

STATE OF NEW YORK

S. 9007--C

A. 10007--C

SENATE - ASSEMBLY

January 21, 2026

IN SENATE -- A BUDGET BILL, submitted by the Governor pursuant to article seven of the Constitution -- read twice and ordered printed, and when printed to be committed to the Committee on Finance -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

IN ASSEMBLY -- A BUDGET BILL, submitted by the Governor pursuant to article seven of the Constitution -- read once and referred to the Committee on Ways and Means -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- again reported from said committee with amendments, ordered reprinted as amended and recommitted to said committee -- again reported from said committee with amendments, ordered reprinted as amended and recommitted to said committee

AN ACT to amend part H of chapter 59 of the laws of 2011 amending the public health law and other laws relating to general hospital reimbursement for annual rates, in relation to quarterly assessment of known and projected department of health state fund medicaid expenditures (Part A); to amend chapter 165 of the laws of 1991, amending the public health law and other laws relating to establishing payments for medical assistance, in relation to the effectiveness thereof; to amend chapter 710 of the laws of 1988, amending the social services law and the education law relating to medical assistance eligibility of certain persons and providing for managed medical care demonstration programs, in relation to the effectiveness thereof; to amend chapter 904 of the laws of 1984, amending the public health law and the social services law relating to encouraging comprehensive health services, in relation to the effectiveness thereof; to amend part X2 of chapter 62 of the laws of 2003, amending the public health law relating to allowing for the use of funds of the office of professional medical conduct for activities of the patient health information and quality improvement act of 2000, in relation to the effectiveness thereof; to amend part H of chapter 59 of the laws of 2011, amending the public health law relating to the statewide health information

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

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network of New York and the statewide planning and research cooperative system and general powers and duties, in relation to the effectiveness thereof; to amend part A of chapter 58 of the laws of 2008, amending the elder law and other laws relating to reimbursement to participating provider pharmacies and prescription drug coverage, in relation to the effectiveness thereof; to amend chapter 81 of the laws of 1995, amending the public health law and other laws relating to medical reimbursement and welfare reform, in relation to the effectiveness thereof; to amend the social services law, in relation to the effectiveness of certain provisions relating to negotiation of supplemental rebates relating to medication assisted treatment; to amend part B of chapter 57 of the laws of 2015, amending the social services law and other laws relating to supplemental rebates, in relation to the effectiveness thereof; to amend part KK of chapter 56 of the laws of 2020, amending the public health law relating to the designation of statewide general hospital quality and sole community pools and the reduction of capital related inpatient expenses, in relation to the effectiveness thereof; to amend chapter 779 of the laws of 1986, amending the social services law relating to authorizing services for non-residents in adult homes, residences for adults and enriched housing programs, in relation to the effectiveness thereof; to amend part R of chapter 59 of the laws of 2016, amending the public health law and the education law relating to electronic prescriptions, in relation to the effectiveness thereof; to amend the public health law, in relation to amending and extending the voluntary indigent care pool; to amend part H of chapter 57 of the laws of 2019, amending the public health law relating to waiver of certain regulations, in relation to the effectiveness thereof; to amend part C of chapter 57 of the laws of 2022, amending the public health law and the education law relating to allowing pharmacists to direct limited service laboratories and order and administer COVID-19 and influenza tests and modernizing nurse practitioners, in relation to the effectiveness thereof; to amend chapter 21 of the laws of 2011, amending the education law relating to authorizing pharmacists to perform collaborative drug therapy management with physicians in certain settings, in relation to the effectiveness thereof; to amend chapter 520 of the laws of 2024, amending the education law and the public health law relating to amending physician assistant practice standards, in relation to the effectiveness thereof; to amend part V of chapter 57 of the laws of 2022, amending the public health law and the insurance law relating to reimbursement for commercial and Medicaid services provided via telehealth, in relation to the effectiveness thereof; to amend part II of chapter 54 of the laws of 2016 amending part C of chapter 58 of the laws of 2005 relating to authorizing reimbursements for expenditures made by or on behalf of social services districts for medical assistance for needy persons and administration thereof, in relation to the effectiveness thereof; to amend part C of chapter 57 of the laws of 2018, amending the social services law and the public health law relating to health homes and the penalties for managed care providers, in relation to the effectiveness thereof; and to amend the social services law, in relation to certain services provided pursuant to a waiver for traumatic brain injuries (Part B); to amend the public health law, in relation to extending certain provisions relating to the distribution of pool allocations; to amend part A3 of chapter 62 of the laws of 2003 amending the public health law and other laws relating to enacting major components necessary to implement the state

fiscal plan for the 2003-04 state fiscal year, in relation to extending the effectiveness of provisions thereof; to amend the New York Health Care Reform Act of 1996, in relation to extending certain provisions relating thereto; to amend the New York Health Care Reform Act of 2000, in relation to extending the effectiveness of provisions thereof; to amend the public health law, in relation to extending certain provisions relating to health care initiative pool distributions; to amend the social services law, in relation to extending payment provisions for general hospitals; to amend the public health law, in relation to extending certain provisions relating to the assessments on covered lives; to amend the public health law, in relation to the comprehensive diagnostic and treatment centers indigent care program, professional education pool funding, and tobacco control and insurance initiatives pool distributions; to amend the social services law, in relation to medical assistance information and payment system; to amend the public health law, in relation to payments for certified home health agency services, long term home health care programs and AIDS home care programs; and to amend the social services law, in relation to the personal care services worker recruitment and retention program (Part C); to amend chapter 266 of the laws of 1986 amending the civil practice law and rules and other laws relating to malpractice and professional medical conduct, in relation to insurance coverage paid for by funds from the hospital excess liability pool and extending the effectiveness of certain provisions thereof; to amend part J of chapter 63 of the laws of 2001 amending chapter 266 of the laws of 1986 amending the civil practice law and rules and other laws relating to malpractice and professional medical conduct, in relation to extending certain provisions concerning the hospital excess liability pool; and to amend part H of chapter 57 of the laws of 2017 amending the New York Health Care Reform Act of 1996 and other laws relating to extending certain provisions relating thereto, in relation to extending provisions relating to excess coverage (Part D); intentionally omitted (Part E); to amend the state finance law, in relation to approval to spend moneys of the Percy T. Phillips educational foundation of the Dental Society of the state of New York fund; to amend the vehicle and traffic law, in relation to distinctive license plates for members of the New York State Dental Foundation; to amend part JJ of chapter 57 of the laws of 2025 amending the public health law relating to reporting pregnancy losses and clarifying which agencies are responsible for such reports, in relation to the effectiveness thereof; to amend part P of chapter 57 of the laws of 2025 amending the public health law relating to requiring hospitals to provide stabilizing care to pregnant individuals, in relation to the effectiveness thereof; to amend part GG of chapter 56 of the laws of 2020 amending the social services law and the public health law relating to creating a single preferred-drug list for medication assisted treatment, in relation to the effectiveness thereof; to amend the public health law, in relation to making technical corrections thereto; to amend the social services law, in relation to the look-back period for medical assistance; and to amend the insurance law, in relation to referencing the continuing care retirement community council (Part F); to amend the public health law, in relation to modifying definitions related to automated external defibrillators (AEDs), designating the department of health as the entity that may authorize the acquisition of AEDs, modifying requirements for public access defibrillation providers, and establishing requirements

that providers of AEDs notify the receivers of their responsibilities; and to amend the education law, in relation to AEDS (Part G); intentionally omitted (Part H); to amend chapter 517 of the laws of 2016, amending the public health law relating to payments from the New York state medical indemnity fund, in relation to the effectiveness thereof (Part I); to amend the public health law, in relation to temporary health care services agencies (Part J); intentionally omitted (Part K); to amend the public health law, in relation to restoring prior enacted nursing home capital rate reductions (Part L); to amend the social services law, in relation to the amount payable for certain services provided to eligible persons who are also eligible for medical assistance or are also qualified medicare beneficiaries, and in relation to clarifying Medicaid requirements for biomarker testing; and to repeal certain provisions of the social services law and the public health law relating thereto (Part M); intentionally omitted (Part N); to amend part I of chapter 57 of the laws of 2022 providing a one percent across the board payment increase to all qualifying fee-for-service Medicaid rates, in relation to hospital and nursing home fee-for-service reimbursement rates; and to amend the public health law, in relation to certain reductions in hospital capital rate add-ons (Part O); establishing a state fiscal year 2026-2027 targeted inflationary increase to be applied to certain portions of reimbursable costs or contract amounts for certain programs and services (Part P); intentionally omitted (Part Q); to amend the insurance law and the public health law, in relation to substance-related and addictive disorder services (Part R); intentionally omitted (Part S); to amend part ZZ of chapter 56 of the laws of 2020 amending the tax law and the social services law relating to certain Medicaid management, in relation to the effectiveness thereof; and to amend the public health law, in relation to minimum amounts of certain state aid for the city of New York (Part T); to amend part A of chapter 56 of the laws of 2013 amending the public health law and other laws relating to general hospital reimbursement for annual rates, in relation to extending government rates for behavioral services and referencing the office of addiction services and supports; to amend part H of chapter 111 of the laws of 2010 relating to increasing Medicaid payments to providers through managed care organizations and providing equivalent fees through an ambulatory patient group methodology, in relation to extending government rates for behavioral services referencing the office of addiction services and supports and in relation to the effectiveness thereof (Part U); to amend part Q of chapter 59 of the laws of 2016, amending the mental hygiene law relating to the closure or transfer of a state-operated individualized residential alternative, in relation to the effectiveness thereof (Part V); to amend chapter 670 of the laws of 2021, requiring the office for people with developmental disabilities to establish the care demonstration program, in relation to the effectiveness thereof (Part W); to amend the social services law, in relation to medical assistance for needy persons age sixty-five or older who are eligible for medical assistance but for their immigration status (Part X); to amend the public health law, in relation to providing for an amended New York managed care organization provider tax (Part Y); to amend the social services law, in relation to coverage for services provided by school-based health centers for medical assistance recipients (Part Z); to amend part LL of chapter 57 of the laws of 2024, amending the public health law relating to reimbursement rates for medically fragile children and

pediatric diagnostic and treatment centers, in relation to extending the effectiveness thereof (Part AA); and to amend the financial services law, in relation to dispute resolution for emergency services and surprise bills; and providing for the repeal of certain provisions upon expiration thereof (Part BB)

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

1 Section 1. This act enacts into law major components of legislation
2 necessary to implement the state health and mental hygiene budget for
3 the 2026-2027 state fiscal year. Each component is wholly contained
4 within a Part identified as Parts A through BB. The effective date for
5 each particular provision contained within such Part is set forth in the
6 last section of such Part. Any provision in any section contained within
7 a Part, including the effective date of the Part, which makes a refer-
8 ence to a section "of this act", when used in connection with that
9 particular component, shall be deemed to mean and refer to the corre-
10 sponding section of the Part in which it is found. Section three of this
11 act sets forth the general effective date of this act.

12

PART A

13 Section 1. Paragraph (a) of subdivision 1 of section 92 of part H of
14 chapter 59 of the laws of 2011, amending the public health law and other
15 laws relating to general hospital reimbursement for annual rates, as
16 amended by section 1 of part A of chapter 57 of the laws of 2025, is
17 amended to read as follows:

18 (a) For state fiscal years 2011-12 through [~~2026-27~~] **2027-28**, the
19 director of the budget, in consultation with the commissioner of health
20 referenced as "commissioner" for purposes of this section, shall assess
21 on a quarterly basis, as reflected in quarterly reports pursuant to
22 subdivision five of this section known and projected department of
23 health state funds medicaid expenditures by category of service and by
24 geographic regions, as defined by the commissioner.

25 § 2. This act shall take effect immediately and shall be deemed to
26 have been in full force and effect on and after April 1, 2026.

