscal year
15 2025-26 set forth in chapter 53 of the
16 laws of 2024 (26954) 7,172,000
17 For services and expenses of the medical
18 assistance program including dental
19 services.

20 Notwithstanding any provision of law to the
21 contrary, the portion of this appropri-
22 ation covering fiscal year 2025-26 shall
23 supersede and replace any duplicative (i)
24 reappropriation for this item covering
25 fiscal year 2025-26, and (ii) appropri-
26 ation for this item covering fiscal year
27 2025-26 set forth in chapter 53 of the
28 laws of 2024 (26955) 82,000
29 For services and expenses of the medical
30 assistance program including non-institu-
31 tional and other spending.

32 The money hereby appropriated is available
33 for payment of liabilities heretofore
34 accrued or hereafter accrued.

35 Notwithstanding any inconsistent provision
36 of law, the money hereby appropriated may
37 be available for payments to any county or
38 public school districts associated with
39 additional claims for school supportive
40 health services.

41 Notwithstanding any provision of law to the
42 contrary, the portion of this appropri-
43 ation covering fiscal year 2025-26 shall
44 supersede and replace any duplicative (i)
45 reappropriation for this item covering
46 fiscal year 2025-26, and (ii) appropri-
47 ation for this item covering fiscal year
48 2025-26 set forth in chapter 53 of the
49 laws of 2024 (26956) 19,802,000
50 For services and expenses of the medical
51 assistance program including medical
52 services provided at state facilities
53 operated by the office of mental health,
54 the office for people with developmental
55 disabilities and the office of addiction
56 services and supports.

1 Notwithstanding any provision of law to the
 2 contrary, the portion of this appropri-
 3 ation covering fiscal year 2025-26 shall
 4 supersede and replace any duplicative (i)
 5 reappropriation for this item covering
 6 fiscal year 2025-26, and (ii) appropri-
 7 ation for this item covering fiscal year
 8 2025-26 set forth in chapter 53 of the
 9 laws of 2024 (26961) 83,400,000
 10 -----

11 Special Revenue Funds - Federal
 12 Federal Health and Human Services Fund
 13 Medicaid Direct Account - 25106

14 For services and expenses for the medical
 15 assistance program, including administra-
 16 tive expenses for local social services
 17 districts, pursuant to title XIX of the
 18 federal social security act or its succes-
 19 sor program.

20 The moneys hereby appropriated are to be
 21 available for payment of aid heretofore
 22 accrued or hereafter accrued to munici-
 23 palities, and to providers of medical
 24 services pursuant to section 367-b of the
 25 social services law, and for payment of
 26 state aid to municipalities and to provid-
 27 ers of family care where payment systems
 28 through the fiscal intermediaries are not
 29 operational.

30 Notwithstanding any inconsistent provision
 31 of law, funding made available by these
 32 appropriations shall support direct salary
 33 costs and related fringe benefits within
 34 the medical assistance program associated
 35 with any minimum wage increase that takes
 36 effect during the timeframe of these
 37 appropriations, pursuant to section 652 of
 38 the labor law. Each eligible organization
 39 in receipt of funding made available by
 40 these appropriations may be required to
 41 submit written certification, in such form
 42 and at such time the commissioner may
 43 prescribe, attesting to the total amount
 44 of funds used by the eligible organiza-
 45 tion, how such funding will be or was used
 46 for purposes eligible under these appro-
 47 priations and any other reporting deemed
 48 necessary by the commissioner. The amounts
 49 appropriated herein may include advances
 50 to organizations authorized to receive
 51 such funds to accomplish this purpose.

52 Notwithstanding any other provision of law,
 53 the money hereby appropriated may be
 54 increased or decreased by interchange or

1 transfer, with any appropriation of the
2 department of health and the office of
3 medicaid inspector general and may be
4 increased or decreased by transfer or
5 suballocation between these appropriated
6 amounts and appropriations of the office
7 of mental health, office for people with
8 developmental disabilities, the office of
9 addiction services and supports, the
10 department of family assistance office of
11 temporary and disability assistance,
12 office of children and family services,
13 the department of financial services,
14 department of corrections and community
15 supervision, the office of information
16 technology services, the state university
17 of New York, the state education depart-
18 ment, and the state office for the aging
19 with the approval of the director of the
20 budget, who shall file such approval with
21 the department of audit and control and
22 copies thereof with the chairman of the
23 senate finance committee and the chairman
24 of the assembly ways and means committee.

