

STATE OF NEW YORK

8282

2025-2026 Regular Sessions

IN ASSEMBLY

May 8, 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; to amend chapter 113 of the laws of 2025 making appropriations for the support of government, in relation thereto; to amend chapter 118 of the laws of 2025 making appropriations for the support of government, in relation thereto; to amend chapter 119 of the laws of 2025 making appropriations for the support of government, in relation thereto; 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 submit-
5 ted 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. Section 2 of chapter 113 of the laws of 2025, relating to making
9 appropriations for the support of government, as amended by chapter 125
10 of the laws of 2025, is amended to read as follows:

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

16 ALL STATE DEPARTMENTS AND AGENCIES

17 For the purpose of making payments for
18 personal service, including liabilities

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

LBD12014-01-5

1 incurred prior to April 1, 2025, on the
 2 payrolls scheduled to be paid during the
 3 period April 1 through May [7] 9, 2025 to
 4 state officers and employees of the execu-
 5 tive branch, including the governor, lieu-
 6 tenant governor, comptroller, and attorney
 7 general, and to employees of the legisla-
 8 ture. This appropriation also includes
 9 payments for services performed by mental-
 10 ly ill or developmentally disabled persons
 11 who are employed in state-operated special
 12 employment, work-for-pay or sheltered
 13 workshop programs 1,978,430,000
 14 -----

15 § 3. Section 3 of chapter 113 of the laws of 2025, relating to making
 16 appropriations for the support of government, as amended by chapter 126
 17 of the laws of 2025, is amended to read as follows:

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

23 ALL STATE DEPARTMENTS AND AGENCIES

24 For the payment of state operations non
 25 personal service liabilities to the execu-
 26 tive branch, including the comptroller,
 27 and the attorney general, and legislature,
 28 incurred in the ordinary course of busi-
 29 ness, during the period April 1 through
 30 May [7] 9, 2025, pursuant to existing
 31 state law and for purposes for which the
 32 legislature authorized the expenditure of
 33 moneys during the 2024-2025 state fiscal
 34 year; provided, however, that nothing
 35 contained herein shall be deemed to limit
 36 or restrict the power or authority of
 37 state departments or agencies to conduct
 38 their activities or operations in accord-
 39 ance with existing law, and further
 40 provided that nothing contained herein
 41 shall be deemed to supersede, nullify or
 42 modify the provisions of section 40 of the
 43 state finance law prescribing when appro-
 44 priations made for the 2024-2025 state
 45 fiscal year shall have ceased to have
 46 force and effect 34,000,000
 47 -----

48 § 4. Section 5 of chapter 118 of the laws of 2025, relating to making
 49 appropriations for the support of government, as amended by chapter 126
 50 of the laws of 2025, is amended to read as follows:

51 § 5. The amounts specified in this section, or so much thereof as
 52 shall be sufficient to accomplish the purposes designated, is hereby
 53 appropriated and authorized to be paid as hereinafter provided, to the

1 public officers and for the purposes specified, which amount shall be
2 available for the state fiscal year beginning April 1, 2025.

3 JUDICIARY

4 For the purpose of making payments for
5 personal service, including liabilities
6 incurred prior to April 1, 2025, on the
7 payrolls scheduled to be paid during the
8 period April 1 through May [7] 9, 2025 to
9 officers and employees of the judiciary 265,000,000

10 For the payment of state operations nonper-
11 sonal service liabilities, the sum of
12 twenty-five million dollars (\$25,000,000),
13 or so much thereof as shall be sufficient
14 to accomplish the purpose designated, is
15 hereby appropriated to the judiciary out
16 of any moneys in the general fund or other
17 funds to the credit of the state purposes
18 account not otherwise appropriated. The
19 comptroller is hereby authorized and
20 directed to utilize this appropriation for
21 the purpose of making payments for nonper-
22 sonal service liabilities incurred by the
23 judiciary from April 1 through May [7] 9,
24 2025 25,000,000

25 For the payment of aid to localities liabil-
26 ities, the sum of thirty million dollars
27 (\$30,000,000), or so much thereof as shall
28 be sufficient to accomplish the purpose
29 designated, is hereby appropriated to the
30 judiciary out of any moneys in the general
31 fund or other funds to the credit of the
32 state purposes account not otherwise
33 appropriated. The comptroller is hereby
34 authorized and directed to utilize this
35 appropriation for the purpose of making
36 payments for aid to localities liabilities
37 incurred by the judiciary from April 1
38 through May [7] 9, 2025 30,000,000

39 For the payment of employee fringe benefit
40 programs including, but not limited to,
41 the judiciary's contributions to the
42 health insurance fund, the employees'
43 retirement system pension accumulation
44 fund, the social security contribution
45 fund, employee benefit fund programs, the
46 dental insurance plan, the vision care
47 plan, the unemployment insurance fund, and
48 for workers' compensation benefits, the
49 sum of three hundred million dollars
50 (\$300,000,000), or so much thereof as
51 shall be sufficient to accomplish the
52 purpose designated, is hereby appropriated
53 to the judiciary out of any moneys in the
54 general fund or other funds to the credit

1 of the state purposes account not other-
 2 wise appropriated. The comptroller is
 3 hereby authorized and directed to utilize
 4 this appropriation for the purpose of
 5 making payments for employee fringe bene-
 6 fit liabilities incurred by the judiciary
 7 from April 1 through May [~~7~~ 9, 2025 300,000,000
 8 -----

9 § 5. Section 5 of chapter 113 of the laws of 2025, relating to making
 10 appropriations for the support of government, as amended by chapter 126
 11 of the laws of 2025, is amended to read as follows:

