STATE OF NEW YORK

7070

2025-2026 Regular Sessions

IN SENATE

March 31, 2025

Introduced by Sen. KRUEGER -- (at request of the Governor) -- read twice and ordered printed, and when printed to be committed to the Committee on Rules

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:

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

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

ALL STATE DEPARTMENTS AND AGENCIES

For the purpose of making payments for personal service, including liabilities incurred prior to April 1, 2025, on the payrolls scheduled to be paid during the period April 1 through April 3, 2025 to state officers and employees of the executive branch. This appropriation also includes payments for services performed

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

LBD12002-01-5

by mentally ill or developmentally disabled persons who are employed in state-operated special employment, work-for-pay or sheltered workshop programs 279,930,000

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

ALL STATE DEPARTMENTS AND AGENCIES

For the payment of state operations non personal service liabilities to the executive branch, including the comptroller, and the attorney general, incurred in the ordinary course of business, during the period April 1 through April 3, 2025, pursuant to existing state law and for purposes for which the legislature authorized the expenditure of moneys during the 2024-2025 state fiscal year; provided, however, that nothing contained herein shall be deemed to limit or restrict the power or authority of state departments or agencies to conduct their activities or operations in accordance with existing law, and further provided that nothing contained herein shall be deemed to supersede, nullify or modify the provisions of section 40 of the state finance law prescribing when appropriations made for the 2024-2025 state fiscal year shall have ceased to have force and effect 10,000,000

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

MISCELLANEOUS -- ALL STATE DEPARTMENTS AND AGENCIES

GENERAL STATE CHARGES

STATE OPERATIONS

GENERAL STATE CHARGES 20,650,000

General Fund
State Purposes Account - 10050

For employee fringe benefits according to the following project schedule including those benefits which are related to employees paid from funds, accounts, or programs where the division of the budget has issued waivers 20,650,000

Project Schedule

PROJECT	AMOUNT
For the state's contribution to the social security contribution fund	20,300,000
For the payment of the metropolitan commuter transportation mobility tax pursuant to article 23 of the tax law, as added by chapter 25 of the laws of 2009, on behalf of the state employees employed in the metropolitan commuter transportation district	350,000
Project schedule total	20,650,000

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

DEPARTMENT OF HEALTH

AID TO LOCALITIES

CENTER FOR COMMUNITY HEALTH PROGRAM 3,210,000

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

For various federal food and nutritional services. The moneys hereby appropriated shall be available for payment of financial assistance heretofore accrued (26986) ... 3,210,000

MEDICAL ASSISTANCE PROGRAM 1,111,204,000

General Fund
Local Assistance Account - 10000

For the medical assistance program, including administrative expenses, for local social services districts, and for medical care rates for authorized child care agencies.

Notwithstanding section 40 of the state finance law or any provision of law to the contrary, subject to federal approval, department of health state funds medicaid spending, excluding payments for medical services provided at state facilities operated by the office of mental health, the office for people with developmental disabilities and the office of addiction services and supports and further excluding any payments which are not appropriated within the department of health, in the aggregate, for the period April 1, 2025 through March 31, 2026, shall not exceed $33,417,285,000 except as provided below provided, however, such aggregate limits may be adjusted by the director of the budget to account for any changes in the New York state federal medical assistance percentage amount established pursuant to the federal social security act, increases in provider revenues, reductions in local social services district payments for medical assistance administration, minimum wage increases, and beginning April 1, 2012 the operational costs of the New York state medical indemnity fund, pursuant to chapter 59 of the laws of 2011, and state costs or savings from the essential plan program. Such projections may be adjusted by the director of the budget to account for increased or expedited department of health state funds medicaid expenditures as a result of a natural or other type of disaster, including a governmental declaration of emergency.

The director of the budget, in consultation with the commissioner of health, shall assess on a quarterly basis known and projected medicaid expenditures by category of service and by geographic region, as defined by the commissioner, incurred both prior to and subsequent to such assessment for each such period, and if the director of the budget determines that such expenditures are expected to cause medicaid spending for such period to exceed the aggregate limit specified herein for such period, the state medicaid director, in consultation with the director of the

budget and the commissioner of health, shall develop a medicaid savings allocation adjustment to limit such spending to the aggregate limit specified herein for such period.