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

49 Notwithstanding any inconsistent provision
50 of law to the contrary, funds shall be
51 made available to the commissioner of the
52 office of mental health or the commis-
53 sioner of the office of addiction services and
54 supports, in consultation with the commis-
55 sioner of health and approved by the
56 director of the budget, and consistent

1 with appropriations made therefor, to
 2 implement allocation adjustment developed
 3 by each such commissioner which shall
 4 describe mental health or substance use
 5 disorder services that should be developed
 6 to meet service needs resulting from the
 7 reduction of inpatient behavioral health
 8 services provided under the medicaid
 9 program, by programs licensed pursuant to
 10 article 31 or 32 of the mental hygiene
 11 law. Such programs may include programs
 12 that are licensed pursuant to both article
 13 31 of the mental hygiene law and article
 14 28 of the public health law, or certified
 15 under both article 32 of the mental
 16 hygiene law and article 28 of the public
 17 health law.

18 Notwithstanding any inconsistent provision
 19 of law, the moneys hereby appropriated may
 20 be available for payments associated with
 21 the resolution by settlement agreement or
 22 judgment of rate appeals and/or litigation
 23 where the department of health is a party.
 24 Notwithstanding any inconsistent
 25 provisions of law, no expenditures shall
 26 be used for the medical assistance program
 27 for any expenses not explicitly authorized
 28 in law without the approval of the direc-
 29 tor of the budget.

30 For services and expenses of the medical
 31 assistance program including hospital
 32 inpatient services.

33 Notwithstanding any provision of law to the
 34 contrary, the portion of this appropri-
 35 ation covering fiscal year 2025-26 shall
 36 supersede and replace any duplicative (i)
 37 reappropriation for this item covering
 38 fiscal year 2025-26, and (ii) appropri-
 39 ation for this item covering fiscal year
 40 2025-26 set forth in chapter 53 of the
 41 laws of 2024 (26947) 57,814,000

42 For services and expenses of the medical
 43 assistance program including hospital
 44 outpatient and emergency room services.

45 Notwithstanding any provision of law to the
 46 contrary, the portion of this appropri-
 47 ation covering fiscal year 2025-26 shall
 48 supersede and replace any duplicative (i)
 49 reappropriation for this item covering
 50 fiscal year 2025-26, and (ii) appropri-
 51 ation for this item covering fiscal year
 52 2025-26 set forth in chapter 53 of the
 53 laws of 2024 (26948) 10,372,000

54 For services and expenses of the medical
 55 assistance program including clinic
 56 services.

1 Notwithstanding any provision of law to the
 2 contrary, the portion of this appropri-
 3 ation covering fiscal year 2025-26 shall
 4 supersede and replace any duplicative (i)
 5 reappropriation for this item covering
 6 fiscal year 2025-26, and (ii) appropri-
 7 ation for this item covering fiscal year
 8 2025-26 set forth in chapter 53 of the
 9 laws of 2024 (26949) 16,967,000

10 For services and expenses of the medical
 11 assistance program including nursing home
 12 services.

13 Notwithstanding any provision of law to the
 14 contrary, the portion of this appropri-
 15 ation covering fiscal year 2025-26 shall
 16 supersede and replace any duplicative (i)
 17 reappropriation for this item covering
 18 fiscal year 2025-26, and (ii) appropri-
 19 ation for this item covering fiscal year
 20 2025-26 set forth in chapter 53 of the
 21 laws of 2024(26950) 79,359,000

22 For services and expenses of the medical
 23 assistance program including other long
 24 term care services.

25 Notwithstanding any provision of law to the
 26 contrary, the portion of this appropri-
 27 ation covering fiscal year 2025-26 shall
 28 supersede and replace any duplicative (i)
 29 reappropriation for this item covering
 30 fiscal year 2025-26, and (ii) appropri-
 31 ation for this item covering fiscal year
 32 2025-26 set forth in chapter 53 of the
 33 laws of 2024 (26951) 132,394,000

34 For services and expenses of the medical
 35 assistance program including managed care
 36 services including regional planning
 37 activities of the finger lakes health
 38 systems agency, including statewide coor-
 39 dination and demonstration of best prac-
 40 tices. The department shall make grants
 41 within amounts appropriated therefor, to
 42 assure high-quality and accessible primary
 43 care, to provide technical assistance to
 44 support financial and business planning
 45 for integrated systems of care, and to
 46 assist primary care providers in the
 47 adoption, implementation, and meaningful
 48 use of electronic health record technolo-
 49 gy.