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

17 DEPARTMENT OF HEALTH

18 AID TO LOCALITIES

19 CENTER FOR COMMUNITY HEALTH PROGRAM [~~47,660,000~~ 48,730,000
 20 -----

21 General Fund
 22 Local Assistance Account - 10000

23 For services and expenses related to the
 24 Indian health program. The money hereby
 25 appropriated shall be for payment of
 26 financial assistance heretofore accrued or
 27 hereafter to accrue (26840) 7,000,000
 28 -----

29 Special Revenue Funds - Federal
 30 Federal USDA-Food and Nutrition Services Fund
 31 Federal Food and Nutrition Services Account - 25022

32 For various federal food and nutritional
 33 services. The moneys hereby appropriated
 34 shall be available for payment of finan-
 35 cial assistance heretofore accrued (26986)
 36 [~~40,660,000~~ 41,730,000
 37 -----

38 CHILD HEALTH INSURANCE PROGRAM 109,366,000
 39 -----

40 Special Revenue Funds - Other
 41 HCRA Resources Fund
 42 Children's Health Insurance Account - 20810

43 The money hereby appropriated is available
 44 for payment of aid heretofore accrued or
 45 hereafter accrued.

1 Notwithstanding any other provision of law,
 2 the money hereby appropriated may be
 3 increased or decreased by transfer or
 4 suballocation to appropriations of the
 5 office of temporary and disability assist-
 6 ance, for the reimbursement of local
 7 district administrative costs related to
 8 children newly enrolled in medicaid whose
 9 household income is between 100 percent
 10 and 133 percent of the federal poverty
 11 level.
 12 Notwithstanding any provision of law to the
 13 contrary, the amounts appropriated herein
 14 shall be net of refunds, rebates,
 15 reimbursements, credits, repayments,
 16 and/or disallowances.
 17 For services and expenses related to the
 18 children's health insurance program
 19 authorized pursuant to title 1-A of arti-
 20 cle 25 of the public health law (26931) 109,366,000
 21 -----

22 ELDERLY PHARMACEUTICAL INSURANCE COVERAGE PROGRAM 1,520,000
 23 -----

24 Special Revenue Funds - Other
 25 HCRA Resources Fund
 26 EPIC Premium Account - 20818

27 For services and expenses of the program for
 28 elderly pharmaceutical insurance coverage,
 29 including reimbursement to pharmacies
 30 participating in such program.
 31 The moneys hereby appropriated shall be
 32 available for payment of financial assist-
 33 ance heretofore accrued (26803) 1,520,000

34 MEDICAL ASSISTANCE PROGRAM 8,652,436,000
 35 -----

36 General Fund
 37 Local Assistance Account - 10000

38 For the medical assistance program, includ-
 39 ing administrative expenses, for local
 40 social services districts, and for medical
 41 care rates for authorized child care agen-
 42 cies.
 43 Notwithstanding section 40 of the state
 44 finance law or any provision of law to the
 45 contrary, subject to federal approval,
 46 department of health state funds medicaid
 47 spending, excluding payments for medical
 48 services provided at state facilities
 49 operated by the office of mental health,

1 the office for people with developmental
2 disabilities and the office of addiction
3 services and supports and further exclud-
4 ing any payments which are not appropri-
5 ated within the department of health, in
6 the aggregate, for the period April 1,
7 2025 through March 31, 2026, shall not
8 exceed \$33,417,285,000 except as provided
9 below provided, however, such aggregate
10 limits may be adjusted by the director of
11 the budget to account for any changes in
12 the New York state federal medical assist-
13 ance percentage amount established pursu-
14 ant to the federal social security act,
15 increases in provider revenues, reductions
16 in local social services district payments
17 for medical assistance administration,
18 minimum wage increases, and beginning
19 April 1, 2012 the operational costs of the
20 New York state medical indemnity fund,
21 pursuant to chapter 59 of the laws of
22 2011, and state costs or savings from the
23 essential plan program. Such projections
24 may be adjusted by the director of the
25 budget to account for increased or expe-
26 dited department of health state funds
27 medicaid expenditures as a result of a
28 natural or other type of disaster, includ-
29 ing a governmental declaration of emergen-
30 cy.

31 The director of the budget, in consultation
32 with the commissioner of health, shall
33 assess on a quarterly basis known and
34 projected medicaid expenditures by catego-
35 ry of service and by geographic region, as
36 defined by the commissioner, incurred both
37 prior to and subsequent to such assessment
38 for each such period, and if the director
39 of the budget determines that such expend-
40 itures are expected to cause medicaid
41 spending for such period to exceed the
42 aggregate limit specified herein for such
43 period, the state medicaid director, in
44 consultation with the director of the
45 budget and the commissioner of health,
46 shall develop a medicaid savings allo-
47 cation adjustment to limit such spending
48 to the aggregate limit specified herein
49 for such period.

50 Such medicaid savings allocation adjustment
51 shall be designed, to reduce the expendi-
52 tures authorized by the appropriations
53 herein in compliance with the following
54 guidelines: (1) reductions shall be made
55 in compliance with applicable federal law,
56 including the provisions of the Patient

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

49 The commissioner shall seek the input of the
50 legislature, as well as organizations
51 representing health care providers,
52 consumers, businesses, workers, health
53 insurers, and others with relevant exper-
54 tise, in developing such medicaid savings
55 allocation adjustment, to the extent that
56 all or part of such adjustment, in the

1 discretion of the commissioner, is likely
2 to have a material impact on the overall
3 medicaid program, particular categories of
4 service or particular geographic regions
5 of the state.

6 (a) The commissioner shall post the medicaid
7 savings allocation adjustment on the
8 department of health's website and shall
9 provide written copies of such adjustment
10 to the chairs of the senate finance and
11 the assembly ways and means committees at
12 least 30 days before the date on which
13 implementation is expected to begin.

