

STATE OF NEW YORK

8600

2025-2026 Regular Sessions

IN ASSEMBLY

May 22, 2025

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

AN ACT to amend the social services law and the state finance law, in relation to increasing Medicaid reimbursement rates for certain behavioral health services provided to individuals under the age of twenty-one

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

1 Section 1. The social services law is amended by adding a new section
2 364-k to read as follows:

3 § 364-k. Children's behavioral health outpatient rates. 1. Notwith-
4 standing any provision of law to the contrary, and subject to the
5 approval of a plan developed by the commissioner of health and the
6 director of the budget, beginning April first, two thousand twenty-six,
7 Medicaid payments made for outpatient behavioral health clinic services
8 for individuals under the age of twenty-one, provided under articles
9 thirty-one and article thirty-two of the mental hygiene law, shall be
10 increased by at least thirty-five percent. Such rate increase shall be
11 subject to federal financial participation.

12 2. Notwithstanding any provision of law to the contrary, and subject
13 to the approval of a plan developed by the commissioner of health and
14 the director of the budget, beginning April first, two thousand twenty-
15 six, Medicaid payments made for outpatient behavioral health clinic
16 services for individuals under the age of twenty-one, provided under
17 articles thirty-one and article thirty-two of the mental hygiene law,
18 shall include, where applicable, a care coordination fee of at least
19 seven dollars and fifty cents per member, per month. Such rate increase
20 shall be subject to federal financial participation.

21 3. Notwithstanding any provision of law to the contrary, and subject
22 to the approval of a plan developed by the commissioner of health and
23 the director of the budget, beginning April first, two thousand twenty-

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

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1 six, Medicaid payments made for outpatient behavioral health clinic
2 services for individuals under the age of twenty-one, provided under
3 articles thirty-one and article thirty-two of the mental hygiene law,
4 shall include a three and two tenths percent trend factor. Such rate
5 increase shall be subject to federal financial participation.

6 4. By October first, two thousand twenty-five, the commissioner shall
7 prepare and submit to the Centers for Medicare and Medicaid Services a
8 state plan amendment pursuant to sections one thousand nine hundred
9 fifteen-c and one thousand one hundred fifteen of the social security
10 act, 42 USC 1315, to implement a rate increase of at least forty-five
11 million dollars for home and community based services and child and
12 family and support services.

13 5. By October first, two thousand twenty-five, the commissioner shall
14 prepare and submit to the Centers for Medicare and Medicaid Services a
15 state plan amendment, pursuant to sections one thousand nine hundred
16 fifteen-c and one thousand one hundred fifteen of the social security
17 act, 42 USC 1315, to implement, where applicable, a care coordination
18 fee of at least seven dollars and fifty cents per member per month for
19 home and community based services and child and family treatment and
20 support services.

21 6. By October first, two thousand twenty-five, the commissioner shall
22 prepare and submit to the Centers for Medicare and Medicaid Services a
23 state plan amendment, pursuant to sections one thousand nine hundred
24 fifteen-c and one thousand one hundred fifteen of the social security
25 act, 42 USC 1315, to implement a three and two tenths percent trend
26 factor for home and community based services and child and family treat-
27 ment and support services.

28 § 2. Paragraph (b) of subdivision 3 of section 99-ss of the state
29 finance law, as amended by section 2 of part F of chapter 57 of the laws
30 of 2025, is amended to read as follows:

31 (b) funding the non-federal share of the medical assistance program,
32 including supplemental support for the delivery of health care services
33 to medical assistance program enrollees and quality incentive programs,
34 and children's behavioral health outpatient rate increases as set forth
35 under section three hundred sixty-four-k of the social services law;

36 § 3. This act shall take effect immediately.