27

PART B

28 Section 1. Subdivision (c) of section 62 of chapter 165 of the laws of
29 1991, amending the public health law and other laws relating to estab-
30 lishing payments for medical assistance, as amended by section 9 of part
31 GG of chapter 56 of the laws of 2020, is amended to read as follows:

32 (c) section 364-j of the social services law, as amended by section
33 eight of this act and subdivision 6 of section 367-a of the social
34 services law as added by section twelve of this act shall expire and be
35 deemed repealed on March 31, [~~2026~~] **2029** and provided further, that the
36 amendments to the provisions of section 364-j of the social services law
37 made by section eight of this act shall only apply to managed care
38 programs approved on or after the effective date of this act;

39 § 2. Section 11 of chapter 710 of the laws of 1988, amending the
40 social services law and the education law relating to medical assistance
41 eligibility of certain persons and providing for managed medical care

1 demonstration programs, as amended by section 10 of part GG of chapter
2 56 of the laws of 2020, is amended to read as follows:

3 § 11. This act shall take effect immediately; except that the
4 provisions of sections one, two, three, four, eight and ten of this act
5 shall take effect on the ninetieth day after it shall have become a law;
6 and except that the provisions of sections five, six and seven of this
7 act shall take effect January 1, 1989; and except that effective imme-
8 diately, the addition, amendment and/or repeal of any rule or regulation
9 necessary for the implementation of this act on its effective date are
10 authorized and directed to be made and completed on or before such
11 effective date; provided, however, that the provisions of section 364-j
12 of the social services law, as added by section one of this act shall
13 expire and be deemed repealed on and after March 31, [~~2026~~ 2029, the
14 provisions of section 364-k of the social services law, as added by
15 section two of this act, except subdivision 10 of such section, shall
16 expire and be deemed repealed on and after January 1, 1994, and the
17 provisions of subdivision 10 of section 364-k of the social services
18 law, as added by section two of this act, shall expire and be deemed
19 repealed on January 1, 1995.

20 § 3. Section 18 of chapter 904 of the laws of 1984, amending the
21 public health law and the social services law relating to encouraging
22 comprehensive health services, as amended by section 16 of part B of
23 chapter 57 of the laws of 2023, is amended to read as follows:

24 § 18. This act shall take effect immediately, except that sections
25 six, nine, ten and eleven of this act shall take effect on the sixtieth
26 day after it shall have become a law, sections two, three, four and nine
27 of this act shall expire and be of no further force or effect on or
28 after March 31, [~~2026~~ 2029, section two of this act shall take effect
29 on April 1, 1985 or seventy-five days following the submission of the
30 report required by section one of this act, whichever is later, and
31 sections eleven and thirteen of this act shall expire and be of no
32 further force or effect on or after March 31, 1988.

33 § 4. Section 4 of part X2 of chapter 62 of the laws of 2003, amending
34 the public health law relating to allowing for the use of funds of the
35 office of professional medical conduct for activities of the patient
36 health information and quality improvement act of 2000, as amended by
37 section 17 of part B of chapter 57 of the laws of 2023, is amended to
38 read as follows:

39 § 4. This act shall take effect immediately; provided that the
40 provisions of section one of this act shall be deemed to have been in
41 full force and effect on and after April 1, 2003, and shall expire March
42 31, [~~2026~~ 2029 when upon such date the provisions of such section shall
43 be deemed repealed.

44 § 5. Subdivision (o) of section 111 of part H of chapter 59 of the
45 laws of 2011, amending the public health law relating to the statewide
46 health information network of New York and the statewide planning and
47 research cooperative system and general powers and duties, as amended by
48 section 18 of part B of chapter 57 of the laws of 2023, is amended to
49 read as follows:

50 (o) sections thirty-eight and thirty-eight-a of this act shall expire
51 and be deemed repealed March 31, [~~2026~~ 2029;

52 § 6. Section 32 of part A of chapter 58 of the laws of 2008, amending
53 the elder law and other laws relating to reimbursement to participating
54 provider pharmacies and prescription drug coverage, as amended by
55 section 19 of part B of chapter 57 of the laws of 2023, is amended to
56 read as follows:

1 § 32. This act shall take effect immediately and shall be deemed to
2 have been in full force and effect on and after April 1, 2008; provided
3 however, that sections one, six-a, nineteen, twenty, twenty-four, and
4 twenty-five of this act shall take effect July 1, 2008; provided however
5 that sections sixteen, seventeen and eighteen of this act shall expire
6 April 1, [~~2026~~] 2029; provided, however, that the amendments made by
7 section twenty-eight of this act shall take effect on the same date as
8 section 1 of chapter 281 of the laws of 2007 takes effect; provided
9 further, that sections twenty-nine, thirty, and thirty-one of this act
10 shall take effect October 1, 2008; provided further, that section twen-
11 ty-seven of this act shall take effect January 1, 2009; and provided
12 further, that section twenty-seven of this act shall expire and be
13 deemed repealed March 31, [~~2026~~] 2029; and provided, further, however,
14 that the amendments to subdivision 1 of section 241 of the education law
15 made by section twenty-nine of this act shall not affect the expiration
16 of such subdivision and shall be deemed to expire therewith and provided
17 that the amendments to section 272 of the public health law made by
18 section thirty of this act shall not affect the repeal of such section
19 and shall be deemed repealed therewith.

20 § 7. Paragraph (f) of subdivision 1 of section 64 of chapter 81 of the
21 laws of 1995, amending the public health law and other laws relating to
22 medical reimbursement and welfare reform, as amended by section 21 of
23 part B of chapter 57 of the laws of 2023, is amended to read as follows:

24 (f) Prior to February 1, 2001, February 1, 2002, February 1, 2003,
25 February 1, 2004, February 1, 2005, February 1, 2006, February 1, 2007,
26 February 1, 2008, February 1, 2009, February 1, 2010, February 1, 2011,
27 February 1, 2012, February 1, 2013, February 1, 2014, February 1, 2015,
28 February 1, 2016, February 1, 2017, February 1, 2018, February 1, 2019,
29 February 1, 2020, February 1, 2021, February 1, 2022, February 1, 2023,
30 February 1, 2024, February 1, 2025 [~~and~~], February 1, 2026, February 1,
31 2027, February 1, 2028, and February 1, 2029, the commissioner of health
32 shall calculate the result of the statewide total of residential health
33 care facility days of care provided to beneficiaries of title XVIII of
34 the federal social security act (medicare), divided by the sum of such
35 days of care plus days of care provided to residents eligible for
36 payments pursuant to title 11 of article 5 of the social services law
37 minus the number of days provided to residents receiving hospice care,
38 expressed as a percentage, for the period commencing January 1, through
39 November 30, of the prior year respectively, based on such data for such
40 period. This value shall be called the 2000, 2001, 2002, 2003, 2004,
41 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016,
42 2017, 2018, 2019, 2020, 2021, 2022, 2023, 2024, 2025 [~~and~~], 2026, 2027,
43 2028 and 2029 statewide target percentage respectively.

44 § 8. Subparagraph (ii) of paragraph (b) of subdivision 3 of section 64
45 of chapter 81 of the laws of 1995, amending the public health law and
46 other laws relating to medical reimbursement and welfare reform, as
47 amended by section 22 of part B of chapter 57 of the laws of 2023, is
48 amended to read as follows:

49 (ii) If the 1997, 1998, 2000, 2001, 2002, 2003, 2004, 2005, 2006,
50 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018,
51 2019, 2020, 2021, 2022, 2023, 2024, 2025 [~~and~~], 2026, 2027, 2028, and
52 2029 statewide target percentages are not for each year at least three
53 percentage points higher than the statewide base percentage, the commis-
54 sioner of health shall determine the percentage by which the statewide
55 target percentage for each year is not at least three percentage points
56 higher than the statewide base percentage. The percentage calculated

1 pursuant to this paragraph shall be called the 1997, 1998, 2000, 2001,
2 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013,
3 2014, 2015, 2016, 2017, 2018, 2019, 2020, 2021, 2022, 2023, 2024, 2025
4 [~~and~~], 2026, 2027, 2028 and 2029 statewide reduction percentage respec-
5 tively. If the 1997, 1998, 2000, 2001, 2002, 2003, 2004, 2005, 2006,
6 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018,
7 2019, 2020, 2021, 2022, 2023, 2024, 2025 [~~and~~], 2026, 2027, 2028 and
8 2029 statewide target percentage for the respective year is at least
9 three percentage points higher than the statewide base percentage, the
10 statewide reduction percentage for the respective year shall be zero.

11 § 9. Subparagraph (iii) of paragraph (b) of subdivision 4 of section
12 64 of chapter 81 of the laws of 1995, amending the public health law and
13 other laws relating to medical reimbursement and welfare reform, as
14 amended by section 23 of part B of chapter 57 of the laws of 2023, is
15 amended to read as follows:

16 (iii) The 1998, 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008,
17 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019, 2020,
18 2021, 2022, 2023, 2024, 2025 [~~and~~], 2026, 2027, 2028, and 2029 statewide
19 reduction percentage shall be multiplied by one hundred two million
20 dollars respectively to determine the 1998, 2000, 2001, 2002, 2003,
21 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015,
22 2016, 2017, 2018, 2019, 2020, 2021, 2022, 2023, 2024, 2025 [~~and~~], 2026,
23 2027, 2028, and 2029 statewide aggregate reduction amount. If the 1998
24 and the 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009,
25 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019, 2020, 2021,
26 2022, 2023, 2024, 2025 [~~and~~], 2026, 2027, 2028, and 2029 statewide
27 reduction percentage shall be zero respectively, there shall be no 1998,
28 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011,
29 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019, 2020, 2021, 2022, 2023,
30 2024, 2025 [~~and~~], 2026, 2027, 2028, and 2029 reduction amount.

31 § 10. The opening paragraph of paragraph (e) of subdivision 7 of
32 section 367-a of the social services law, as amended by section 5 of
33 part I of chapter 57 of the laws of 2024, is amended to read as follows:

34 During the period from April first, two thousand fifteen through March
35 thirty-first, two thousand [~~twenty-six~~] twenty-nine, the commissioner
36 may, in lieu of a managed care provider or pharmacy benefit manager,
37 negotiate directly and enter into an arrangement with a pharmaceutical
38 manufacturer for the provision of supplemental rebates relating to phar-
39 maceutical utilization by enrollees of managed care providers pursuant
40 to section three hundred sixty-four-j of this title and may also negoti-
41 ate directly and enter into such an agreement relating to pharmaceutical
42 utilization by medical assistance recipients not so enrolled. Such
43 rebate arrangements shall be limited to the following: antiretrovirals
44 approved by the FDA for the treatment of HIV/AIDS, accelerated approval
45 drugs established pursuant to this paragraph, opioid dependence agents
46 and opioid antagonists listed in a statewide formulary established
47 pursuant to subparagraph (vii) of this paragraph, hepatitis C agents,
48 high cost drugs as provided for in subparagraph (viii) of this para-
49 graph, gene therapies as provided for in subparagraph (ix) of this para-
50 graph, and any other class or drug designated by the commissioner for
51 which the pharmaceutical manufacturer has in effect a rebate arrangement
52 with the federal secretary of health and human services pursuant to 42
53 U.S.C. § 1396r-8, and for which the state has established standard clin-
54 ical criteria. No agreement entered into pursuant to this paragraph
55 shall have an initial term or be extended beyond the expiration or
56 repeal of this paragraph. For purposes of this paragraph, an "acceler-

1 ated approval" is a drug or labeled indication of a drug authorized by
2 the Federal Food, Drug and Cosmetic Act for drugs approved under Subpart
3 H of 21 CFR Part 314 and Subpart E of 21 CFR Part 601 for serious condi-
4 tions that fill an unmet medical need based on whether the drug has an
5 effect on a surrogate clinical endpoint, and is pending verification of
6 clinical benefit in confirmatory trials.