14 (b) The commissioner may revise the medicaid
15 savings allocation adjustment subsequent
16 to the provisions of notice and prior to
17 implementation but needs to provide a new
18 notice pursuant to subparagraph (i) of
19 this paragraph only if the commissioner
20 determines, in his or her discretion, that
21 such revisions materially alter the
22 adjustment.

23 Notwithstanding the provisions of paragraphs
24 (a) and (b) of this subdivision, the
25 commissioner need not seek the input
26 described in paragraph (a) of this subdivi-
27 sion or provide notice pursuant to para-
28 graph (b) of this subdivision if, in the
29 discretion of the commissioner, expedited
30 development and implementation of a medi-
31 caid savings allocation adjustment is
32 necessary due to a public health emergen-
33 cy.

34 For purposes of this section, a public
35 health emergency is defined as: (i) a
36 disaster, natural or otherwise, that
37 significantly increases the immediate need
38 for health care personnel in an area of
39 the state; (ii) an event or condition that
40 creates a widespread risk of exposure to a
41 serious communicable disease, or the
42 potential for such widespread risk of
43 exposure; or (iii) any other event or
44 condition determined by the commissioner
45 to constitute an imminent threat to public
46 health.

47 Nothing in this paragraph shall be deemed to
48 prevent all or part of such medicaid
49 savings allocation adjustment from taking
50 effect retroactively to the extent permit-
51 ted by the federal centers for medicare
52 and medicaid services.

53 In accordance with the medicaid savings
54 allocation adjustment, the commissioner of
55 the department of health shall reduce
56 department of health state funds medicaid

1 spending by the amount of the projected
2 overspending through, actions including,
3 but not limited to modifying or suspending
4 reimbursement methods, including but not
5 limited to all fees, premium levels and
6 rates of payment, notwithstanding any
7 provision of law that sets a specific
8 amount or methodology for any such
9 payments or rates of payment; modifying or
10 discontinuing medicaid program benefits;
11 seeking all necessary federal approvals,
12 including, but not limited to waivers,
13 waiver amendments; and suspending time
14 frames for notice, approval or certifi-
15 cation of rate requirements, notwith-
16 standing any provision of law, rule or
17 regulation to the contrary, including but
18 not limited to sections 2807 and 3614 of
19 the public health law, section 18 of chap-
20 ter 2 of the laws of 1988, and 18 NYCRR
21 505.14(h).

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

51 The money hereby appropriated is to be
52 available for payment of aid heretofore
53 accrued or hereafter accrued to munici-
54 palities, and to providers of medical
55 services pursuant to section 367-b of the
56 social services law, and for payment of

1 state aid to municipalities and to provid-
2 ers of family care where payment systems
3 through the fiscal intermediaries are not
4 operational.

5 Notwithstanding any inconsistent provision
6 of law to the contrary, funds may be used
7 by the department for outside legal
8 assistance on issues involving the federal
9 government, the conduct of preadmission
10 screening and annual resident reviews
11 required by the state's medicaid program,
12 computer matching with insurance carriers
13 to insure that medicaid is the payer of
14 last resort and activities related to the
15 management of the pharmacy benefit avail-
16 able under the medicaid program.

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

41 Notwithstanding any inconsistent provision
42 of law, funding made available by these
43 appropriations shall support direct salary
44 costs and related fringe benefits within
45 the medical assistance program associated
46 with any minimum wage increase that takes
47 effect during the timeframe of these
48 appropriations, pursuant to section 652 of
49 the labor law. Each eligible organization
50 in receipt of funding made available by
51 these appropriations may be required to
52 submit written certification, in such form
53 and at such time the commissioner may
54 prescribe, attesting to the total amount
55 of funds used by the eligible organiza-
56 tion, how such funding will be or was used

1 for purposes eligible under these appro-
2 priations and any other reporting deemed
3 necessary by the commissioner. The amounts
4 appropriated herein may include advances
5 to organizations authorized to receive
6 such funds to accomplish this purpose.

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

36 Notwithstanding any inconsistent provision
37 of law to the contrary, the moneys hereby
38 appropriated may be used for payments to
39 the centers for medicaid and medicare
40 services for obligations incurred related
41 to the pharmaceutical costs of dually
42 eligible medicare/medicaid beneficiaries
43 participating in the medicare drug benefit
44 authorized by P.L. 108-173.

45 Notwithstanding any inconsistent provision
46 of law, the moneys hereby appropriated
47 shall not be used for any existing rates,
48 fees, fee schedule, or procedures which
49 may affect the cost of care and services
50 provided by personal care providers, case
51 managers, health maintenance organiza-
52 tions, out of state medical facilities
53 which provide care and services to resi-
54 dents of the state, providers of transpor-
55 tation services, that are altered,
56 amended, adjusted or otherwise changed by

1 a local social services district unless
2 previously approved by the department of
3 health and the director of the budget.
4 Notwithstanding any inconsistent provision
5 of law to the contrary, funds shall be
6 made available to the commissioner of the
7 office of mental health or the commission-
8 er of the office of addiction services and
9 supports, in consultation with the commis-
10 sioner of health and approved by the
11 director of the budget, and consistent
12 with appropriations made therefor, to
13 implement allocation adjustment developed
14 by each such commissioner which shall
15 describe mental health or substance use
16 disorder services that should be developed
17 to meet service needs resulting from the
18 reduction of inpatient behavioral health
19 services provided under the medicaid
20 program, by programs licensed pursuant to
21 article 31 or 32 of the mental hygiene
22 law. Such programs may include programs
23 that are licensed pursuant to both article
24 31 of the mental hygiene law and article
25 28 of the public health law, or certified
26 under both article 32 of the mental
27 hygiene law and article 28 of the public
28 health law.
29 Notwithstanding any inconsistent provision
30 of law, the moneys hereby appropriated may
31 be available for payments associated with
32 the resolution by settlement agreement or
33 judgment of rate appeals and/or litigation
34 where the department of health is a party.
35 For services and expenses of the medical
36 assistance program including hospital
37 inpatient services and general hospitals
38 that are safety-net providers that evince
39 severe financial distress, pursuant to
40 criteria determined by the commissioner,
41 shall be eligible for awards for amounts
42 appropriated herein, to enable such
43 providers to maintain operations and vital
44 services while establishing long term
45 solutions to achieve sustainable health
46 services.
47 Notwithstanding any inconsistent provisions
48 of law, no expenditures shall be used for
49 the medical assistance program for any
50 expenses not explicitly authorized in law
51 without the approval of the director of
52 the budget.
53 Notwithstanding any provision of law to the
54 contrary, the portion of this appropri-
55 ation covering fiscal year 2025-26 shall
56 supersede and replace any duplicative (i)