Such medicaid savings allocation adjustment shall be designed, to reduce the expenditures authorized by the appropriations herein in compliance with the following guidelines: (1) reductions shall be made in compliance with applicable federal law, including the provisions of the Patient Protection and Affordable Care Act, Public Law No. 111-148, and the Health Care and Education Reconciliation Act of 2010, Public Law No. 111-152 (collectively "Affordable Care Act") and any subsequent amendments thereto or regulations promulgated thereunder; (2) reductions shall be made in a manner that complies with the state medicaid plan approved by the federal centers for medicare and medicaid services, provided, however, that the commissioner of health is authorized to submit any state plan amendment or seek other federal approval, including waiver authority, to implement the provisions of the medicaid savings allocation adjustment that meets the other criteria set forth herein; (3) reductions shall be made in a manner that maximizes federal financial participation, to the extent practicable, including any federal financial participation that is available or is reasonably expected to become available, in the discretion of the commissioner, under the Affordable Care Act; (4) reductions shall be made uniformly among categories of services and geographic regions of the state, to the extent practicable, and shall be made uniformly within a category of service, to the extent practicable, except where the commissioner determines that there are sufficient grounds for non-uniformity, including but not limited to: the extent to which specific categories of services contributed to department of health medicaid state funds spending in excess of the limits specified herein; the need to maintain safety net services in underserved communities; or the potential benefits of pursuing innovative payment models contemplated by the Affordable Care Act, in which case such grounds shall be set forth in the medicaid savings allocation adjustment; and (5) reductions

shall be made in a manner that does not unnecessarily create administrative burdens to medicaid applicants and recipients or providers.

The commissioner shall seek the input of the legislature, as well as organizations representing health care providers, consumers, businesses, workers, health insurers, and others with relevant expertise, in developing such medicaid savings allocation adjustment, to the extent that all or part of such adjustment, in the discretion of the commissioner, is likely to have a material impact on the overall medicaid program, particular categories of service or particular geographic regions of the state.

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

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

Notwithstanding the provisions of paragraphs (a) and (b) of this subdivision, the commissioner need not seek the input described in paragraph (a) of this subdivision or provide notice pursuant to paragraph (b) of this subdivision if, in the discretion of the commissioner, expedited development and implementation of a medicaid savings allocation adjustment is necessary due to a public health emergency.

For purposes of this section, a public health emergency is defined as: (i) a disaster, natural or otherwise, that significantly increases the immediate need for health care personnel in an area of the state; (ii) an event or condition that creates a widespread risk of exposure to a serious communicable disease, or the potential for such widespread risk of exposure; or (iii) any other event or condition determined by the commissioner

to constitute an imminent threat to public health.

Nothing in this paragraph shall be deemed to prevent all or part of such medicaid savings allocation adjustment from taking effect retroactively to the extent permitted by the federal centers for medicare and medicaid services.

In accordance with the medicaid savings allocation adjustment, the commissioner of the department of health shall reduce department of health state funds medicaid spending by the amount of the projected overspending through, actions including, but not limited to modifying or suspending reimbursement methods, including but not limited to all fees, premium levels and rates of payment, notwithstanding any provision of law that sets a specific amount or methodology for any such payments or rates of payment; modifying or discontinuing medicaid program benefits; seeking all necessary federal approvals, including, but not limited to waivers, waiver amendments; and suspending time frames for notice, approval or certification of rate requirements, notwithstanding any provision of law, rule or regulation to the contrary, including but not limited to sections 2807 and 3614 of the public health law, section 18 of chapter 2 of the laws of 1988, and 18 NYCRR 505.14(h).