50 Notwithstanding any provision of law to the
 51 contrary, the portion of this appropri-
 52 ation covering fiscal year 2025-26 shall
 53 supersede and replace any duplicative (i)
 54 reappropriation for this item covering
 55 fiscal year 2025-26, and (ii) appropri-
 56 ation for this item covering fiscal year

1 2025-26 set forth in chapter 53 of the
2 laws of 2024 (26952) 150,829,000
3 For services and expenses of the medical
4 assistance program including pharmacy
5 services, provided, however, that no funds
6 shall be made available pursuant to this
7 appropriation for any drug not explicitly
8 authorized in any heretofore enacted law,
9 rule, or regulation without approval from
10 the director of the budget.
11 Notwithstanding any provision of law to the
12 contrary, the portion of this appropri-
13 ation covering fiscal year 2025-26 shall
14 supersede and replace any duplicative (i)
15 reappropriation for this item covering
16 fiscal year 2025-26, and (ii) appropri-
17 ation for this item covering fiscal year
18 2025-26 set forth in chapter 53 of the
19 laws of 2024 (26953) 92,616,000
20 For services and expenses of the medical
21 assistance program including transporta-
22 tion services.
23 Notwithstanding any provision of law to the
24 contrary, the portion of this appropri-
25 ation covering fiscal year 2025-26 shall
26 supersede and replace any duplicative (i)
27 reappropriation for this item covering
28 fiscal year 2025-26, and (ii) appropri-
29 ation for this item covering fiscal year
30 2025-26 set forth in chapter 53 of the
31 laws of 2024 (26954) 12,235,000
32 For services and expenses of the medical
33 assistance program including dental
34 services.
35 Notwithstanding any provision of law to the
36 contrary, the portion of this appropri-
37 ation covering fiscal year 2025-26 shall
38 supersede and replace any duplicative (i)
39 reappropriation for this item covering
40 fiscal year 2025-26, and (ii) appropri-
41 ation for this item covering fiscal year
42 2025-26 set forth in chapter 53 of the
43 laws of 2024 (26955) 1,422,000
44 For services and expenses of the medical
45 assistance program including noninstitu-
46 tional and other spending.
47 The money hereby appropriated is available
48 for payment of liabilities heretofore
49 accrued or hereafter accrued.
50 Notwithstanding any provision of law to the
51 contrary, the portion of this appropri-
52 ation covering fiscal year 2025-26 shall
53 supersede and replace any duplicative (i)
54 reappropriation for this item covering
55 fiscal year 2025-26, and (ii) appropri-
56 ation for this item covering fiscal year

1 2025-26 set forth in chapter 53 of the
 2 laws of 2024 (26956) 137,631,000
 3 For services and expenses of the medical
 4 assistance program including medical
 5 services provided at state facilities
 6 operated by the office of mental health,
 7 the office for people with developmental
 8 disabilities and the office of addiction
 9 services and supports.
 10 Notwithstanding any provision of law to the
 11 contrary, the portion of this appropri-
 12 ation covering fiscal year 2025-26 shall
 13 supersede and replace any duplicative (i)
 14 reappropriation for this item covering
 15 fiscal year 2025-26, and (ii) appropri-
 16 ation for this item covering fiscal year
 17 2025-26 set forth in chapter 53 of the
 18 laws of 2024 (26961) 83,400,000
 19 -----

20 § 6. The amounts specified in this section, or so much thereof as
 21 shall be sufficient to accomplish the purposes designated, is hereby
 22 appropriated and authorized to be paid as hereinafter provided, to the
 23 public officers and for the purposes specified, which amount shall be
 24 available for the state fiscal year beginning April 1, 2025.

25 DEPARTMENT OF LABOR

26 AID TO LOCALITIES

27 UNEMPLOYMENT INSURANCE BENEFIT PROGRAM 165,000,000
 28 -----

29 Enterprise Funds
 30 Unemployment Insurance Benefit Fund
 31 Unemployment Insurance Benefit Account - 50650

32 For payment of unemployment insurance bene-
 33 fits pursuant to article 18 of the labor
 34 law or as authorized by the federal
 35 government through the disaster unemploy-
 36 ment assistance program, the emergency
 37 unemployment compensation program, the
 38 extended benefit program, the federal
 39 additional compensation program or any
 40 other federally funded unemployment bene-
 41 fit program (34787) 165,000,000
 42 -----

43 § 7. The amounts specified in this section, or so much thereof as
 44 shall be sufficient to accomplish the purposes designated, is hereby
 45 appropriated and authorized to be paid as hereinafter provided, to the
 46 public officers and for the purposes specified, which amount shall be
 47 available for the state fiscal year beginning April 1, 2025.

OFFICE OF MENTAL HEALTH

AID TO LOCALITIES

ADULT SERVICES PROGRAM 94,917,000

General Fund
Local Assistance Account - 10000

For services and expenses of various adult community mental health services, including transfer to the department of health to reimburse the department for the state and/or local share of medical assistance for various community mental health services.

For payment of state financial assistance, net of disallowances, for community mental health programs pursuant to article 41 and other provisions of the mental hygiene law. The moneys hereby appropriated for allocation to local governments and voluntary agencies for services are available to reimburse or advance funds to local governments and voluntary agencies for expenditures made or to be made during local program years commencing January 1, 2025 or July 1, 2025 and for advances for the period beginning January 1, 2026 for local governments and voluntary agencies with program years beginning January 1. Notwithstanding any provision of law to the contrary, the commissioner of the office of mental health shall be authorized, subject to the approval of the director of the budget, to continue contracts and state aid letter payments to support county contracts which were executed on or before March 31, 2025 with entities providing services to persons with mental illness, without any additional requirements that such contracts be subject to competitive bidding, a request for proposals process or other administrative procedures.