1 reappropriation for this item covering
2 fiscal year 2025-26, and (ii) appropri-
3 ation for this item covering fiscal year
4 2025-26 set forth in chapter 53 of the
5 laws of 2024 (26947) 121,200,000
6 For services and expenses of the medical
7 assistance program including hospital
8 outpatient and emergency room services.
9 Notwithstanding any provision of law to the
10 contrary, the portion of this appropri-
11 ation covering fiscal year 2025-26 shall
12 supersede and replace any duplicative (i)
13 reappropriation for this item covering
14 fiscal year 2025-26, and (ii) appropri-
15 ation for this item covering fiscal year
16 2025-26 set forth in chapter 53 of the
17 laws of 2024 (26948) 31,296,000
18 For services and expenses of the medical
19 assistance program including clinic
20 services.
21 Notwithstanding any provision of law to the
22 contrary, the portion of this appropri-
23 ation covering fiscal year 2025-26 shall
24 supersede and replace any duplicative (i)
25 reappropriation for this item covering
26 fiscal year 2025-26, and (ii) appropri-
27 ation for this item covering fiscal year
28 2025-26 set forth in chapter 53 of the
29 laws of 2024 (26949) 57,078,000
30 For services and expenses of the medical
31 assistance program including nursing home
32 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 (26950) 152,808,000
42 For services and expenses of the medical
43 assistance program including other long
44 term care 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 (26951) 774,279,000
54 For services and expenses of the medical
55 assistance program including managed care
56 services including regional planning

1 activities of the finger lakes health
2 systems agency, including statewide coor-
3 dination and demonstration of best prac-
4 tices. The department shall make grants
5 within amounts appropriated therefor, to
6 assure high-quality and accessible primary
7 care, to provide technical assistance to
8 support financial and business planning
9 for integrated systems of care, and to
10 assist primary care providers in the
11 adoption, implementation, and meaningful
12 use of electronic health record technolo-
13 gy.

14 Notwithstanding any provision of law to the
15 contrary, the portion of this appropri-
16 ation covering fiscal year 2025-26 shall
17 supersede and replace any duplicative (i)
18 reappropriation for this item covering
19 fiscal year 2025-26, and (ii) appropri-
20 ation for this item covering fiscal year
21 2025-26 set forth in chapter 53 of the
22 laws of 2024 (26952) 477,739,000

23 For services and expenses for health homes
24 including grants to health homes.

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 (29548) 18,096,000

34 For services and expenses of the medical
35 assistance program including pharmacy
36 services provided, however, that no funds
37 shall be made available pursuant to this
38 appropriation for any drug not explicitly
39 authorized in any enacted law, rule, or
40 regulation without approval from the
41 director of the budget.

42 Notwithstanding any provision of law to the
43 contrary, the portion of this appropri-
44 ation covering fiscal year 2025-26 shall
45 supersede and replace any duplicative (i)
46 reappropriation for this item covering
47 fiscal year 2025-26, and (ii) appropri-
48 ation for this item covering fiscal year
49 2025-26 set forth in chapter 53 of the
50 laws of 2024 (26953) 290,856,000

51 For services and expenses of the medical
52 assistance program including transporta-
53 tion services.

54 Notwithstanding any provision of law to the
55 contrary, the portion of this appropri-
56 ation covering fiscal year 2025-26 shall

1 supersede and replace any duplicative (i)
 2 reappropriation for this item covering
 3 fiscal year 2025-26, and (ii) appropri-
 4 ation for this item covering fiscal year
 5 2025-26 set forth in chapter 53 of the
 6 laws of 2024 (26954) 43,032,000

7 For services and expenses of the medical
 8 assistance program including dental
 9 services.

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 (26955) 492,000

19 For services and expenses of the medical
 20 assistance program including non-institu-
 21 tional and other spending.

22 The money hereby appropriated is available
 23 for payment of liabilities heretofore
 24 accrued or hereafter accrued.

25 Notwithstanding any inconsistent provision
 26 of law, the money hereby appropriated may
 27 be available for payments to any county or
 28 public school districts associated with
 29 additional claims for school supportive
 30 health 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 (26956) 118,812,000

40 For services and expenses of the medical
 41 assistance program including medical
 42 services provided at state facilities
 43 operated by the office of mental health,
 44 the office for people with developmental
 45 disabilities and the office of addiction
 46 services and supports.

47 Notwithstanding any provision of law to the
 48 contrary, the portion of this appropri-
 49 ation covering fiscal year 2025-26 shall
 50 supersede and replace any duplicative (i)
 51 reappropriation for this item covering
 52 fiscal year 2025-26, and (ii) appropri-
 53 ation for this item covering fiscal year
 54 2025-26 set forth in chapter 53 of the
 55 laws of 2024 (26961) 500,400,000

1 Special Revenue Funds - Federal
2 Federal Health and Human Services Fund
3 Medicaid Direct Account - 25106

4 For services and expenses for the medical
5 assistance program, including administra-
6 tive expenses for local social services
7 districts, pursuant to title XIX of the
8 federal social security act or its succes-
9 sor program.