The department of health shall prepare a quarterly report that sets forth: (a) known and projected department of health medicaid expenditures as described in subdivision (1) of this section, and factors that could result in medicaid disbursements for the relevant state fiscal year to exceed the projected department of health state funds disbursements in the enacted budget financial plan pursuant to subdivision 3 of section 23 of the state finance law, including spending increases or decreases due to: enrollment fluctuations, rate changes, utilization changes, MRT investments, and shift of beneficiaries to managed care; and variations in offline medicaid payments; and (b) the actions taken to implement any medicaid savings allocation adjustment implemented pursuant to subdivision (4) of this section, including information concerning the impact of such actions on each category of service and each

geographic region of the state. Each such quarterly report shall be provided to the chairs of the senate finance and the assembly ways and means committees and shall be posted on the department of health's website in a timely manner.

The money hereby appropriated is to be available for payment of aid heretofore accrued or hereafter accrued to municipalities, and to providers of medical services pursuant to section 367-b of the social services law, and for payment of state aid to municipalities and to providers of family care where payment systems through the fiscal intermediaries are not operational.

Notwithstanding any inconsistent provision of law to the contrary, funds may be used by the department for outside legal assistance on issues involving the federal government, the conduct of preadmission screening and annual resident reviews required by the state's medicaid program, computer matching with insurance carriers to insure that medicaid is the payer of last resort and activities related to the management of the pharmacy benefit available under the medicaid program.

Notwithstanding any inconsistent provision of law, in lieu of payments authorized by the social services law, or payments of federal funds otherwise due to the local social services districts for programs provided under the federal social security act or the federal food stamp act, funds herein appropriated, in amounts certified by the state commissioner of temporary and disability assistance or the state commissioner of health as due from local social services districts each month as their share of payments made pursuant to section 367-b of the social services law may be set aside by the state comptroller in an interest-bearing account in order to ensure the orderly and prompt payment of providers under section 367-b of the social services law pursuant to an estimate provided by the commissioner of health of each local social services district's share of payments made pursuant to section 367-b of the social services law.

Notwithstanding any inconsistent provision of law, funding made available by these appropriations shall support direct salary costs and related fringe benefits within

the medical assistance program associated with any minimum wage increase that takes effect during the timeframe of these appropriations, pursuant to section 652 of the labor law. Each eligible organization in receipt of funding made available by these appropriations may be required to submit written certification, in such form and at such time the commissioner may prescribe, attesting to the total amount of funds used by the eligible organization, how such funding will be or was used for purposes eligible under these appropriations and any other reporting deemed necessary by the commissioner. The amounts appropriated herein may include advances to organizations authorized to receive such funds to accomplish this purpose.

Notwithstanding any other provision of law, the money hereby appropriated may be increased or decreased by interchange or transfer, with any appropriation of the department of health and the office of medicaid inspector general and may be increased or decreased by transfer or suballocation between these appropriated amounts and appropriations of the department of health state purpose account, the office of mental health, office for people with developmental disabilities, the office of addiction services and supports, the department of family assistance office of temporary and disability assistance, the department of corrections and community supervision, the office of information technology services, the state university of New York, and office of children and family services, the office of medicaid inspector general, the state education department, and the state office for the aging with the approval of the director of the budget, who shall file such approval with the department of audit and control and copies thereof with the chairman of the senate finance committee and the chairman of the assembly ways and means committee.

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

Notwithstanding any inconsistent provision of law, the moneys hereby appropriated shall not be used for any existing rates, fees, fee schedule, or procedures which may affect the cost of care and services provided by personal care providers, case managers, health maintenance organizations, out of state medical facilities which provide care and services to residents of the state, providers of transportation services, that are altered, amended, adjusted or otherwise changed by a local social services district unless previously approved by the department of health and the director of the budget.

Notwithstanding any inconsistent provision of law to the contrary, funds shall be made available to the commissioner of the office of mental health or the commissioner of the office of addiction services and supports, in consultation with the commissioner of health and approved by the director of the budget, and consistent with appropriations made therefor, to implement allocation adjustment developed by each such commissioner which shall describe mental health or substance use disorder services that should be developed to meet service needs resulting from the reduction of inpatient behavioral health services provided under the medicaid program, by programs licensed pursuant to article 31 or 32 of the mental hygiene law. Such programs may include programs that are licensed pursuant to both article 31 of the mental hygiene law and article 28 of the public health law, or certified under both article 32 of the mental hygiene law and article 28 of the public health law.

