

# STATE OF NEW YORK

4716

2025-2026 Regular Sessions

## IN SENATE

February 12, 2025

Introduced by Sen. FAHY -- read twice and ordered printed, and when printed to be committed to the Committee on Disabilities

AN ACT to amend the mental hygiene law, in relation to prohibiting the withholding of state funding for service providers for people with developmental disabilities due to the receipt of COVID-19 federal funds

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

1 Section 1. The mental hygiene law is amended by adding a new section  
2 16.38 to read as follows:

3 § 16.38 Funding for services of the office for people with developmental  
4 disabilities not affected by the receipt of certain COVID-19  
5 federal funds.

6 A holder of an operating certificate issued pursuant to this article  
7 or organization whose incorporation or activities require the approval  
8 of the commissioner, or program funded or administered by the office  
9 shall not have any state funding withheld as a result of the receipt of  
10 federal funds that were provided to such operating certificate holder,  
11 organization or program:

12 (a) as part of any federal paycheck protection program loan forgive-  
13 ness funding;

14 (b) as a result of federal emergency management agency emergency  
15 protective measures, including but not limited to personal protective  
16 equipment and cleaning services;

17 (c) as part of the Coronavirus Aid, Relief, and Economic Security  
18 (CARES) Act of 2020;

19 (d) as part of the Families First Coronavirus Response Act, American  
20 Rescue Plan Act of 2021; or

21 (e) as other extraordinary federal funding provided in response to the  
22 COVID-19 pandemic.

23 § 2. This act shall take effect immediately and shall be deemed to  
24 have been in full force and effect on and after March 13, 2020.

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

LBD09520-01-5