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

42 Notwithstanding any other provision of law,
43 the money hereby appropriated may be
44 increased or decreased by interchange or
45 transfer, with any appropriation of the
46 department of health and the office of
47 medicaid inspector general and may be
48 increased or decreased by transfer or
49 suballocation between these appropriated
50 amounts and appropriations of the office
51 of mental health, office for people with
52 developmental disabilities, the office of
53 addiction services and supports, the
54 department of family assistance office of
55 temporary and disability assistance,

1 office of children and family services,
2 the department of financial services,
3 department of corrections and community
4 supervision, the office of information
5 technology services, the state university
6 of New York, the state education depart-
7 ment, and the state office for the aging
8 with the approval of the director of the
9 budget, who shall file such approval with
10 the department of audit and control and
11 copies thereof with the chairman of the
12 senate finance committee and the chairman
13 of the assembly ways and means committee.

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

38 Notwithstanding any inconsistent provision
39 of law to the contrary, funds shall be
40 made available to the commissioner of the
41 office of mental health or the commis-
42 sioner of the office of addiction services and
43 supports, in consultation with the commis-
44 sioner of health and approved by the
45 director of the budget, and consistent
46 with appropriations made therefor, to
47 implement allocation adjustment developed
48 by each such commissioner which shall
49 describe mental health or substance use
50 disorder services that should be developed
51 to meet service needs resulting from the
52 reduction of inpatient behavioral health
53 services provided under the medicaid
54 program, by programs licensed pursuant to
55 article 31 or 32 of the mental hygiene
56 law. Such programs may include programs

1 that are licensed pursuant to both article
2 31 of the mental hygiene law and article
3 28 of the public health law, or certified
4 under both article 32 of the mental
5 hygiene law and article 28 of the public
6 health law.

7 Notwithstanding any inconsistent provision
8 of law, the moneys hereby appropriated may
9 be available for payments associated with
10 the resolution by settlement agreement or
11 judgment of rate appeals and/or litigation
12 where the department of health is a party.

13 Notwithstanding any inconsistent
14 provisions of law, no expenditures shall
15 be used for the medical assistance program
16 for any expenses not explicitly authorized
17 in law without the approval of the direc-
18 tor of the budget.

19 For services and expenses of the medical
20 assistance program including hospital
21 inpatient services.

22 Notwithstanding any provision of law to the
23 contrary, the portion of this appropri-
24 ation covering fiscal year 2025-26 shall
25 supersede and replace any duplicative (i)
26 reappropriation for this item covering
27 fiscal year 2025-26, and (ii) appropri-
28 ation for this item covering fiscal year
29 2025-26 set forth in chapter 53 of the
30 laws of 2024 (26947) 346,884,000

31 For services and expenses of the medical
32 assistance program including hospital
33 outpatient and emergency room services.

34 Notwithstanding any provision of law to the
35 contrary, the portion of this appropri-
36 ation covering fiscal year 2025-26 shall
37 supersede and replace any duplicative (i)
38 reappropriation for this item covering
39 fiscal year 2025-26, and (ii) appropri-
40 ation for this item covering fiscal year
41 2025-26 set forth in chapter 53 of the
42 laws of 2024 (26948) 62,232,000

43 For services and expenses of the medical
44 assistance program including clinic
45 services.

46 Notwithstanding any provision of law to the
47 contrary, the portion of this appropri-
48 ation covering fiscal year 2025-26 shall
49 supersede and replace any duplicative (i)
50 reappropriation for this item covering
51 fiscal year 2025-26, and (ii) appropri-
52 ation for this item covering fiscal year
53 2025-26 set forth in chapter 53 of the
54 laws of 2024 (26949) 101,802,000

1 For services and expenses of the medical
2 assistance program including nursing home
3 services.
4 Notwithstanding any provision of law to the
5 contrary, the portion of this appropri-
6 ation covering fiscal year 2025-26 shall
7 supersede and replace any duplicative (i)
8 reappropriation for this item covering
9 fiscal year 2025-26, and (ii) appropri-
10 ation for this item covering fiscal year
11 2025-26 set forth in chapter 53 of the
12 laws of 2024 (26950) 476,154,000
13 For services and expenses of the medical
14 assistance program including other long
15 term care services.
16 Notwithstanding any provision of law to the
17 contrary, the portion of this appropri-
18 ation covering fiscal year 2025-26 shall
19 supersede and replace any duplicative (i)
20 reappropriation for this item covering
21 fiscal year 2025-26, and (ii) appropri-
22 ation for this item covering fiscal year
23 2025-26 set forth in chapter 53 of the
24 laws of 2024 (26951) 1,456,333,000
25 For services and expenses of the medical
26 assistance program including managed care
27 services including regional planning
28 activities of the finger lakes health
29 systems agency, including statewide coor-
30 dination and demonstration of best prac-
31 tices. The department shall make grants
32 within amounts appropriated therefor, to
33 assure high-quality and accessible primary
34 care, to provide technical assistance to
35 support financial and business planning
36 for integrated systems of care, and to
37 assist primary care providers in the
38 adoption, implementation, and meaningful
39 use of electronic health record technolo-
40 gy.
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 (26952) 1,659,119,000
50 For services and expenses of the medical
51 assistance program including pharmacy
52 services, provided, however, that no funds
53 shall be made available pursuant to this
54 appropriation for any drug not explicitly
55 authorized in any heretofore enacted law,

1 rule, or regulation without approval from
2 the director of the budget.