7 § 11. Subdivision 1 of section 60 of part B of chapter 57 of the laws
8 of 2015, amending the social services law and other laws relating to
9 supplemental rebates, as amended by section 25 of part B of chapter 57
10 of the laws of 2023, is amended to read as follows:

11 1. section one of this act shall expire and be deemed repealed March
12 31, [~~2029~~] 2032;

13 § 12. Section 8 of part KK of chapter 56 of the laws of 2020, amending
14 the public health law relating to the designation of statewide general
15 hospital quality and sole community pools and the reduction of capital
16 related inpatient expenses, as amended by section 26 of part B of chap-
17 ter 57 of the laws of 2023, is amended to read as follows:

18 § 8. This act shall take effect immediately and shall be deemed to
19 have been in full force and effect on and after April 1, 2020, provided,
20 further that sections four through seven of this act shall expire and be
21 deemed repealed March 31, [~~2026~~] 2029; provided further, however, that
22 the director of the budget may, in consultation with the commissioner of
23 health, delay the effective dates prescribed herein for a period of time
24 which shall not exceed ninety days following the conclusion or termi-
25 nation of an executive order issued pursuant to section 28 of the execu-
26 tive law declaring a state disaster emergency for the entire state of
27 New York, upon such delay the director of budget shall notify the chairs
28 of the assembly ways and means committee and senate finance committee
29 and the chairs of the assembly and senate health committee; provided
30 further, however, that the director of the budget shall notify the
31 legislative bill drafting commission upon the occurrence of a delay in
32 the effective date of this act in order that the commission may maintain
33 an accurate and timely effective data base of the official text of the
34 laws of the state of New York in furtherance of effectuating the
35 provisions of section 44 of the legislative law and section 70-b of the
36 public officers law.

37 § 13. Section 4 of chapter 779 of the laws of 1986, amending the
38 social services law relating to authorizing services for non-residents
39 in adult homes, residences for adults and enriched housing programs, as
40 amended by section 28 of part B of chapter 57 of the laws of 2023, is
41 amended to read as follows:

42 § 4. This act shall take effect on the one hundred twentieth day after
43 it shall have become a law and shall remain in full force and effect
44 until July 1, [~~2026~~] 2029, provided however, that effective immediately,
45 the addition, amendment and/or repeal of any rules or regulations neces-
46 sary for the implementation of the foregoing sections of this act on its
47 effective date are authorized and directed to be made and completed on
48 or before such effective date.

49 § 14. Section 9 of part R of chapter 59 of the laws of 2016, amending
50 the public health law and the education law relating to electronic
51 prescriptions, as amended by section 35-b of part B of chapter 57 of the
52 laws of 2023, is amended to read as follows:

53 § 9. This act shall take effect immediately; provided however, that
54 sections one and two of this act shall take effect on the first of June
55 next succeeding the date on which it shall have become a law and shall
56 expire and be deemed repealed June 1, [~~2026~~] 2029.

1 § 15. Subdivision 5-d of section 2807-k of the public health law, as
2 amended by section 1 of part E of chapter 57 of the laws of 2023, clause
3 (A) of subparagraph (ii) of paragraph (b) as amended by section 2 of
4 part D of chapter 57 of the laws of 2025, is amended to read as follows:

5 5-d. (a) Notwithstanding any inconsistent provision of this section,
6 section twenty-eight hundred seven-w of this article or any other
7 contrary provision of law, and subject to the availability of federal
8 financial participation, for periods on and after January first, two
9 thousand twenty, through [~~March~~] December thirty-first, two thousand
10 [~~twenty-six~~] twenty-nine, all funds available for distribution pursuant
11 to this section, except for funds distributed pursuant to paragraph (b)
12 of subdivision five-b of this section, and all funds available for
13 distribution pursuant to section twenty-eight hundred seven-w of this
14 article, shall be reserved and set aside and distributed in accordance
15 with the provisions of this subdivision.

16 (b) The commissioner shall promulgate regulations, and may promulgate
17 emergency regulations, establishing methodologies for the distribution
18 of funds as described in paragraph (a) of this subdivision and such
19 regulations shall include, but not be limited to, the following:

20 (i) Such regulations shall establish methodologies for determining
21 each facility's relative uncompensated care need amount based on unin-
22 sured inpatient and outpatient units of service from the cost reporting
23 year two years prior to the distribution year, multiplied by the appli-
24 cable medicaid rates in effect January first of the distribution year,
25 as summed and adjusted by a statewide cost adjustment factor and reduced
26 by the sum of all payment amounts collected from such uninsured
27 patients, and as further adjusted by application of a nominal need
28 computation that shall take into account each facility's medicaid inpa-
29 tient share.

30 (ii) Annual distributions pursuant to such regulations for the two
31 thousand twenty through two thousand [~~twenty-five~~] twenty-nine calendar
32 years shall be in accord with the following:

33 (A) (1) one hundred thirty-nine million four hundred thousand dollars
34 shall be distributed as Medicaid Disproportionate Share Hospital ("DSH")
35 payments to major public general hospitals;

36 (2) for the calendar years two thousand twenty-five and thereafter,
37 the total distributions to major public general hospitals shall be
38 subject to an aggregate reduction of one hundred thirteen million four
39 hundred thousand dollars annually, provided that general hospitals oper-
40 ated by the New York city health and hospitals corporation as estab-
41 lished by chapter one thousand sixteen of the laws of nineteen hundred
42 sixty-nine, as amended, shall not receive distributions pursuant to this
43 subdivision; and

44 (B) nine hundred sixty-nine million nine hundred thousand dollars as
45 Medicaid DSH payments to eligible general hospitals, other than major
46 public general hospitals.

47 For the calendar years two thousand twenty through two thousand twen-
48 ty-two, the total distributions to eligible general hospitals, other
49 than major public general hospitals, shall be subject to an aggregate
50 reduction of one hundred fifty million dollars annually, provided that
51 eligible general hospitals, other than major public general hospitals,
52 that qualify as enhanced safety net hospitals under section two thousand
53 eight hundred seven-c of this article shall not be subject to such
54 reduction.

55 For the calendar years two thousand twenty-three through two thousand
56 [~~twenty-five~~] twenty-nine, the total distributions to eligible general

1 hospitals, other than major public general hospitals, shall be subject
2 to an aggregate reduction of two hundred thirty-five million four
3 hundred thousand dollars annually, provided that eligible general hospi-
4 tals, other than major public general hospitals that qualify as enhanced
5 safety net hospitals under section two thousand eight hundred seven-c of
6 this article as of April first, two thousand twenty, shall not be
7 subject to such reduction.

8 Such reductions shall be determined by a methodology to be established
9 by the commissioner. Such methodologies may take into account the payor
10 mix of each non-public general hospital, including the percentage of
11 inpatient days paid by Medicaid.

12 (iii) For calendar years two thousand twenty through two thousand
13 [~~twenty-five~~] **twenty-nine**, sixty-four million six hundred thousand
14 dollars shall be distributed to eligible general hospitals, other than
15 major public general hospitals, that experience a reduction in indigent
16 care pool payments pursuant to this subdivision, and that qualify as
17 enhanced safety net hospitals under section two thousand eight hundred
18 seven-c of this article as of April first, two thousand twenty. Such
19 distribution shall be established pursuant to regulations promulgated by
20 the commissioner and shall be proportional to the reduction experienced
21 by the facility.

22 (iv) Such regulations shall reserve one percent of the funds available
23 for distribution in the two thousand fourteen and two thousand fifteen
24 calendar years, and for calendar years thereafter, pursuant to this
25 subdivision, subdivision fourteen-f of section twenty-eight hundred
26 seven-c of this article, and sections two hundred eleven and two hundred
27 twelve of chapter four hundred seventy-four of the laws of nineteen
28 hundred ninety-six, in a "financial assistance compliance pool" and
29 shall establish methodologies for the distribution of such pool funds to
30 facilities based on their level of compliance, as determined by the
31 commissioner, with the provisions of subdivision nine-a of this section.

32 (c) The commissioner shall annually report to the governor and the
33 legislature on the distribution of funds under this subdivision includ-
34 ing, but not limited to:

35 (i) the impact on safety net providers, including community providers,
36 rural general hospitals and major public general hospitals;

37 (ii) the provision of indigent care by units of services and funds
38 distributed by general hospitals; and

39 (iii) the extent to which access to care has been enhanced.

40 § 16. Section 7 of part H of chapter 57 of the laws of 2019, amending
41 the public health law relating to waiver of certain regulations, as
42 amended by section 10 of part B of chapter 57 of the laws of 2024, is
43 amended to read as follows:

44 § 7. This act shall take effect immediately and shall be deemed to
45 have been in full force and effect on and after April 1, 2019, provided,
46 however, that section two of this act shall expire on April 1, [~~2026~~]
47 **2028**.

48 § 17. Section 8 of part C of chapter 57 of the laws of 2022, amending
49 the public health law and the education law relating to allowing pharma-
50 cists to direct limited service laboratories and order and administer
51 COVID-19 and influenza tests and modernizing nurse practitioners, as
52 amended by section 1 of part P of chapter 57 of the laws of 2024, is
53 amended to read as follows:

54 § 8. This act shall take effect immediately and shall be deemed to
55 have been in full force and effect on and after April 1, 2022; provided,

1 however, that sections one, two, three, four, six and seven of this act
2 shall expire and be deemed repealed July 1, [~~2026~~] 2030.

3 § 18. Section 5 of chapter 21 of the laws of 2011, amending the educa-
4 tion law relating to authorizing pharmacists to perform collaborative
5 drug therapy management with physicians in certain settings, as amended
6 by section 2 of part P of chapter 57 of the laws of 2024, is amended to
7 read as follows:

8 § 5. This act shall take effect on the one hundred twentieth day after
9 it shall have become a law, provided, however, that the provisions of
10 sections two, three, and four of this act shall expire and be deemed
11 repealed July 1, [~~2026~~] 2030; provided, however, that the amendments to
12 subdivision 1 of section 6801 of the education law made by section one
13 of this act shall be subject to the expiration and reversion of such
14 subdivision pursuant to section 8 of chapter 563 of the laws of 2008,
15 when upon such date the provisions of section one-a of this act shall
16 take effect; provided, further, that effective immediately, the addi-
17 tion, amendment and/or repeal of any rule or regulation necessary for
18 the implementation of this act on its effective date are authorized and
19 directed to be made and completed on or before such effective date.

20 § 19. Section 4 of chapter 520 of the laws of 2024, amending the
21 education law and the public health law relating to amending physician
22 assistant practice standards, is amended to read as follows:

23 § 4. This act shall take effect three months after it shall have
24 become a law; provided, however, that paragraph (1) of subdivision 7 of
25 section 6542 of the education law, as added by section one of this act,
26 shall expire and be deemed repealed July 1, [~~2026~~] 2030. Effective imme-
27 diately, the state education department and the department of health
28 are authorized to promulgate, amend and/or repeal any rule or regulation
29 necessary for the implementation of section one of this act on or before
30 such effective date.

31 § 20. Section 7 of part V of chapter 57 of the laws of 2022, amending
32 the public health law and the insurance law relating to reimbursement
33 for commercial and Medicaid services provided via telehealth, as amended
34 by section 5 of part B of chapter 57 of the laws of 2024, is amended to
35 read as follows:

36 § 7. This act shall take effect immediately and shall be deemed to
37 have been in full force and effect on and after April 1, 2022; provided,
38 however, this act shall expire and be deemed repealed on and after April
39 1, [~~2026~~] 2028.

40 § 21. Section 2 of part II of chapter 54 of the laws of 2016 amending
41 part C of chapter 58 of the laws of 2005 relating to authorizing
42 reimbursements for expenditures made by or on behalf of social services
43 districts for medical assistance for needy persons and administration
44 thereof, as amended by section 8 of part B of chapter 57 of the laws of
45 2024, is amended to read as follows:

46 § 2. This act shall take effect immediately and shall expire and be
47 deemed repealed March 31, [~~2026~~] 2028.