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

For services and expenses of the medical assistance program including hospital inpatient services and general hospitals that are safety-net providers that evince severe financial distress, pursuant to criteria determined by the commissioner, shall be eligible for awards for amounts appropriated herein, to enable such providers to maintain operations and vital services while establishing long term

solutions to achieve sustainable health services.

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

Notwithstanding any provision of law to the contrary, the portion of this appropriation covering fiscal year 2025-26 shall supersede and replace any duplicative (i) reappropriation for this item covering fiscal year 2025-26, and (ii) appropriation for this item covering fiscal year 2025-26 set forth in chapter 53 of the laws of 2024 (26947) 20,200,000

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

Notwithstanding any provision of law to the contrary, the portion of this appropriation covering fiscal year 2025-26 shall supersede and replace any duplicative (i) reappropriation for this item covering fiscal year 2025-26, and (ii) appropriation for this item covering fiscal year 2025-26 set forth in chapter 53 of the laws of 2024 (26948) 5,216,000

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

Notwithstanding any provision of law to the contrary, the portion of this appropriation covering fiscal year 2025-26 shall supersede and replace any duplicative (i) reappropriation for this item covering fiscal year 2025-26, and (ii) appropriation for this item covering fiscal year 2025-26 set forth in chapter 53 of the laws of 2024 (26949) 9,513,000

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

Notwithstanding any provision of law to the contrary, the portion of this appropriation covering fiscal year 2025-26 shall supersede and replace any duplicative (i) reappropriation for this item covering fiscal year 2025-26, and (ii) appropriation for this item covering fiscal year 2025-26 set forth in chapter 53 of the laws of 2024 (26950) 25,468,000

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

Notwithstanding any provision of law to the contrary, the portion of this appropriation covering fiscal year 2025-26 shall supersede and replace any duplicative (i) reappropriation for this item covering fiscal year 2025-26, and (ii) appropriation for this item covering fiscal year 2025-26 set forth in chapter 53 of the laws of 2024 (26951) 70,389,000

For services and expenses of the medical assistance program including managed care services including regional planning activities of the finger lakes health systems agency, including statewide coordination and demonstration of best practices. The department shall make grants within amounts appropriated therefor, to assure high-quality and accessible primary care, to provide technical assistance to support financial and business planning for integrated systems of care, and to assist primary care providers in the adoption, implementation, and meaningful use of electronic health record technology.

Notwithstanding any provision of law to the contrary, the portion of this appropriation covering fiscal year 2025-26 shall supersede and replace any duplicative (i) reappropriation for this item covering fiscal year 2025-26, and (ii) appropriation for this item covering fiscal year 2025-26 set forth in chapter 53 of the laws of 2024 (26952) 43,431,000

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

Notwithstanding any provision of law to the contrary, the portion of this appropriation covering fiscal year 2025-26 shall supersede and replace any duplicative (i) reappropriation for this item covering fiscal year 2025-26, and (ii) appropriation for this item covering fiscal year 2025-26 set forth in chapter 53 of the laws of 2024 (29548) 3,016,000

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

Notwithstanding any provision of law to the contrary, the portion of this appropriation covering fiscal year 2025-26 shall

supersede and replace any duplicative (i) reappropriation for this item covering fiscal year 2025-26, and (ii) appropriation for this item covering fiscal year 2025-26 set forth in chapter 53 of the laws of 2024 (26953) 48,476,000

For services and expenses of the medical assistance program including transportation services.

Notwithstanding any provision of law to the contrary, the portion of this appropriation covering fiscal year 2025-26 shall supersede and replace any duplicative (i) reappropriation for this item covering fiscal year 2025-26, and (ii) appropriation for this item covering fiscal year 2025-26 set forth in chapter 53 of the laws of 2024 (26954) 7,172,000

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

Notwithstanding any provision of law to the contrary, the portion of this appropriation covering fiscal year 2025-26 shall supersede and replace any duplicative (i) reappropriation for this item covering fiscal year 2025-26, and (ii) appropriation for this item covering fiscal year 2025-26 set forth in chapter 53 of the laws of 2024 (26955) 82,000

For services and expenses of the medical assistance program including non-institutional and other spending.