The state comptroller is hereby authorized to receive funds from the office of mental health that were returned from providers in the current fiscal year in respect of a settlement of local assistance funds from prior fiscal years, and is authorized to refund such moneys to the credit of the local assistance account of the general fund for the purpose of reimbursing the 2025-26 appropriation.

1 Notwithstanding any other provision of law
2 to the contrary, and consistent with
3 section 33.07 of the mental hygiene law,
4 the directors of facilities licensed but
5 not operated by the office of mental
6 health who act as federally appointed
7 representative payees and who assume
8 management responsibility over the funds
9 of a resident may continue to use such
10 funds for the cost of the resident's care
11 and treatment, consistent with federal law
12 and regulations.

13 Notwithstanding any other provision of law,
14 the commissioner of mental health shall,
15 until July 1, 2026, be solely authorized,
16 in his or her discretion, to designate
17 those general hospitals, local govern-
18 mental units and voluntary agencies which
19 may apply and be considered for the
20 approval and issuance of an operating
21 certificate pursuant to article 31 of the
22 mental hygiene law for the operation of a
23 comprehensive psychiatric emergency
24 program.

25 Notwithstanding any provision of section 21
26 of chapter 723 of the laws of 1989, as
27 amended, to the contrary, the provisions
28 of sections 1, 2 and 4-20 of such chapter
29 shall remain in full force and effect
30 until July 1, 2026, when upon such date
31 the amendments and additions made by such
32 sections of chapter 723 of the laws of
33 1989 shall expire and be deemed repealed,
34 and any provision of law amended by any
35 such sections shall revert to its text as
36 it existed prior to the effective date of
37 chapter 723 of the laws of 1989.

38 Notwithstanding any other provision of law
39 to the contrary, any of the amounts appro-
40 priated herein may be increased or
41 decreased by interchange or transfer with-
42 out limit, with any appropriation of the
43 office of mental health or by transfer or
44 suballocation to any department, agency or
45 public authority for expenditures incurred
46 in the operation of such programs with the
47 approval of the director of the budget:

48 For services and expenses of various commu-
49 nity mental health residential programs,
50 including but not limited to community
51 residences pursuant to sections 41.44 and
52 41.38 of the mental hygiene law. Notwith-
53 standing the provisions of section 31.03
54 of the mental hygiene law and any other
55 inconsistent provision of law, moneys
56 appropriated for family care shall be

1 available for, but not limited to, the
 2 purchase of substitute caretakers up to a
 3 maximum of 14 days and payments limited to
 4 \$774 per year based upon financial need
 5 for the personal needs of each client
 6 residing in the family care home. Provided
 7 further however, notwithstanding any
 8 provision of law to the contrary, the
 9 commissioner of the office of mental
 10 health may appoint a temporary operator in
 11 a manner consistent with part L of chapter
 12 59 of the laws of 2016 to administer any
 13 community mental health residential
 14 program appropriated for herein for the
 15 period for which this appropriation has
 16 effect. Funds appropriated herein will be
 17 made available to support the development
 18 of new transitional stepdown units to help
 19 individuals transitioning from various
 20 levels of care to community-based living
 21 (36911) 94,917,000

22 § 8. The amounts specified in this section, or so much thereof as
 23 shall be sufficient to accomplish the purposes designated, is hereby
 24 appropriated and authorized to be paid as hereinafter provided, to the
 25 public officers and for the purposes specified, which amount shall be
 26 available for the state fiscal year beginning April 1, 2025.

27 DEPARTMENT OF VETERANS' SERVICES

28 AID TO LOCALITIES

29 VETERANS' BENEFITS ADVISING PROGRAM 42,000
 30 -----

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

34 For services and expenses related to home-
 35 less veterans' housing (54815) 42,000

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

43 § 10. All expenditures and disbursements made against the appropri-
 44 ations in this act shall, upon final action by the legislature on appro-
 45 priation bills submitted by the governor pursuant to article VII of the
 46 state constitution for the support of government for the state fiscal
 47 year beginning April 1, 2025, be transferred by the comptroller as
 48 expenditures and disbursements to such appropriations for all state

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

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

13 § 12. This act shall take effect immediately and shall be deemed to
14 have been in full force and effect on and after April 1, 2025; provided,
15 however, that upon the transfer of expenditures and disbursements by the
16 comptroller as provided in section ten of this act, the appropriations
17 made by this act and subject to such section shall be deemed repealed.