48 § 22. Section 8 of part C of chapter 57 of the laws of 2018, amending
49 the social services law and the public health law relating to health
50 homes and penalties for managed care providers, as amended by section 2
51 of part QQ of chapter 57 of the laws of 2022, is amended to read as
52 follows:

53 § 8. Notwithstanding any inconsistent provision of sections 112 and
54 163 of the state finance law, or sections 142 and 143 of the economic
55 development law, or any other contrary provision of law, excepting the
56 13 responsible vendor requirements of the state finance law, including,

1 but not limited to, sections 163 and 139-k of the state finance law, the
2 commissioner of health is authorized to amend or otherwise extend the
3 terms of a contract awarded prior to the effective date and entered into
4 pursuant to subdivision 24 of section 206 of the public health law, as
5 added by section 39 of part C of chapter 58 of the laws of 2008, without
6 a competitive bid or request for proposal process, upon determination
7 that the existing contractor is qualified to continue to provide such
8 services, and provided that efficiency savings are achieved during the
9 period of extension; and provided, further, that the department of
10 health shall submit a request for applications for such contract during
11 the time period specified in this section and may terminate the contract
12 identified herein prior to expiration of the extension authorized by
13 this section. Contracts entered into, amended, or extended pursuant to
14 this section shall not remain in force beyond August 19, [~~2026~~] 2027.

15 § 23. Paragraph (d-2) of subdivision 3 of section 364-j of the social
16 services law, as amended by chapter 41 of the laws of 2025, is amended
17 to read as follows:

18 (d-2) Services provided pursuant to a waiver, granted pursuant to
19 subsection (c) of section 1915 of the federal social security act, to
20 persons suffering from traumatic brain injuries, shall not be provided
21 to medical assistance recipients through managed care programs estab-
22 lished pursuant to this section. Services provided pursuant to a waiver,
23 granted pursuant to subsection (c) of section 1915 of the federal social
24 security act, to persons qualifying for nursing home diversion and tran-
25 sition services, shall not be provided to medical assistance recipients
26 through managed care programs until at least January first, two thousand
27 [~~twenty-seven~~] twenty-eight.

28 § 24. This act shall take effect immediately and shall be deemed to
29 have been in full force and effect on and after March 31, 2026;
30 provided, however, that the amendments to the opening paragraph of para-
31 graph (e) of subdivision 7 of section 367-a of the social services law
32 made by section ten of this act shall not affect the repeal of such
33 paragraph and shall be deemed repealed therewith; and provided further
34 that the amendments to section 364-j of the social services law made by
35 section twenty-three of this act shall not affect the repeal of such
36 section and shall be deemed repealed therewith.

37

PART C

38 Section 1. Section 34 of part A3 of chapter 62 of the laws of 2003
39 amending the public health law and other laws relating to enacting major
40 components necessary to implement the state fiscal plan for the 2003-04
41 state fiscal year, as amended by section 1 of part C of chapter 57 of
42 the laws of 2023, is amended to read as follows:

43 § 34. (1) Notwithstanding any inconsistent provision of law, rule or
44 regulation and effective April 1, 2008 through March 31, [~~2026~~] 2029,
45 the commissioner of health is authorized to transfer and the state comp-
46 troller is authorized and directed to receive for deposit to the credit
47 of the department of health's special revenue fund - other, health care
48 reform act (HCRA) resources fund - 061, provider collection monitoring
49 account, within amounts appropriated each year, those funds collected
50 and accumulated pursuant to section 2807-v of the public health law,
51 including income from invested funds, for the purpose of payment for
52 administrative costs of the department of health related to adminis-
53 tration of statutory duties for the collections and distributions
54 authorized by section 2807-v of the public health law.

1 (2) Notwithstanding any inconsistent provision of law, rule or regu-
2 lation and effective April 1, 2008 through March 31, [~~2026~~ 2029, the
3 commissioner of health is authorized to transfer and the state comp-
4 troller is authorized and directed to receive for deposit to the credit
5 of the department of health's special revenue fund - other, health care
6 reform act (HCRA) resources fund - 061, provider collection monitoring
7 account, within amounts appropriated each year, those funds collected
8 and accumulated and interest earned through surcharges on payments for
9 health care services pursuant to section 2807-s of the public health law
10 and from assessments pursuant to section 2807-t of the public health law
11 for the purpose of payment for administrative costs of the department of
12 health related to administration of statutory duties for the collections
13 and distributions authorized by sections 2807-s, 2807-t, and 2807-m of
14 the public health law.

15 (3) Notwithstanding any inconsistent provision of law, rule or regu-
16 lation and effective April 1, 2008 through March 31, [~~2026~~ 2029, the
17 commissioner of health is authorized to transfer and the comptroller is
18 authorized to deposit, within amounts appropriated each year, those
19 funds authorized for distribution in accordance with the provisions of
20 paragraph (a) of subdivision 1 of section 2807-l of the public health
21 law for the purposes of payment for administrative costs of the depart-
22 ment of health related to the child health insurance plan program
23 authorized pursuant to title 1-A of article 25 of the public health law
24 into the special revenue funds - other, health care reform act (HCRA)
25 resources fund - 061, child health insurance account, established within
26 the department of health.

27 (5) Notwithstanding any inconsistent provision of law, rule or regu-
28 lation and effective April 1, 2008 through March 31, [~~2026~~ 2029, the
29 commissioner of health is authorized to transfer and the comptroller is
30 authorized to deposit, within amounts appropriated each year, those
31 funds allocated pursuant to paragraph (j) of subdivision 1 of section
32 2807-v of the public health law for the purpose of payment for adminis-
33 trative costs of the department of health related to administration of
34 the state's tobacco control programs and cancer services provided pursu-
35 ant to sections 2807-r and 1399-ii of the public health law into such
36 accounts established within the department of health for such purposes.

37 (6) Notwithstanding any inconsistent provision of law, rule or regu-
38 lation and effective April 1, 2008 through March 31, [~~2026~~ 2029, the
39 commissioner of health is authorized to transfer and the comptroller is
40 authorized to deposit, within amounts appropriated each year, the funds
41 authorized for distribution in accordance with the provisions of section
42 2807-l of the public health law for the purposes of payment for adminis-
43 trative costs of the department of health related to the programs funded
44 pursuant to section 2807-l of the public health law into the special
45 revenue funds - other, health care reform act (HCRA) resources fund -
46 061, pilot health insurance account, established within the department
47 of health.

48 (7) Notwithstanding any inconsistent provision of law, rule or regu-
49 lation and effective April 1, 2008 through March 31, [~~2026~~ 2029, the
50 commissioner of health is authorized to transfer and the comptroller is
51 authorized to deposit, within amounts appropriated each year, those
52 funds authorized for distribution in accordance with the provisions of
53 subparagraph (ii) of paragraph (f) of subdivision 19 of section 2807-c
54 of the public health law from monies accumulated and interest earned in
55 the bad debt and charity care and capital statewide pools through an
56 assessment charged to general hospitals pursuant to the provisions of

1 subdivision 18 of section 2807-c of the public health law and those
2 funds authorized for distribution in accordance with the provisions of
3 section 2807-1 of the public health law for the purposes of payment for
4 administrative costs of the department of health related to programs
5 funded under section 2807-1 of the public health law into the special
6 revenue funds - other, health care reform act (HCRA) resources fund -
7 061, primary care initiatives account, established within the department
8 of health.

9 (8) Notwithstanding any inconsistent provision of law, rule or regu-
10 lation and effective April 1, 2008 through March 31, [~~2026~~] 2029, the
11 commissioner of health is authorized to transfer and the comptroller is
12 authorized to deposit, within amounts appropriated each year, those
13 funds authorized for distribution in accordance with section 2807-1 of
14 the public health law for the purposes of payment for administrative
15 costs of the department of health related to programs funded under
16 section 2807-1 of the public health law into the special revenue funds -
17 other, health care reform act (HCRA) resources fund - 061, health care
18 delivery administration account, established within the department of
19 health.

20 (9) Notwithstanding any inconsistent provision of law, rule or regu-
21 lation and effective April 1, 2008 through March 31, [~~2026~~] 2029, the
22 commissioner of health is authorized to transfer and the comptroller is
23 authorized to deposit, within amounts appropriated each year, those
24 funds authorized pursuant to sections 2807-d, 3614-a and 3614-b of the
25 public health law and section 367-i of the social services law and for
26 distribution in accordance with the provisions of subdivision 9 of
27 section 2807-j of the public health law for the purpose of payment for
28 administration of statutory duties for the collections and distributions
29 authorized by sections 2807-c, 2807-d, 2807-j, 2807-k, 2807-l, 3614-a
30 and 3614-b of the public health law and section 367-i of the social
31 services law into the special revenue funds - other, health care reform
32 act (HCRA) resources fund - 061, provider collection monitoring account,
33 established within the department of health.

34 § 2. Subparagraphs (iv) and (v) of paragraph (a) of subdivision 9 of
35 section 2807-j of the public health law, as amended by section 2 of part
36 C of chapter 57 of the laws of 2023, are amended to read as follows:

37 (iv) seven hundred sixty-five million dollars annually of the funds
38 accumulated for the periods January first, two thousand through December
39 thirty-first, two thousand [~~twenty-five~~] twenty-eight, and

40 (v) one hundred ninety-one million two hundred fifty thousand dollars
41 of the funds accumulated for the period January first, two thousand
42 [~~twenty-six~~] twenty-nine through March thirty-first, two thousand [~~twen-~~
43 ~~ty-six~~] twenty-nine.

44 § 3. Subdivision 5 of section 168 of chapter 639 of the laws of 1996,
45 constituting the New York Health Care Reform Act of 1996, as amended by
46 section 3 of part C of chapter 57 of the laws of 2023, is amended to
47 read as follows:

48 5. sections 2807-c, 2807-j, 2807-s and 2807-t of the public health
49 law, as amended or as added by this act, shall expire on December 31,
50 [~~2026~~] 2029, and shall be thereafter effective only in respect to any
51 act done on or before such date or action or proceeding arising out of
52 such act including continued collections of funds from assessments and
53 allowances and surcharges established pursuant to sections 2807-c,
54 2807-j, 2807-s and 2807-t of the public health law, and administration
55 and distributions of funds from pools established pursuant to sections
56 2807-c, 2807-j, 2807-k, 2807-l, 2807-m, 2807-s and 2807-t of the public

1 health law related to patient services provided before December 31,
2 [~~2026~~] 2029, and continued expenditure of funds authorized for programs
3 and grants until the exhaustion of funds therefor;

4 § 4. Subdivision 1 of section 138 of chapter 1 of the laws of 1999,
5 constituting the New York Health Care Reform Act of 2000, as amended by
6 section 4 of part C of chapter 57 of the laws of 2023, is amended to
7 read as follows:

8 1. sections 2807-c, 2807-j, 2807-s, and 2807-t of the public health
9 law, as amended by this act, shall expire on December 31, [~~2026~~] 2029,
10 and shall be thereafter effective only in respect to any act done before
11 such date or action or proceeding arising out of such act including
12 continued collections of funds from assessments and allowances and
13 surcharges established pursuant to sections 2807-c, 2807-j, 2807-s and
14 2807-t of the public health law, and administration and distributions of
15 funds from pools established pursuant to sections 2807-c, 2807-j,
16 2807-k, 2807-l, 2807-m, 2807-s, 2807-t, 2807-v and 2807-w of the public
17 health law, as amended or added by this act, related to patient services
18 provided before December 31, [~~2026~~] 2029, and continued expenditure of
19 funds authorized for programs and grants until the exhaustion of funds
20 therefor;

21 § 5. Section 2807-l of the public health law, as amended by section 5
22 of part C of chapter 57 of the laws of 2023, is amended to read as
23 follows:

24 § 2807-l. Health care initiatives pool distributions. 1. Funds accumu-
25 lated in the health care initiatives pools pursuant to paragraph (b) of
26 subdivision nine of section twenty-eight hundred seven-j of this arti-
27 cle, or the health care reform act (HCRA) resources fund established
28 pursuant to section ninety-two-dd of the state finance law, whichever is
29 applicable, including income from invested funds, shall be distributed
30 or retained by the commissioner or by the state comptroller, as applica-
31 ble, in accordance with the following.