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

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

Notwithstanding any provision of law to the contrary, the portion of this appropriation covering fiscal year 2025-26 shall supersede and replace any duplicative (i) reappropriation for this item covering fiscal year 2025-26, and (ii) appropriation for this item covering fiscal year 2025-26 set forth in chapter 53 of the laws of 2024 (26956) 19,802,000

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

disabilities and the office of addiction services and supports.

Notwithstanding any provision of law to the contrary, the portion of this appropriation covering fiscal year 2025-26 shall supersede and replace any duplicative (i) reappropriation for this item covering fiscal year 2025-26, and (ii) appropriation for this item covering fiscal year 2025-26 set forth in chapter 53 of the laws of 2024 (26961) 83,400,000

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

For services and expenses for the medical assistance program, including administrative expenses for local social services districts, pursuant to title XIX of the federal social security act or its successor program.

The moneys hereby appropriated are to be available for payment of aid heretofore accrued or hereafter accrued to municipalities, and to providers of medical services pursuant to section 367-b of the social services law, and for payment of state aid to municipalities and to providers of family care where payment systems through the fiscal intermediaries are not operational.

Notwithstanding any inconsistent provision of law, funding made available by these appropriations shall support direct salary costs and related fringe benefits within the medical assistance program associated with any minimum wage increase that takes effect during the timeframe of these appropriations, pursuant to section 652 of the labor law. Each eligible organization in receipt of funding made available by these appropriations may be required to submit written certification, in such form and at such time the commissioner may prescribe, attesting to the total amount of funds used by the eligible organization, how such funding will be or was used for purposes eligible under these appropriations and any other reporting deemed necessary by the commissioner. The amounts appropriated herein may include advances to organizations authorized to receive such funds to accomplish this purpose.

Notwithstanding any other provision of law, the money hereby appropriated may be increased or decreased by interchange or transfer, with any appropriation of the department of health and the office of medicaid inspector general and may be increased or decreased by transfer or suballocation between these appropriated amounts and appropriations of the office of mental health, office for people with developmental disabilities, the office of addiction services and supports, the department of family assistance office of temporary and disability assistance, office of children and family services, the department of financial services, department of corrections and community supervision, the office of information technology services, the state university of New York, the state education department, and the state office for the aging with the approval of the director of the budget, who shall file such approval with the department of audit and control and copies thereof with the chairman of the senate finance committee and the chairman of the assembly ways and means committee.

Notwithstanding any inconsistent provision of law, in lieu of payments authorized by the social services law, or payments of federal funds otherwise due to the local social services districts for programs provided under the federal social security act or the federal food stamp act, funds herein appropriated, in amounts certified by the state commissioner of temporary and disability assistance or the state commissioner of health as due from local social services districts each month as their share of payments made pursuant to section 367-b of the social services law may be set aside by the state comptroller in an interest-bearing account in order to ensure the orderly and prompt payment of providers under section 367-b of the social services law pursuant to an estimate provided by the commissioner of health of each local social services district's share of payments made pursuant to section 367-b of the social services law.

Notwithstanding any inconsistent provision of law to the contrary, funds shall be made available to the commissioner of the office of mental health or the commissioner of the office of addiction services and

supports, in consultation with the commissioner of health and approved by the director of the budget, and consistent with appropriations made therefor, to implement allocation adjustment developed by each such commissioner which shall describe mental health or substance use disorder services that should be developed to meet service needs resulting from the reduction of inpatient behavioral health services provided under the medicaid program, by programs licensed pursuant to article 31 or 32 of the mental hygiene law. Such programs may include programs that are licensed pursuant to both article 31 of the mental hygiene law and article 28 of the public health law, or certified under both article 32 of the mental hygiene law and article 28 of the public health law.

