STATE OF NEW YORK

8427

2025-2026 Regular Sessions

IN SENATE

June 10, 2025

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

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:

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

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

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

3. Notwithstanding any provision of law to the contrary, and subject to the approval of a plan developed by the commissioner of health and 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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six, Medicaid payments made for outpatient behavioral health clinic services for individuals under the age of twenty-one, provided under articles thirty-one and article thirty-two of the mental hygiene law, shall include a three and two tenths percent trend factor. Such rate increase shall be subject to federal financial participation.

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

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

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

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

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

§ 3. This act shall take effect immediately.