32 (a) Funds shall be reserved and accumulated from year to year and
33 shall be available, including income from invested funds, for purposes
34 of distributions to programs to provide health care coverage for unin-
35 sured or underinsured children pursuant to sections twenty-five hundred
36 ten and twenty-five hundred eleven of this chapter from the respective
37 health care initiatives pools established for the following periods in
38 the following amounts:

39 (i) from the pool for the period January first, nineteen hundred nine-
40 ty-seven through December thirty-first, nineteen hundred ninety-seven,
41 up to one hundred twenty million six hundred thousand dollars;

42 (ii) from the pool for the period January first, nineteen hundred
43 ninety-eight through December thirty-first, nineteen hundred ninety-
44 eight, up to one hundred sixty-four million five hundred thousand
45 dollars;

46 (iii) from the pool for the period January first, nineteen hundred
47 ninety-nine through December thirty-first, nineteen hundred ninety-nine,
48 up to one hundred eighty-one million dollars;

49 (iv) from the pool for the period January first, two thousand through
50 December thirty-first, two thousand, two hundred seven million dollars;

51 (v) from the pool for the period January first, two thousand one
52 through December thirty-first, two thousand one, two hundred thirty-five
53 million dollars;

54 (vi) from the pool for the period January first, two thousand two
55 through December thirty-first, two thousand two, three hundred twenty-
56 four million dollars;

1 (vii) from the pool for the period January first, two thousand three
2 through December thirty-first, two thousand three, up to four hundred
3 fifty million three hundred thousand dollars;

4 (viii) from the pool for the period January first, two thousand four
5 through December thirty-first, two thousand four, up to four hundred
6 sixty million nine hundred thousand dollars;

7 (ix) from the pool or the health care reform act (HCRA) resources
8 fund, whichever is applicable, for the period January first, two thou-
9 sand five through December thirty-first, two thousand five, up to one
10 hundred fifty-three million eight hundred thousand dollars;

11 (x) from the health care reform act (HCRA) resources fund for the
12 period January first, two thousand six through December thirty-first,
13 two thousand six, up to three hundred twenty-five million four hundred
14 thousand dollars;

15 (xi) from the health care reform act (HCRA) resources fund for the
16 period January first, two thousand seven through December thirty-first,
17 two thousand seven, up to four hundred twenty-eight million fifty-nine
18 thousand dollars;

19 (xii) from the health care reform act (HCRA) resources fund for the
20 period January first, two thousand eight through December thirty-first,
21 two thousand ten, up to four hundred fifty-three million six hundred
22 seventy-four thousand dollars annually;

23 (xiii) from the health care reform act (HCRA) resources fund for the
24 period January first, two thousand eleven, through March thirty-first,
25 two thousand eleven, up to one hundred thirteen million four hundred
26 eighteen thousand dollars;

27 (xiv) from the health care reform act (HCRA) resources fund for the
28 period April first, two thousand eleven, through March thirty-first, two
29 thousand twelve, up to three hundred twenty-four million seven hundred
30 forty-four thousand dollars;

31 (xv) from the health care reform act (HCRA) resources fund for the
32 period April first, two thousand twelve, through March thirty-first, two
33 thousand thirteen, up to three hundred forty-six million four hundred
34 forty-four thousand dollars;

35 (xvi) from the health care reform act (HCRA) resources fund for the
36 period April first, two thousand thirteen, through March thirty-first,
37 two thousand fourteen, up to three hundred seventy million six hundred
38 ninety-five thousand dollars; and

39 (xvii) from the health care reform act (HCRA) resources fund for each
40 state fiscal year for periods on and after April first, two thousand
41 fourteen, within amounts appropriated.

42 (b) Funds shall be reserved and accumulated from year to year and
43 shall be available, including income from invested funds, for purposes
44 of distributions for health insurance programs under the individual
45 subsidy programs established pursuant to the expanded health care cover-
46 age act of nineteen hundred eighty-eight as amended, and for evaluation
47 of such programs from the respective health care initiatives pools or
48 the health care reform act (HCRA) resources fund, whichever is applica-
49 ble, established for the following periods in the following amounts:

50 (i) (A) an amount not to exceed six million dollars on an annualized
51 basis for the periods January first, nineteen hundred ninety-seven
52 through December thirty-first, nineteen hundred ninety-nine; up to six
53 million dollars for the period January first, two thousand through
54 December thirty-first, two thousand; up to five million dollars for the
55 period January first, two thousand one through December thirty-first,
56 two thousand one; up to four million dollars for the period January

1 first, two thousand two through December thirty-first, two thousand two;
2 up to two million six hundred thousand dollars for the period January
3 first, two thousand three through December thirty-first, two thousand
4 three; up to one million three hundred thousand dollars for the period
5 January first, two thousand four through December thirty-first, two
6 thousand four; up to six hundred seventy thousand dollars for the period
7 January first, two thousand five through June thirtieth, two thousand
8 five; up to one million three hundred thousand dollars for the period
9 April first, two thousand six through March thirty-first, two thousand
10 seven; and up to one million three hundred thousand dollars annually for
11 the period April first, two thousand seven through March thirty-first,
12 two thousand nine, shall be allocated to individual subsidy programs;
13 and

14 (B) an amount not to exceed seven million dollars on an annualized
15 basis for the periods during the period January first, nineteen hundred
16 ninety-seven through December thirty-first, nineteen hundred ninety-nine
17 and four million dollars annually for the periods January first, two
18 thousand through December thirty-first, two thousand two, and three
19 million dollars for the period January first, two thousand three through
20 December thirty-first, two thousand three, and two million dollars for
21 the period January first, two thousand four through December thirty-
22 first, two thousand four, and two million dollars for the period January
23 first, two thousand five through June thirtieth, two thousand five shall
24 be allocated to the catastrophic health care expense program.

25 (ii) Notwithstanding any law to the contrary, the characterizations of
26 the New York state small business health insurance partnership program
27 as in effect prior to June thirtieth, two thousand three, voucher
28 program as in effect prior to December thirty-first, two thousand one,
29 individual subsidy program as in effect prior to June thirtieth, two
30 thousand five, and catastrophic health care expense program, as in
31 effect prior to June thirtieth, two thousand five, may, for the purposes
32 of identifying matching funds for the community health care conversion
33 demonstration project described in a waiver of the provisions of title
34 XIX of the federal social security act granted to the state of New York
35 and dated July fifteenth, nineteen hundred ninety-seven, may continue to
36 be used to characterize the insurance programs in sections four thousand
37 three hundred twenty-one-a, four thousand three hundred twenty-two-a,
38 four thousand three hundred twenty-six and four thousand three hundred
39 twenty-seven of the insurance law, which are successor programs to these
40 programs.

41 (c) Up to seventy-eight million dollars shall be reserved and accumu-
42 lated from year to year from the pool for the period January first,
43 nineteen hundred ninety-seven through December thirty-first, nineteen
44 hundred ninety-seven, for purposes of public health programs, up to
45 seventy-six million dollars shall be reserved and accumulated from year
46 to year from the pools for the periods January first, nineteen hundred
47 ninety-eight through December thirty-first, nineteen hundred ninety-
48 eight and January first, nineteen hundred ninety-nine through December
49 thirty-first, nineteen hundred ninety-nine, up to eighty-four million
50 dollars shall be reserved and accumulated from year to year from the
51 pools for the period January first, two thousand through December thir-
52 ty-first, two thousand, up to eighty-five million dollars shall be
53 reserved and accumulated from year to year from the pools for the period
54 January first, two thousand one through December thirty-first, two thou-
55 sand one, up to eighty-six million dollars shall be reserved and accumu-
56 lated from year to year from the pools for the period January first, two

1 thousand two through December thirty-first, two thousand two, up to
2 eighty-six million one hundred fifty thousand dollars shall be reserved
3 and accumulated from year to year from the pools for the period January
4 first, two thousand three through December thirty-first, two thousand
5 three, up to fifty-eight million seven hundred eighty thousand dollars
6 shall be reserved and accumulated from year to year from the pools for
7 the period January first, two thousand four through December thirty-
8 first, two thousand four, up to sixty-eight million seven hundred thirty
9 thousand dollars shall be reserved and accumulated from year to year
10 from the pools or the health care reform act (HCRA) resources fund,
11 whichever is applicable, for the period January first, two thousand five
12 through December thirty-first, two thousand five, up to ninety-four
13 million three hundred fifty thousand dollars shall be reserved and accu-
14 mulated from year to year from the health care reform act (HCRA)
15 resources fund for the period January first, two thousand six through
16 December thirty-first, two thousand six, up to seventy million nine
17 hundred thirty-nine thousand dollars shall be reserved and accumulated
18 from year to year from the health care reform act (HCRA) resources fund
19 for the period January first, two thousand seven through December thir-
20 ty-first, two thousand seven, up to fifty-five million six hundred
21 eighty-nine thousand dollars annually shall be reserved and accumulated
22 from year to year from the health care reform act (HCRA) resources fund
23 for the period January first, two thousand eight through December thir-
24 ty-first, two thousand ten, up to thirteen million nine hundred twenty-
25 two thousand dollars shall be reserved and accumulated from year to year
26 from the health care reform act (HCRA) resources fund for the period
27 January first, two thousand eleven through March thirty-first, two thou-
28 sand eleven, and for periods on and after April first, two thousand
29 eleven, up to funding amounts specified below and shall be available,
30 including income from invested funds, for:

31 (i) deposit by the commissioner, within amounts appropriated, and the
32 state comptroller is hereby authorized and directed to receive for
33 deposit to, to the credit of the department of health's special revenue
34 fund - other, hospital based grants program account or the health care
35 reform act (HCRA) resources fund, whichever is applicable, for purposes
36 of services and expenses related to general hospital based grant
37 programs, up to twenty-two million dollars annually from the nineteen
38 hundred ninety-seven pool, nineteen hundred ninety-eight pool, nineteen
39 hundred ninety-nine pool, two thousand pool, two thousand one pool and
40 two thousand two pool, respectively, up to twenty-two million dollars
41 from the two thousand three pool, up to ten million dollars for the
42 period January first, two thousand four through December thirty-first,
43 two thousand four, up to eleven million dollars for the period January
44 first, two thousand five through December thirty-first, two thousand
45 five, up to twenty-two million dollars for the period January first, two
46 thousand six through December thirty-first, two thousand six, up to
47 twenty-two million ninety-seven thousand dollars annually for the period
48 January first, two thousand seven through December thirty-first, two
49 thousand ten, up to five million five hundred twenty-four thousand
50 dollars for the period January first, two thousand eleven through March
51 thirty-first, two thousand eleven, up to thirteen million four hundred
52 forty-five thousand dollars for the period April first, two thousand
53 eleven through March thirty-first, two thousand twelve, and up to thir-
54 teen million three hundred seventy-five thousand dollars each state
55 fiscal year for the period April first, two thousand twelve through
56 March thirty-first, two thousand fourteen;