Notwithstanding any inconsistent provision of law, the moneys hereby appropriated may be available for payments associated with the resolution by settlement agreement or judgment of rate appeals and/or litigation where the department of health is a party. Notwithstanding any inconsistent provisions of law, no expenditures shall be used for the medical assistance program for any expenses not explicitly authorized in law without the approval of the director of the budget.

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

Notwithstanding any provision of law to the contrary, the portion of this appropriation covering fiscal year 2025-26 shall supersede and replace any duplicative (i) reappropriation for this item covering fiscal year 2025-26, and (ii) appropriation for this item covering fiscal year 2025-26 set forth in chapter 53 of the laws of 2024 (26947) 57,814,000

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

Notwithstanding any provision of law to the contrary, the portion of this appropriation covering fiscal year 2025-26 shall supersede and replace any duplicative (i) reappropriation for this item covering fiscal year 2025-26, and (ii) appropriation for this item covering fiscal year 2025-26 set forth in chapter 53 of the laws of 2024 (26948) 10,372,000

For services and expenses of the medical assistance program including clinic services.
Notwithstanding any provision of law to the contrary, the portion of this appropriation covering fiscal year 2025-26 shall supersede and replace any duplicative (i) reappropriation for this item covering fiscal year 2025-26, and (ii) appropriation for this item covering fiscal year 2025-26 set forth in chapter 53 of the laws of 2024 (26949) 16,967,000
For services and expenses of the medical assistance program including nursing home services.
Notwithstanding any provision of law to the contrary, the portion of this appropriation covering fiscal year 2025-26 shall supersede and replace any duplicative (i) reappropriation for this item covering fiscal year 2025-26, and (ii) appropriation for this item covering fiscal year 2025-26 set forth in chapter 53 of the laws of 2024(26950) 79,359,000
For services and expenses of the medical assistance program including other long term care services.
Notwithstanding any provision of law to the contrary, the portion of this appropriation covering fiscal year 2025-26 shall supersede and replace any duplicative (i) reappropriation for this item covering fiscal year 2025-26, and (ii) appropriation for this item covering fiscal year 2025-26 set forth in chapter 53 of the laws of 2024 (26951) 132,394,000
For services and expenses of the medical assistance program including managed care services including regional planning activities of the finger lakes health systems agency, including statewide coordination and demonstration of best practices. The department shall make grants within amounts appropriated therefor, to assure high-quality and accessible primary care, to provide technical assistance to support financial and business planning for integrated systems of care, and to assist primary care providers in the adoption, implementation, and meaningful use of electronic health record technology.
Notwithstanding any provision of law to the contrary, the portion of this appropriation covering fiscal year 2025-26 shall supersede and replace any duplicative (i)

reappropriation for this item covering fiscal year 2025-26, and (ii) appropriation for this item covering fiscal year 2025-26 set forth in chapter 53 of the laws of 2024 (26952) 150,829,000

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

Notwithstanding any provision of law to the contrary, the portion of this appropriation covering fiscal year 2025-26 shall supersede and replace any duplicative (i) reappropriation for this item covering fiscal year 2025-26, and (ii) appropriation for this item covering fiscal year 2025-26 set forth in chapter 53 of the laws of 2024 (26953) 92,616,000

For services and expenses of the medical assistance program including transportation services.

Notwithstanding any provision of law to the contrary, the portion of this appropriation covering fiscal year 2025-26 shall supersede and replace any duplicative (i) reappropriation for this item covering fiscal year 2025-26, and (ii) appropriation for this item covering fiscal year 2025-26 set forth in chapter 53 of the laws of 2024 (26954) 12,235,000

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

Notwithstanding any provision of law to the contrary, the portion of this appropriation covering fiscal year 2025-26 shall supersede and replace any duplicative (i) reappropriation for this item covering fiscal year 2025-26, and (ii) appropriation for this item covering fiscal year 2025-26 set forth in chapter 53 of the laws of 2024 (26955) 1,422,000

For services and expenses of the medical assistance program including noninstitutional and other spending.