3 Notwithstanding any provision of law to the
4 contrary, the portion of this appropri-
5 ation covering fiscal year 2025-26 shall
6 supersede and replace any duplicative (i)
7 reappropriation for this item covering
8 fiscal year 2025-26, and (ii) appropri-
9 ation for this item covering fiscal year
10 2025-26 set forth in chapter 53 of the
11 laws of 2024 (26953) 555,696,000

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 2025-26 shall
18 supersede and replace any duplicative (i)
19 reappropriation for this item covering
20 fiscal year 2025-26, and (ii) appropri-
21 ation for this item covering fiscal year
22 2025-26 set forth in chapter 53 of the
23 laws of 2024 (26954) 73,410,000

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 2025-26 shall
30 supersede and replace any duplicative (i)
31 reappropriation for this item covering
32 fiscal year 2025-26, and (ii) appropri-
33 ation for this item covering fiscal year
34 2025-26 set forth in chapter 53 of the
35 laws of 2024 (26955) 8,532,000

36 For services and expenses of the medical
37 assistance program including noninstitu-
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 provision of law to the
43 contrary, the portion of this appropri-
44 ation covering fiscal year 2025-26 shall
45 supersede and replace any duplicative (i)
46 reappropriation for this item covering
47 fiscal year 2025-26, and (ii) appropri-
48 ation for this item covering fiscal year
49 2025-26 set forth in chapter 53 of the
50 laws of 2024 (26956) 825,786,000

51 For services and expenses of the medical
52 assistance program including medical
53 services provided at state facilities
54 operated by the office of mental health,
55 the office for people with developmental

1 disabilities and the office of addiction
 2 services and supports.
 3 Notwithstanding any provision of law to the
 4 contrary, the portion of this appropri-
 5 ation covering fiscal year 2025-26 shall
 6 supersede and replace any duplicative (i)
 7 reappropriation for this item covering
 8 fiscal year 2025-26, and (ii) appropri-
 9 ation for this item covering fiscal year
 10 2025-26 set forth in chapter 53 of the
 11 laws of 2024 (26961) 500,400,000
 12 -----

13 § 6. Section 6 of chapter 113 of the laws of 2025, relating to making
 14 appropriations for the support of government, as amended by chapter 126
 15 of the laws of 2025, is amended to read as follows:

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

21 DEPARTMENT OF LABOR

22 AID TO LOCALITIES

23 UNEMPLOYMENT INSURANCE BENEFIT PROGRAM .. [~~1,140,000,000~~] 1,155,000,000
 24 -----

- 25 Enterprise Funds
- 26 Unemployment Insurance Benefit Fund
- 27 Unemployment Insurance Benefit Account - 50650

28 For payment of unemployment insurance bene-
 29 fits pursuant to article 18 of the labor
 30 law or as authorized by the federal
 31 government through the disaster unemploy-
 32 ment assistance program, the emergency
 33 unemployment compensation program, the
 34 extended benefit program, the federal
 35 additional compensation program or any
 36 other federally funded unemployment bene-
 37 fit program (34787) [~~1,140,000,000~~] 1,155,000,000

38 § 7. Section 11 of chapter 119 of the laws of 2025, relating to making
 39 appropriations for the support of government, as amended by chapter 126
 40 of the laws of 2025, is amended to read as follows:

41 § 11. 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, 2025.

DEPARTMENT OF MENTAL HYGIENE
OFFICE FOR PEOPLE WITH DEVELOPMENTAL DISABILITIES

AID TO LOCALITIES

COMMUNITY SERVICES PROGRAM [~~433,306,000~~] 434,989,000

- 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, 2025, April
 36 1, 2025 or July 1, 2025, and for advances
 37 for the 3 month period beginning January
 38 1, 2026.

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
 52 transferred to state operations and/or any

1 appropriation of the office for people
2 with developmental disabilities with the
3 approval of the director of the budget.
4 Notwithstanding any inconsistent provision
5 of law, moneys from this appropriation may
6 be used for state aid of up to 100 percent
7 of the net deficit costs of day training
8 programs and family support services.
9 Notwithstanding the provisions of section
10 16.23 of the mental hygiene law and any
11 other inconsistent provision of law, with
12 relation to the operation of certified
13 family care homes, including family care
14 homes sponsored by voluntary not-for-pro-
15 fit agencies, moneys from this appropri-
16 ation may be used for payments to purchase
17 general services including but not limited
18 to respite providers, up to a maximum of
19 14 days, at rates to be established by the
20 commissioner and approved by the director
21 of the budget in consideration of factors
22 including, but not limited to, geographic
23 area and number of clients cared for in
24 the home and for payment in an amount
25 determined by the commissioner for the
26 personal needs of each client residing in
27 the family care home.
28 Notwithstanding the provisions of subdivi-
29 sion 12 of section 8 of the state finance
30 law and any other inconsistent provision
31 of law, moneys from this appropriation may
32 be used for expenses of family care homes
33 including payments to operators of certi-
34 fied family care homes for damages caused
35 by clients to personal and real property
36 in accordance with standards established
37 by the commissioner and approved by the
38 director of the budget.
39 Notwithstanding any inconsistent provision
40 of law, moneys from this appropriation may
41 be used for appropriate day program
42 services and residential services includ-
43 ing, but not limited to, direct housing
44 subsidies to individuals, start-up
45 expenses for family care providers, envi-
46 ronmental modifications, adaptive technol-
47 ogies, appraisals, property options,
48 feasibility studies and preoperational
49 expenses.
50 Notwithstanding any inconsistent provision
51 of law except pursuant to a chapter of the
52 laws of 2024 authorizing a 2.84 percent
53 cost of living adjustment, for the period
54 commencing on April 1, 2024 and ending
55 March 31, 2025 the commissioner shall not
56 apply any other cost of living adjustment

1 for the purpose of establishing rates of
2 payments, contracts or any other form of
3 reimbursement; provided that this shall
4 not prevent the commissioner from applying
5 prior adjustments for the purpose of
6 establishing rates resulting from a rebas-
7 ing of base year costs.