1 (ii) deposit by the commissioner, within amounts appropriated, and the
2 state comptroller is hereby authorized and directed to receive for
3 deposit to, to the credit of the emergency medical services training
4 account established in section ninety-seven-q of the state finance law
5 or the health care reform act (HCRA) resources fund, whichever is appli-
6 cable, up to sixteen million dollars on an annualized basis for the
7 periods January first, nineteen hundred ninety-seven through December
8 thirty-first, nineteen hundred ninety-nine, up to twenty million dollars
9 for the period January first, two thousand through December thirty-
10 first, two thousand, up to twenty-one million dollars for the period
11 January first, two thousand one through December thirty-first, two thou-
12 sand one, up to twenty-two million dollars for the period January first,
13 two thousand two through December thirty-first, two thousand two, up to
14 twenty-two million five hundred fifty thousand dollars for the period
15 January first, two thousand three through December thirty-first, two
16 thousand three, up to nine million six hundred eighty thousand dollars
17 for the period January first, two thousand four through December thir-
18 ty-first, two thousand four, up to twelve million one hundred thirty
19 thousand dollars for the period January first, two thousand five through
20 December thirty-first, two thousand five, up to twenty-four million two
21 hundred fifty thousand dollars for the period January first, two thou-
22 sand six through December thirty-first, two thousand six, up to twenty
23 million four hundred ninety-two thousand dollars annually for the period
24 January first, two thousand seven through December thirty-first, two
25 thousand ten, up to five million one hundred twenty-three thousand
26 dollars for the period January first, two thousand eleven through March
27 thirty-first, two thousand eleven, up to eighteen million three hundred
28 fifty thousand dollars for the period April first, two thousand eleven
29 through March thirty-first, two thousand twelve, up to eighteen million
30 nine hundred fifty thousand dollars for the period April first, two
31 thousand twelve through March thirty-first, two thousand thirteen, up to
32 nineteen million four hundred nineteen thousand dollars for the period
33 April first, two thousand thirteen through March thirty-first, two thou-
34 sand fourteen, and up to nineteen million six hundred fifty-nine thou-
35 sand seven hundred dollars each state fiscal year for the period of
36 April first, two thousand fourteen through March thirty-first, two thou-
37 sand [~~twenty-six~~] twenty-nine;

38 (iii) priority distributions by the commissioner up to thirty-two
39 million dollars on an annualized basis for the period January first, two
40 thousand through December thirty-first, two thousand four, up to thir-
41 ty-eight million dollars on an annualized basis for the period January
42 first, two thousand five through December thirty-first, two thousand
43 six, up to eighteen million two hundred fifty thousand dollars for the
44 period January first, two thousand seven through December thirty-first,
45 two thousand seven, up to three million dollars annually for the period
46 January first, two thousand eight through December thirty-first, two
47 thousand ten, up to seven hundred fifty thousand dollars for the period
48 January first, two thousand eleven through March thirty-first, two thou-
49 sand eleven, up to two million nine hundred thousand dollars each state
50 fiscal year for the period April first, two thousand eleven through
51 March thirty-first, two thousand fourteen, and up to two million nine
52 hundred thousand dollars each state fiscal year for the period April
53 first, two thousand fourteen through March thirty-first, two thousand
54 [~~twenty-six~~] twenty-nine to be allocated (A) for the purposes estab-
55 lished pursuant to subparagraph (ii) of paragraph (f) of subdivision
56 nineteen of section twenty-eight hundred seven-c of this article as in

1 effect on December thirty-first, nineteen hundred ninety-six and as may
2 thereafter be amended, up to fifteen million dollars annually for the
3 periods January first, two thousand through December thirty-first, two
4 thousand four, up to twenty-one million dollars annually for the period
5 January first, two thousand five through December thirty-first, two
6 thousand six, and up to seven million five hundred thousand dollars for
7 the period January first, two thousand seven through March thirty-first,
8 two thousand seven;

9 (B) pursuant to a memorandum of understanding entered into by the
10 commissioner, the majority leader of the senate and the speaker of the
11 assembly, for the purposes outlined in such memorandum upon the recom-
12 mendation of the majority leader of the senate, up to eight million
13 five hundred thousand dollars annually for the period January first, two
14 thousand through December thirty-first, two thousand six, and up to four
15 million two hundred fifty thousand dollars for the period January first,
16 two thousand seven through June thirtieth, two thousand seven, and for
17 the purposes outlined in such memorandum upon the recommendation of the
18 speaker of the assembly, up to eight million five hundred thousand
19 dollars annually for the periods January first, two thousand through
20 December thirty-first, two thousand six, and up to four million two
21 hundred fifty thousand dollars for the period January first, two thou-
22 sand seven through June thirtieth, two thousand seven; and

23 (C) for services and expenses, including grants, related to emergency
24 assistance distributions as designated by the commissioner. Notwith-
25 standing section one hundred twelve or one hundred sixty-three of the
26 state finance law or any other contrary provision of law, such distrib-
27 utions shall be limited to providers or programs where, as determined by
28 the commissioner, emergency assistance is vital to protect the life or
29 safety of patients, to ensure the retention of facility caregivers or
30 other staff, or in instances where health facility operations are jeop-
31 ardised, or where the public health is jeopardized or other emergency
32 situations exist, up to three million dollars annually for the period
33 April first, two thousand seven through March thirty-first, two thousand
34 eleven, up to two million nine hundred thousand dollars each state
35 fiscal year for the period April first, two thousand eleven through
36 March thirty-first, two thousand fourteen, up to two million nine
37 hundred thousand dollars each state fiscal year for the period April
38 first, two thousand fourteen through March thirty-first, two thousand
39 seventeen, up to two million nine hundred thousand dollars each state
40 fiscal year for the period April first, two thousand seventeen through
41 March thirty-first, two thousand twenty, up to two million nine hundred
42 thousand dollars each state fiscal year for the period April first, two
43 thousand twenty through March thirty-first, two thousand twenty-three,
44 ~~and~~ up to two million nine hundred thousand dollars each state fiscal
45 year for the period April first, two thousand twenty-three through March
46 thirty-first, two thousand twenty-six, and up to two million nine
47 hundred thousand dollars each state fiscal year for the period April
48 first, two thousand twenty-six through March thirty-first, two thousand
49 twenty-nine. Upon any distribution of such funds, the commissioner shall
50 immediately notify the chair and ranking minority member of the senate
51 finance committee, the assembly ways and means committee, the senate
52 committee on health, and the assembly committee on health;

53 (iv) distributions by the commissioner related to poison control
54 centers pursuant to subdivision seven of section twenty-five hundred-d
55 of this chapter, up to five million dollars for the period January
56 first, nineteen hundred ninety-seven through December thirty-first,

1 nineteen hundred ninety-seven, up to three million dollars on an annual-
2 ized basis for the periods during the period January first, nineteen
3 hundred ninety-eight through December thirty-first, nineteen hundred
4 ninety-nine, up to five million dollars annually for the periods January
5 first, two thousand through December thirty-first, two thousand two, up
6 to four million six hundred thousand dollars annually for the periods
7 January first, two thousand three through December thirty-first, two
8 thousand four, up to five million one hundred thousand dollars for the
9 period January first, two thousand five through December thirty-first,
10 two thousand six annually, up to five million one hundred thousand
11 dollars annually for the period January first, two thousand seven
12 through December thirty-first, two thousand nine, up to three million
13 six hundred thousand dollars for the period January first, two thousand
14 ten through December thirty-first, two thousand ten, up to seven hundred
15 seventy-five thousand dollars for the period January first, two thousand
16 eleven through March thirty-first, two thousand eleven, up to two
17 million five hundred thousand dollars each state fiscal year for the
18 period April first, two thousand eleven through March thirty-first, two
19 thousand fourteen, up to three million dollars each state fiscal year
20 for the period April first, two thousand fourteen through March thirty-
21 first, two thousand seventeen, up to three million dollars each state
22 fiscal year for the period April first, two thousand seventeen through
23 March thirty-first, two thousand twenty, up to three million dollars
24 each state fiscal year for the period April first, two thousand twenty
25 through March thirty-first, two thousand twenty-three, [~~and~~] up to three
26 million dollars each state fiscal year for the period April first, two
27 thousand twenty-three through March thirty-first, two thousand twenty-
28 six, and up to three million dollars each state fiscal year for the
29 period April first, two thousand twenty-six through March thirty-first,
30 two thousand twenty-nine; and

31 (v) deposit by the commissioner, within amounts appropriated, and the
32 state comptroller is hereby authorized and directed to receive for
33 deposit to, to the credit of the department of health's special revenue
34 fund - other, miscellaneous special revenue fund - 339 maternal and
35 child HIV services account or the health care reform act (HCRA)
36 resources fund, whichever is applicable, for purposes of a special
37 program for HIV services for women and children, including adolescents
38 pursuant to section twenty-five hundred-f-one of this chapter, up to
39 five million dollars annually for the periods January first, two thou-
40 sand through December thirty-first, two thousand two, up to five million
41 dollars for the period January first, two thousand three through Decem-
42 ber thirty-first, two thousand three, up to two million five hundred
43 thousand dollars for the period January first, two thousand four through
44 December thirty-first, two thousand four, up to two million five hundred
45 thousand dollars for the period January first, two thousand five through
46 December thirty-first, two thousand five, up to five million dollars for
47 the period January first, two thousand six through December thirty-
48 first, two thousand six, up to five million dollars annually for the
49 period January first, two thousand seven through December thirty-first,
50 two thousand ten, up to one million two hundred fifty thousand dollars
51 for the period January first, two thousand eleven through March thirty-
52 first, two thousand eleven, and up to five million dollars each state
53 fiscal year for the period April first, two thousand eleven through
54 March thirty-first, two thousand fourteen;

55 (d) (i) An amount of up to twenty million dollars annually for the
56 period January first, two thousand through December thirty-first, two

1 thousand six, up to ten million dollars for the period January first,
2 two thousand seven through June thirtieth, two thousand seven, up to
3 twenty million dollars annually for the period January first, two thou-
4 sand eight through December thirty-first, two thousand ten, up to five
5 million dollars for the period January first, two thousand eleven
6 through March thirty-first, two thousand eleven, up to nineteen million
7 six hundred thousand dollars each state fiscal year for the period April
8 first, two thousand eleven through March thirty-first, two thousand
9 fourteen, up to nineteen million six hundred thousand dollars each state
10 fiscal year for the period April first, two thousand fourteen through
11 March thirty-first, two thousand seventeen, up to nineteen million six
12 hundred thousand dollars each state fiscal year for the period of April
13 first, two thousand seventeen through March thirty-first, two thousand
14 twenty, up to nineteen million six hundred thousand dollars each state
15 fiscal year for the period of April first, two thousand twenty through
16 March thirty-first, two thousand twenty-three, [~~and~~] up to nineteen
17 million six hundred thousand dollars each state fiscal year for the
18 period of April first, two thousand twenty-three through March thirty-
19 first, two thousand twenty-six, and up to nineteen million six hundred
20 thousand dollars each state fiscal year for the period of April first,
21 two thousand twenty-six through March thirty-first, two thousand twen-
22 ty-nine, shall be transferred to the health facility restructuring pool
23 established pursuant to section twenty-eight hundred fifteen of this
24 article;

25 (ii) provided, however, amounts transferred pursuant to subparagraph
26 (i) of this paragraph may be reduced in an amount to be approved by the
27 director of the budget to reflect the amount received from the federal
28 government under the state's 1115 waiver which is directed under its
29 terms and conditions to the health facility restructuring program.

