STATE OF NEW YORK

9573

IN SENATE

March 25, 2026

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

AN ACT to amend the social services law, in relation to authorizing the commissioner of health to establish nursing facility transition and diversion Medicaid waiting lists per designated waiver region

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

Section 1. Subdivision 6-a of section 366 of the social services law is amended by adding a new paragraph i to read as follows:

i. The commissioner of health is directed to establish a waiting list per designated waiver region once the federally approved capacity for the waiver is reached. The commissioner shall draw from the regional waiting list to accommodate eligible individuals once capacity allows in each region. Unless the commissioner chooses to prioritize certain populations, including but not limited to eligible persons transitioning from nursing facilities, the commissioner shall draw eligible persons who have been on the waiting list in the order in which they came on in each region, provided the eligible person resides in the approved waiver region from which the vacancy occurred.

§ 2. This act shall take effect immediately.

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

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