8 Notwithstanding section 6908 of the educa-
9 tion law and any other provision of law,
10 rule or regulation to the contrary, direct
11 support staff in programs certified or
12 approved by the office for people with
13 developmental disabilities, including the
14 home and community based services waiver
15 programs that the office for people with
16 developmental disabilities is authorized
17 to administer with federal approval pursu-
18 ant to subdivision (c) of section 1915 of
19 the federal social security act, are
20 authorized to provide such tasks as OPWDD
21 may specify when performed under the
22 supervision, training and periodic
23 inspection of a registered professional
24 nurse and in accordance with an authorized
25 practitioner's ordered care.

26 Notwithstanding any other provision of law
27 to the contrary, and consistent with
28 section 33.07 of the mental hygiene law,
29 the directors of facilities licensed but
30 not operated by the office for people with
31 developmental disabilities who act as
32 federally-appointed representative payees
33 and who assume management responsibility
34 over the funds of a resident may continue
35 to use such funds for the cost of the
36 resident's care and treatment, consistent
37 with federal law and regulations.

38 Funds appropriated herein shall be available
39 in accordance with the following:

40 Notwithstanding any inconsistent provision
41 of law, the director of the budget is
42 authorized to make suballocations from
43 this appropriation to the department of
44 health medical assistance program.

45 Notwithstanding any inconsistent provision
46 of law, and pursuant to criteria estab-
47 lished by the commissioner of the office
48 for people with developmental disabilities
49 and approved by the director of the budg-
50 et, expenditures may be made from this
51 appropriation for residential facilities
52 which are pending recertification as
53 intermediate care facilities for people
54 with developmental disabilities.

55 Notwithstanding the provisions of section
56 41.36 of the mental hygiene law and any

1 other inconsistent provision of law,
2 moneys from this appropriation may be used
3 for payment up to \$250 per year per
4 client, at such times and in such manner
5 as determined by the commissioner on the
6 basis of financial need for the personal
7 needs of each client residing in voluntar-
8 y-operated community residences and volun-
9 tary-operated community residential alter-
10 natives, including individualized
11 residential alternatives under the home
12 and community based services waiver. The
13 commissioner shall, subject to the
14 approval of the director of the budget,
15 alter existing advance payment schedules
16 for voluntary-operated community resi-
17 dences established pursuant to section
18 41.36 of the mental hygiene law.

19 Notwithstanding any inconsistent provision
20 of law, moneys from this appropriation may
21 be used for the operation of clinics
22 licensed pursuant to article 16 of the
23 mental hygiene law including, but not
24 limited to, supportive and habilitative
25 services consistent with the home and
26 community based services waiver.

27 For the state share of medical assistance
28 services expenses incurred by the depart-
29 ment of health for the provision of
30 medical assistance services to people with
31 developmental disabilities (37835) 369,352,000

32 For services and expenses of the community
33 services program, net of disallowances,
34 for community programs for people with
35 developmental disabilities pursuant to
36 article 41 of the mental hygiene law,
37 and/or chapter 620 of the laws of 1974,
38 chapter 660 of the laws of 1977, chapter
39 412 of the laws of 1981, chapter 27 of the
40 laws of 1987, chapter 729 of the laws of
41 1989, chapter 329 of the laws of 1993 and
42 other provisions of the mental hygiene
43 law. Notwithstanding any inconsistent
44 provision of law, the following appropri-
45 ation shall be net of prior and/or current
46 year refunds, rebates, reimbursements, and
47 credits.

48 Notwithstanding any other provision of law,
49 advances and reimbursement made pursuant
50 to subdivision (d) of section 41.15 and
51 section 41.18 of the mental hygiene law
52 shall be allocated pursuant to a plan and
53 in a manner prescribed by the agency head
54 and approved by the director of the budg-
55 et. The moneys hereby appropriated are
56 available to reimburse or advance locali-

1 ties and voluntary non-profit agencies for
2 expenditures made during local fiscal
3 periods commencing January 1, 2025, April
4 1, 2025 or July 1, 2025, and for advances
5 for the 3 month period beginning January
6 1, 2026.

7 Notwithstanding the provisions of article 41
8 of the mental hygiene law or any other
9 inconsistent provision of law, rule or
10 regulation, the commissioner, pursuant to
11 such contract and in the manner provided
12 therein, may pay all or a portion of the
13 expenses incurred by such voluntary agen-
14 cies arising out of loans which are funded
15 from the proceeds of bonds and notes
16 issued by the dormitory authority of the
17 state of New York.

18 Notwithstanding any other provision of law,
19 the money hereby appropriated may be
20 transferred to state operations and/or any
21 appropriation of the office for people
22 with developmental disabilities with the
23 approval of the director of the budget.

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

29 Notwithstanding the provisions of section
30 16.23 of the mental hygiene law and any
31 other inconsistent provision of law, with
32 relation to the operation of certified
33 family care homes, including family care
34 homes sponsored by voluntary not-for-pro-
35 fit agencies, moneys from this appropri-
36 ation may be used for payments to purchase
37 general services including but not limited
38 to respite providers, up to a maximum of
39 14 days, at rates to be established by the
40 commissioner and approved by the director
41 of the budget in consideration of factors
42 including, but not limited to, geographic
43 area and number of clients cared for in
44 the home and for payment in an amount
45 determined by the commissioner for the
46 personal needs of each client residing in
47 the family care home.

48 Notwithstanding the provisions of subdivi-
49 sion 12 of section 8 of the state finance
50 law and any other inconsistent provision
51 of law, moneys from this appropriation may
52 be used for expenses of family care homes
53 including payments to operators of certi-
54 fied family care homes for damages caused
55 by clients to personal and real property
56 in accordance with standards established

1 by the commissioner and approved by the
2 director of the budget.