30 (f) Funds shall be accumulated and transferred from as follows:

31 (i) from the pool for the period January first, nineteen hundred nine-
32 ty-seven through December thirty-first, nineteen hundred ninety-seven,
33 (A) thirty-four million six hundred thousand dollars shall be trans-
34 ferred to funds reserved and accumulated pursuant to paragraph (b) of
35 subdivision nineteen of section twenty-eight hundred seven-c of this
36 article, and (B) eighty-two million dollars shall be transferred and
37 deposited and credited to the credit of the state general fund medical
38 assistance local assistance account;

39 (ii) from the pool for the period January first, nineteen hundred
40 ninety-eight through December thirty-first, nineteen hundred ninety-
41 eight, eighty-two million dollars shall be transferred and deposited and
42 credited to the credit of the state general fund medical assistance
43 local assistance account;

44 (iii) from the pool for the period January first, nineteen hundred
45 ninety-nine through December thirty-first, nineteen hundred ninety-nine,
46 eighty-two million dollars shall be transferred and deposited and cred-
47 ited to the credit of the state general fund medical assistance local
48 assistance account;

49 (iv) from the pool or the health care reform act (HCRA) resources
50 fund, whichever is applicable, for the period January first, two thou-
51 sand through December thirty-first, two thousand four, eighty-two
52 million dollars annually, and for the period January first, two thousand
53 five through December thirty-first, two thousand five, eighty-two
54 million dollars, and for the period January first, two thousand six
55 through December thirty-first, two thousand six, eighty-two million
56 dollars, and for the period January first, two thousand seven through

1 December thirty-first, two thousand seven, eighty-two million dollars,
2 and for the period January first, two thousand eight through December
3 thirty-first, two thousand eight, ninety million seven hundred thousand
4 dollars shall be deposited by the commissioner, and the state comp-
5 troller is hereby authorized and directed to receive for deposit to the
6 credit of the state special revenue fund - other, HCRA transfer fund,
7 medical assistance account;

8 (v) from the health care reform act (HCRA) resources fund for the
9 period January first, two thousand nine through December thirty-first,
10 two thousand nine, one hundred eight million nine hundred seventy-five
11 thousand dollars, and for the period January first, two thousand ten
12 through December thirty-first, two thousand ten, one hundred twenty-six
13 million one hundred thousand dollars, for the period January first, two
14 thousand eleven through March thirty-first, two thousand eleven, twenty
15 million five hundred thousand dollars, and for each state fiscal year
16 for the period April first, two thousand eleven through March thirty-
17 first, two thousand fourteen, one hundred forty-six million four hundred
18 thousand dollars, shall be deposited by the commissioner, and the state
19 comptroller is hereby authorized and directed to receive for deposit, to
20 the credit of the state special revenue fund - other, HCRA transfer
21 fund, medical assistance account.

22 (g) Funds shall be transferred to primary health care services pools
23 created by the commissioner, and shall be available, including income
24 from invested funds, for distributions in accordance with former section
25 twenty-eight hundred seven-bb of this article from the respective health
26 care initiatives pools for the following periods in the following
27 percentage amounts of funds remaining after allocations in accordance
28 with paragraphs (a) through (f) of this subdivision:

29 (i) from the pool for the period January first, nineteen hundred nine-
30 ty-seven through December thirty-first, nineteen hundred ninety-seven,
31 fifteen and eighty-seven-hundredths percent;

32 (ii) from the pool for the period January first, nineteen hundred
33 ninety-eight through December thirty-first, nineteen hundred ninety-
34 eight, fifteen and eighty-seven-hundredths percent; and

35 (iii) from the pool for the period January first, nineteen hundred
36 ninety-nine through December thirty-first, nineteen hundred ninety-nine,
37 sixteen and thirteen-hundredths percent.

38 (h) Funds shall be reserved and accumulated from year to year by the
39 commissioner and shall be available, including income from invested
40 funds, for purposes of primary care education and training pursuant to
41 article nine of this chapter from the respective health care initiatives
42 pools established for the following periods in the following percentage
43 amounts of funds remaining after allocations in accordance with para-
44 graphs (a) through (f) of this subdivision and shall be available for
45 distributions as follows:

46 (i) funds shall be reserved and accumulated:

47 (A) from the pool for the period January first, nineteen hundred nine-
48 ty-seven through December thirty-first, nineteen hundred ninety-seven,
49 six and thirty-five-hundredths percent;

50 (B) from the pool for the period January first, nineteen hundred nine-
51 ty-eight through December thirty-first, nineteen hundred ninety-eight,
52 six and thirty-five-hundredths percent; and

53 (C) from the pool for the period January first, nineteen hundred nine-
54 ty-nine through December thirty-first, nineteen hundred ninety-nine, six
55 and forty-five-hundredths percent;

1 (ii) funds shall be available for distributions including income from
2 invested funds as follows:

3 (A) for purposes of the primary care physician loan repayment program
4 in accordance with section nine hundred three of this chapter, up to
5 five million dollars on an annualized basis;

6 (B) for purposes of the primary care practitioner scholarship program
7 in accordance with section nine hundred four of this chapter, up to two
8 million dollars on an annualized basis;

9 (C) for purposes of minority participation in medical education grants
10 in accordance with section nine hundred six of this chapter, up to one
11 million dollars on an annualized basis; and

12 (D) provided, however, that the commissioner may reallocate any funds
13 remaining or unallocated for distributions for the primary care practi-
14 tioner scholarship program in accordance with section nine hundred four
15 of this chapter.

16 (i) Funds shall be reserved and accumulated from year to year and
17 shall be available, including income from invested funds, for distrib-
18 utions in accordance with section twenty-nine hundred fifty-two and
19 section twenty-nine hundred fifty-eight of this chapter for rural health
20 care delivery development and rural health care access development,
21 respectively, from the respective health care initiatives pools or the
22 health care reform act (HCRA) resources fund, whichever is applicable,
23 for the following periods in the following percentage amounts of funds
24 remaining after allocations in accordance with paragraphs (a) through
25 (f) of this subdivision, and for periods on and after January first, two
26 thousand, in the following amounts:

27 (i) from the pool for the period January first, nineteen hundred nine-
28 ty-seven through December thirty-first, nineteen hundred ninety-seven,
29 thirteen and forty-nine-hundredths percent;

30 (ii) from the pool for the period January first, nineteen hundred
31 ninety-eight through December thirty-first, nineteen hundred ninety-
32 eight, thirteen and forty-nine-hundredths percent;

33 (iii) from the pool for the period January first, nineteen hundred
34 ninety-nine through December thirty-first, nineteen hundred ninety-nine,
35 thirteen and seventy-one-hundredths percent;

36 (iv) from the pool for the periods January first, two thousand through
37 December thirty-first, two thousand two, seventeen million dollars annu-
38 ally, and for the period January first, two thousand three through
39 December thirty-first, two thousand three, up to fifteen million eight
40 hundred fifty thousand dollars;

41 (v) from the pool or the health care reform act (HCRA) resources fund,
42 whichever is applicable, for the period January first, two thousand four
43 through December thirty-first, two thousand four, up to fifteen million
44 eight hundred fifty thousand dollars, for the period January first, two
45 thousand five through December thirty-first, two thousand five, up to
46 nineteen million two hundred thousand dollars, for the period January
47 first, two thousand six through December thirty-first, two thousand six,
48 up to nineteen million two hundred thousand dollars, for the period
49 January first, two thousand seven through December thirty-first, two
50 thousand ten, up to eighteen million one hundred fifty thousand dollars
51 annually, for the period January first, two thousand eleven through
52 March thirty-first, two thousand eleven, up to four million five hundred
53 thirty-eight thousand dollars, for each state fiscal year for the period
54 April first, two thousand eleven through March thirty-first, two thou-
55 sand fourteen, up to sixteen million two hundred thousand dollars, up to
56 sixteen million two hundred thousand dollars each state fiscal year for

1 the period April first, two thousand fourteen through March thirty-
2 first, two thousand seventeen, up to sixteen million two hundred thou-
3 sand dollars each state fiscal year for the period April first, two
4 thousand seventeen through March thirty-first, two thousand twenty, up
5 to sixteen million two hundred thousand dollars each state fiscal year
6 for the period April first, two thousand twenty through March thirty-
7 first, two thousand twenty-three, [~~and~~] up to sixteen million two
8 hundred thousand dollars each state fiscal year for the period April
9 first, two thousand twenty-three through March thirty-first, two thou-
10 sand twenty-six, and up to sixteen million two hundred thousand dollars
11 each state fiscal year for the period April first, two thousand twenty-
12 six through March thirty-first, two thousand twenty-nine.

13 (j) Funds shall be reserved and accumulated from year to year and
14 shall be available, including income from invested funds, for purposes
15 of distributions related to health information and health care quality
16 improvement pursuant to former section twenty-eight hundred seven-n of
17 this article from the respective health care initiatives pools estab-
18 lished for the following periods in the following percentage amounts of
19 funds remaining after allocations in accordance with paragraphs (a)
20 through (f) of this subdivision:

21 (i) from the pool for the period January first, nineteen hundred nine-
22 ty-seven through December thirty-first, nineteen hundred ninety-seven,
23 six and thirty-five-hundredths percent;

24 (ii) from the pool for the period January first, nineteen hundred
25 ninety-eight through December thirty-first, nineteen hundred ninety-
26 eight, six and thirty-five-hundredths percent; and

27 (iii) from the pool for the period January first, nineteen hundred
28 ninety-nine through December thirty-first, nineteen hundred ninety-nine,
29 six and forty-five-hundredths percent.

30 (k) Funds shall be reserved and accumulated from year to year and
31 shall be available, including income from invested funds, for allo-
32 cations and distributions in accordance with section twenty-eight
33 hundred seven-p of this article for diagnostic and treatment center
34 uncompensated care from the respective health care initiatives pools or
35 the health care reform act (HCRA) resources fund, whichever is applica-
36 ble, for the following periods in the following percentage amounts of
37 funds remaining after allocations in accordance with paragraphs (a)
38 through (f) of this subdivision, and for periods on and after January
39 first, two thousand, in the following amounts:

40 (i) from the pool for the period January first, nineteen hundred nine-
41 ty-seven through December thirty-first, nineteen hundred ninety-seven,
42 thirty-eight and one-tenth percent;

43 (ii) from the pool for the period January first, nineteen hundred
44 ninety-eight through December thirty-first, nineteen hundred ninety-
45 eight, thirty-eight and one-tenth percent;

46 (iii) from the pool for the period January first, nineteen hundred
47 ninety-nine through December thirty-first, nineteen hundred ninety-nine,
48 thirty-eight and seventy-one-hundredths percent;

49 (iv) from the pool for the periods January first, two thousand through
50 December thirty-first, two thousand two, forty-eight million dollars
51 annually, and for the period January first, two thousand three through
52 June thirtieth, two thousand three, twenty-four million dollars;

53 (v) (A) from the pool or the health care reform act (HCRA) resources
54 fund, whichever is applicable, for the period July first, two thousand
55 three through December thirty-first, two thousand three, up to six
56 million dollars, for the period January first, two thousand four through

1 December thirty-first, two thousand six, up to twelve million dollars
2 annually, for the period January first, two thousand seven through
3 December thirty-first, two thousand thirteen, up to forty-eight million
4 dollars annually, for the period January first, two thousand fourteen
5 through March thirty-first, two thousand fourteen, up to twelve million
6 dollars for the period April first, two thousand fourteen through March
7 thirty-first, two thousand seventeen, up to forty-eight million dollars
8 annually, for the period April first, two thousand seventeen through
9 March thirty-first, two thousand twenty, up to forty-eight million
10 dollars annually, for the period April first, two thousand twenty
11 through March thirty-first, two thousand twenty-three, up to forty-eight
12 million dollars annually, [~~and~~] for the period April first, two thousand
13 twenty-three through March thirty-first, two thousand twenty-six, up to
14 forty-eight million dollars annually, and for the period April first,
15 two thousand twenty-six through March thirty-first, two thousand twen-
16 ty-nine, up to forty-eight million dollars annually;

17 (B) from the health care reform act (HCRA) resources fund for the
18 period January first, two thousand six through December thirty-first,
19 two thousand six, an additional seven million five hundred thousand
20 dollars, for the period January first, two thousand seven through Decem-
21 ber thirty-first, two thousand thirteen, an additional seven million
22 five hundred thousand dollars annually, for the period January first,
23 two thousand fourteen through March thirty-first, two thousand fourteen,
24 an additional one million eight hundred seventy-five thousand dollars,
25 for the period April first, two thousand fourteen through March thirty-
26 first, two thousand seventeen, an additional seven million five hundred
27 thousand dollars annually, for the period April first, two thousand
28 seventeen through March thirty-first, two thousand twenty, an additional
29 seven million five hundred thousand dollars annually, for the period
30 April first, two thousand twenty through March thirty-first, two thou-
31 sand twenty-three, an additional seven million five hundred thousand
32 dollars annually, [~~and~~] for the period April first, two thousand twen-
33 ty-three through March thirty-first, two thousand twenty-six, an addi-
34 tional seven million five hundred thousand dollars annually, and for the
35 period April first, two thousand twenty-six through March thirty-first,
36 two thousand twenty-nine, an additional seven million five hundred thou-
37 sand dollars annually for voluntary non-profit diagnostic and treatment
38 center uncompensated care in accordance with subdivision four-c of
39 section twenty-eight hundred seven-p of this article; and

40 (vi) funds reserved and accumulated pursuant to this paragraph for
41 periods on and after July first, two thousand three, shall be deposited
42 by the commissioner, within amounts appropriated, and the state comp-
43 troller is hereby authorized and directed to receive for deposit to the
44 credit of the state special revenue funds - other, HCRA transfer fund,
45 medical assistance account, for purposes of funding the state share of
46 rate adjustments made pursuant to section twenty-eight hundred seven-p
47 of this article, provided, however, that in the event federal financial
48 participation is not available for rate adjustments made pursuant to
49 paragraph (b) of subdivision one of section twenty-eight hundred seven-p
50 of this article, funds shall be distributed pursuant to paragraph (a) of
51 subdivision one of section twenty-eight hundred seven-p of this article
52 from the respective health care initiatives pools or the health care
53 reform act (HCRA) resources fund, whichever is applicable.