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

Notwithstanding any provision of law to the contrary, the portion of this appropriation covering fiscal year 2025-26 shall supersede and replace any duplicative (i)

reappropriation for this item covering fiscal year 2025-26, and (ii) appropriation for this item covering fiscal year 2025-26 set forth in chapter 53 of the laws of 2024 (26956) 137,631,000
For services and expenses of the medical assistance program including medical services provided at state facilities operated by the office of mental health, the office for people with developmental disabilities and the office of addiction services and supports.
Notwithstanding any provision of law to the contrary, the portion of this appropriation covering fiscal year 2025-26 shall supersede and replace any duplicative (i) reappropriation for this item covering fiscal year 2025-26, and (ii) appropriation for this item covering fiscal year 2025-26 set forth in chapter 53 of the laws of 2024 (26961) 83,400,000
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§ 6. The amounts specified in this section, or so much thereof as shall be sufficient to accomplish the purposes designated, is hereby appropriated and authorized to be paid as hereinafter provided, to the public officers and for the purposes specified, which amount shall be available for the state fiscal year beginning April 1, 2025.

DEPARTMENT OF LABOR

AID TO LOCALITIES

UNEMPLOYMENT INSURANCE BENEFIT PROGRAM 165,000,000

Enterprise Funds
Unemployment Insurance Benefit Fund
Unemployment Insurance Benefit Account - 50650

For payment of unemployment insurance benefits pursuant to article 18 of the labor law or as authorized by the federal government through the disaster unemployment assistance program, the emergency unemployment compensation program, the extended benefit program, the federal additional compensation program or any other federally funded unemployment benefit program (34787) 165,000,000
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§ 7. The amounts specified in this section, or so much thereof as shall be sufficient to accomplish the purposes designated, is hereby appropriated and authorized to be paid as hereinafter provided, to the

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

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

Notwithstanding any other provision of law, the commissioner of mental health shall, until July 1, 2026, be solely authorized, in his or her discretion, to designate those general hospitals, local governmental units and voluntary agencies which may apply and be considered for the approval and issuance of an operating certificate pursuant to article 31 of the mental hygiene law for the operation of a comprehensive psychiatric emergency program.

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

Notwithstanding any other provision of law to the contrary, any of the amounts appropriated herein may be increased or decreased by interchange or transfer without limit, with any appropriation of the office of mental health or by transfer or suballocation to any department, agency or public authority for expenditures incurred in the operation of such programs with the approval of the director of the budget:

For services and expenses of various community mental health residential programs, including but not limited to community residences pursuant to sections 41.44 and 41.38 of the mental hygiene law. Notwithstanding the provisions of section 31.03

of the mental hygiene law and any other inconsistent provision of law, moneys appropriated for family care shall be available for, but not limited to, the purchase of substitute caretakers up to a maximum of 14 days and payments limited to $774 per year based upon financial need for the personal needs of each client residing in the family care home. Provided further however, notwithstanding any provision of law to the contrary, the commissioner of the office of mental health may appoint a temporary operator in a manner consistent with part L of chapter 59 of the laws of 2016 to administer any community mental health residential program appropriated for herein for the period for which this appropriation has effect. Funds appropriated herein will be made available to support the development of new transitional stepdown units to help individuals transitioning from various levels of care to community-based living (36911) 94,917,000

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

DEPARTMENT OF VETERANS' SERVICES

AID TO LOCALITIES

VETERANS' BENEFITS ADVISING PROGRAM 42,000

Special Revenue Funds - Other
Homeless Veterans Assistance Fund
Homeless Veterans Assistance Account - 20204

For services and expenses related to homeless veterans' housing (54815) 42,000

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

§ 10. All expenditures and disbursements made against the appropriations in this act shall, upon final action by the legislature on appropriation bills submitted by the governor pursuant to article VII of the

state constitution for the support of government for the state fiscal year beginning April 1, 2025, be transferred by the comptroller as expenditures and disbursements to such appropriations for all state departments and agencies, as applicable, in amounts equal to the amounts charged against the appropriations in this act for each such department, agency, and the legislature and the judiciary.

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

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