3 Notwithstanding any inconsistent provision
4 of law, moneys from this appropriation may
5 be used for appropriate day program
6 services and residential services includ-
7 ing, but not limited to, direct housing
8 subsidies to individuals, start-up
9 expenses for family care providers, envi-
10 ronmental modifications, adaptive technol-
11 ogies, appraisals, property options,
12 feasibility studies and preoperational
13 expenses.

14 Notwithstanding any inconsistent provision
15 of law except pursuant to a chapter of the
16 laws of 2024 authorizing a 2.84 percent
17 cost of living adjustment, for the period
18 commencing on April 1, 2024 and ending
19 March 31, 2025 the commissioner shall not
20 apply any other cost of living adjustment
21 for the purpose of establishing rates of
22 payments, contracts or any other form of
23 reimbursement; provided that this shall
24 not prevent the commissioner from applying
25 prior adjustments for the purpose of
26 establishing rates resulting from a rebas-
27 ing of base year costs.

28 Notwithstanding section 6908 of the educa-
29 tion law and any other provision of law,
30 rule or regulation to the contrary, direct
31 support staff in programs certified or
32 approved by the office for people with
33 developmental disabilities, including the
34 home and community based services waiver
35 programs that the office for people with
36 developmental disabilities is authorized
37 to administer with federal approval pursu-
38 ant to subdivision (c) of section 1915 of
39 the federal social security act, are
40 authorized to provide such tasks as OPWDD
41 may specify when performed under the
42 supervision, training and periodic
43 inspection of a registered professional
44 nurse and in accordance with an authorized
45 practitioner's ordered care.

46 Notwithstanding any other provision of law
47 to the contrary, and consistent with
48 section 33.07 of the mental hygiene law,
49 the directors of facilities licensed but
50 not operated by the office for people with
51 developmental disabilities who act as
52 federally-appointed representative payees
53 and who assume management responsibility
54 over the funds of a resident may continue
55 to use such funds for the cost of the

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

1	For services and expenses related to the	
2	provision of residential services to	
3	people with developmental disabilities	
4	(37802)	[37,126,000] <u>38,103,000</u>
5	For services and expenses related to the	
6	provision of day program services to	
7	people with developmental disabilities	
8	(37803)	[9,120,000] <u>9,360,000</u>
9	For services and expenses related to the	
10	provision of family support services to	
11	people with developmental disabilities	
12	(37804)	[10,260,000] <u>10,530,000</u>
13	For services and expenses related to the	
14	provision of workshop, day training and	
15	employment services to people with devel-	
16	opmental disabilities. Notwithstanding any	
17	other provision of law, up to \$800,000 of	
18	this appropriation may be transferred to	
19	the New York State Education Departments'	
20	Adult Career and Continuing Education	
21	Services - Vocational Rehabilitation	
22	(ACCES-VR) program to support the Long-	
23	Term Sheltered Employment program operated	
24	by FEDCAP Rehabilitation Services, Inc.	
25	(37805)	[5,928,000] <u>6,084,000</u>
26	For other services and expenses provided to	
27	people with developmental disabilities	
28	including but not limited to hepatitis B,	
29	care at home waiver, epilepsy services,	
30	Special Olympics New York, Inc. and volun-	
31	tary fingerprinting (37806) ..	[1,520,000] <u>1,560,000</u>
32	-----	

33 § 8. Section 8 of chapter 113 of the laws of 2025, relating to making
34 appropriations for the support of government, as amended by chapter 126
35 of the laws of 2025, is amended to read as follows:

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

41 DEPARTMENT OF VETERANS' SERVICES

42 AID TO LOCALITIES

43 BLIND VETERAN ANNUITY ASSISTANCE PROGRAM 385,000
44 -----

45 General Fund
46 Local Assistance Account - 10000

47 For payment of annuities to blind veterans
48 and eligible surviving spouses. Up to
49 \$15,000 of this appropriation may be
50 transferred to state operations for admin-

1	istrative costs associated with this		
2	program (54606)	385,000	
3	VETERANS' BENEFITS ADVISING PROGRAM	[532,000]	<u>546,000</u>
4		-----	
5	Special Revenue Funds - Other		
6	Homeless Veterans Assistance Fund		
7	Homeless Veterans Assistance Account - 20204		
8	For services and expenses related to home-		
9	less veterans' housing (54815) ..	[532,000]	<u>546,000</u>

10 § 9. No expenditure may be made from any appropriation in this act,
 11 until a certificate of approval has been issued by the director of the
 12 budget and a copy of such certificate shall have been filed with the
 13 state comptroller, the chairman of the senate finance committee and the
 14 chairman of the assembly ways and means committee provided, however,
 15 that any expenditures from any appropriation in this act made by the
 16 legislature or judiciary shall not require such certificate.

17 § 10. All expenditures and disbursements made against the appropri-
 18 ations in this act shall, upon final action by the legislature on appro-
 19 priation bills submitted by the governor pursuant to article VII of the
 20 state constitution for the support of government for the state fiscal
 21 year beginning April 1, 2025, be transferred by the comptroller as
 22 expenditures and disbursements to such appropriations for all state
 23 departments and agencies, as applicable, in amounts equal to the amounts
 24 charged against the appropriations in this act for each such department,
 25 agency, and the legislature and the judiciary.

26 § 11. Severability clause. If any clause, sentence, paragraph, subdi-
 27 vision, section or part of this act shall be adjudged by any court of
 28 competent jurisdiction to be invalid, such judgment shall not affect,
 29 impair, or invalidate the remainder thereof, but shall be confined in
 30 its operation to the clause, sentence, paragraph, subdivision, section
 31 or part thereof directly involved in the controversy in which such judg-
 32 ment shall have been rendered. It is hereby declared to be the intent of
 33 the legislature that this act would have been enacted even if such
 34 invalid provisions had not been included herein.

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