54 (1) Funds shall be reserved and accumulated from year to year by the
55 commissioner and shall be available, including income from invested
56 funds, for transfer to and allocation for services and expenses for the

1 payment of benefits to recipients of drugs under the AIDS drug assist-
2 ance program (ADAP) - HIV uninsured care program as administered by
3 Health Research Incorporated from the respective health care initi-
4 atives pools or the health care reform act (HCRA) resources fund, which-
5 ever is applicable, established for the following periods in the follow-
6 ing percentage amounts of funds remaining after allocations in
7 accordance with paragraphs (a) through (f) of this subdivision, and for
8 periods on and after January first, two thousand, in the following
9 amounts:

10 (i) from the pool for the period January first, nineteen hundred nine-
11 ty-seven through December thirty-first, nineteen hundred ninety-seven,
12 nine and fifty-two-hundredths percent;

13 (ii) from the pool for the period January first, nineteen hundred
14 ninety-eight through December thirty-first, nineteen hundred ninety-
15 eight, nine and fifty-two-hundredths percent;

16 (iii) from the pool for the period January first, nineteen hundred
17 ninety-nine and December thirty-first, nineteen hundred ninety-nine,
18 nine and sixty-eight-hundredths percent;

19 (iv) from the pool for the periods January first, two thousand through
20 December thirty-first, two thousand two, up to twelve million dollars
21 annually, and for the period January first, two thousand three through
22 December thirty-first, two thousand three, up to forty million dollars;
23 and

24 (v) from the pool or the health care reform act (HCRA) resources fund,
25 whichever is applicable, for the periods January first, two thousand
26 four through December thirty-first, two thousand four, up to fifty-six
27 million dollars, for the period January first, two thousand five through
28 December thirty-first, two thousand six, up to sixty million dollars
29 annually, for the period January first, two thousand seven through
30 December thirty-first, two thousand ten, up to sixty million dollars
31 annually, for the period January first, two thousand eleven through
32 March thirty-first, two thousand eleven, up to fifteen million dollars,
33 each state fiscal year for the period April first, two thousand eleven
34 through March thirty-first, two thousand fourteen, up to forty-two
35 million three hundred thousand dollars and up to forty-one million fifty
36 thousand dollars each state fiscal year for the period April first, two
37 thousand fourteen through March thirty-first, two thousand [~~twenty-six~~]
38 twenty-nine.

39 (m) Funds shall be reserved and accumulated from year to year and
40 shall be available, including income from invested funds, for purposes
41 of distributions pursuant to section twenty-eight hundred seven-r of
42 this article for cancer related services from the respective health care
43 initiatives pools or the health care reform act (HCRA) resources fund,
44 whichever is applicable, established for the following periods in the
45 following percentage amounts of funds remaining after allocations in
46 accordance with paragraphs (a) through (f) of this subdivision, and for
47 periods on and after January first, two thousand, in the following
48 amounts:

49 (i) from the pool for the period January first, nineteen hundred nine-
50 ty-seven through December thirty-first, nineteen hundred ninety-seven,
51 seven and ninety-four-hundredths percent;

52 (ii) from the pool for the period January first, nineteen hundred
53 ninety-eight through December thirty-first, nineteen hundred ninety-
54 eight, seven and ninety-four-hundredths percent;

1 (iii) from the pool for the period January first, nineteen hundred
2 ninety-nine and December thirty-first, nineteen hundred ninety-nine, six
3 and forty-five-hundredths percent;

4 (iv) from the pool for the period January first, two thousand through
5 December thirty-first, two thousand two, up to ten million dollars on an
6 annual basis;

7 (v) from the pool for the period January first, two thousand three
8 through December thirty-first, two thousand four, up to eight million
9 nine hundred fifty thousand dollars on an annual basis;

10 (vi) from the pool or the health care reform act (HCRA) resources
11 fund, whichever is applicable, for the period January first, two thou-
12 sand five through December thirty-first, two thousand six, up to ten
13 million fifty thousand dollars on an annual basis, for the period Janu-
14 ary first, two thousand seven through December thirty-first, two thou-
15 sand ten, up to nineteen million dollars annually, and for the period
16 January first, two thousand eleven through March thirty-first, two thou-
17 sand eleven, up to four million seven hundred fifty thousand dollars.

18 (n) Funds shall be accumulated and transferred from the health care
19 reform act (HCRA) resources fund as follows: for the period April first,
20 two thousand seven through March thirty-first, two thousand eight, and
21 on an annual basis for the periods April first, two thousand eight
22 through November thirtieth, two thousand nine, funds within amounts
23 appropriated shall be transferred and deposited and credited to the
24 credit of the state special revenue funds - other, HCRA transfer fund,
25 medical assistance account, for purposes of funding the state share of
26 rate adjustments made to public and voluntary hospitals in accordance
27 with paragraphs (i) and (j) of subdivision one of section twenty-eight
28 hundred seven-c of this article.

29 2. Notwithstanding any inconsistent provision of law, rule or regu-
30 lation, any funds accumulated in the health care initiatives pools
31 pursuant to paragraph (b) of subdivision nine of section twenty-eight
32 hundred seven-j of this article, as a result of surcharges, assessments
33 or other obligations during the periods January first, nineteen hundred
34 ninety-seven through December thirty-first, nineteen hundred ninety-
35 nine, which are unused or uncommitted for distributions pursuant to this
36 section shall be reserved and accumulated from year to year by the
37 commissioner and, within amounts appropriated, transferred and deposited
38 into the special revenue funds - other, miscellaneous special revenue
39 fund - 339, child health insurance account or any successor fund or
40 account, for purposes of distributions to implement the child health
41 insurance program established pursuant to sections twenty-five hundred
42 ten and twenty-five hundred eleven of this chapter for periods on and
43 after January first, two thousand one; provided, however, funds reserved
44 and accumulated for priority distributions pursuant to subparagraph
45 (iii) of paragraph (c) of subdivision one of this section shall not be
46 transferred and deposited into such account pursuant to this subdivi-
47 sion; and provided further, however, that any unused or uncommitted pool
48 funds accumulated and allocated pursuant to paragraph (j) of subdivision
49 one of this section shall be distributed for purposes of the health
50 information and quality improvement act of 2000.

51 3. Revenue from distributions pursuant to this section shall not be
52 included in gross revenue received for purposes of the assessments
53 pursuant to subdivision eighteen of section twenty-eight hundred seven-c
54 of this article, subject to the provisions of paragraph (e) of subdivi-
55 sion eighteen of section twenty-eight hundred seven-c of this article,
56 and shall not be included in gross revenue received for purposes of the

1 assessments pursuant to section twenty-eight hundred seven-d of this
2 article, subject to the provisions of subdivision twelve of section
3 twenty-eight hundred seven-d of this article.

4 § 6. Intentionally omitted.

5 § 7. Intentionally omitted.

6 § 8. Intentionally omitted.

7 § 9. Intentionally omitted.

8 § 10. Paragraphs (b), (c), (d), (f) and (g) of subdivision 5-a of
9 section 2807-m of the public health law, as amended by section 6 of part
10 C of chapter 57 of the laws of 2023, are amended to read as follows:

11 (b) Empire clinical research investigator program (ECRIP). Nine
12 million one hundred twenty thousand dollars annually for the period
13 January first, two thousand nine through December thirty-first, two
14 thousand ten, and two million two hundred eighty thousand dollars for
15 the period January first, two thousand eleven, through March thirty-
16 first, two thousand eleven, nine million one hundred twenty thousand
17 dollars each state fiscal year for the period April first, two thousand
18 eleven through March thirty-first, two thousand fourteen, up to eight
19 million six hundred twelve thousand dollars each state fiscal year for
20 the period April first, two thousand fourteen through March thirty-
21 first, two thousand seventeen, up to eight million six hundred twelve
22 thousand dollars each state fiscal year for the period April first, two
23 thousand seventeen through March thirty-first, two thousand twenty, up
24 to eight million six hundred twelve thousand dollars each state fiscal
25 year for the period April first, two thousand twenty through March thir-
26 ty-first, two thousand twenty-three, and up to eight million six hundred
27 twelve thousand dollars each state fiscal year for the period April
28 first, two thousand twenty-three through March thirty-first, two thou-
29 sand [~~twenty-six~~ **twenty-nine**, shall be set aside and reserved by the
30 commissioner from the regional pools established pursuant to subdivision
31 two of this section to be allocated regionally with two-thirds of the
32 available funding going to New York city and one-third of the available
33 funding going to the rest of the state and shall be available for
34 distribution as follows:

35 Distributions shall first be made to consortia and teaching general
36 hospitals for the empire clinical research investigator program (ECRIP)
37 to help secure federal funding for biomedical research, train clinical
38 researchers, recruit national leaders as faculty to act as mentors, and
39 train residents and fellows in biomedical research skills based on
40 hospital-specific data submitted to the commissioner by consortia and
41 teaching general hospitals in accordance with clause (G) of this subpar-
42 agraph. Such distributions shall be made in accordance with the follow-
43 ing methodology:

44 (A) The greatest number of clinical research positions for which a
45 consortium or teaching general hospital may be funded pursuant to this
46 subparagraph shall be one percent of the total number of residents
47 training at the consortium or teaching general hospital on July first,
48 two thousand eight for the period January first, two thousand nine
49 through December thirty-first, two thousand nine rounded up to the near-
50 est one position.

51 (B) Distributions made to a consortium or teaching general hospital
52 shall equal the product of the total number of clinical research posi-
53 tions submitted by a consortium or teaching general hospital and
54 accepted by the commissioner as meeting the criteria set forth in para-
55 graph (b) of subdivision one of this section, subject to the reduction

1 calculation set forth in clause (C) of this subparagraph, times one
2 hundred ten thousand dollars.

3 (C) If the dollar amount for the total number of clinical research
4 positions in the region calculated pursuant to clause (B) of this
5 subparagraph exceeds the total amount appropriated for purposes of this
6 paragraph, including clinical research positions that continue from and
7 were funded in prior distribution periods, the commissioner shall elimi-
8 nate one-half of the clinical research positions submitted by each
9 consortium or teaching general hospital rounded down to the nearest one
10 position. Such reduction shall be repeated until the dollar amount for
11 the total number of clinical research positions in the region does not
12 exceed the total amount appropriated for purposes of this paragraph. If
13 the repeated reduction of the total number of clinical research posi-
14 tions in the region by one-half does not render a total funding amount
15 that is equal to or less than the total amount reserved for that region
16 within the appropriation, the funding for each clinical research posi-
17 tion in that region shall be reduced proportionally in one thousand
18 dollar increments until the total dollar amount for the total number of
19 clinical research positions in that region does not exceed the total
20 amount reserved for that region within the appropriation. Any reduction
21 in funding will be effective for the duration of the award. No clinical
22 research positions that continue from and were funded in prior distrib-
23 ution periods shall be eliminated or reduced by such methodology.

24 (D) Each consortium or teaching general hospital shall receive its
25 annual distribution amount in accordance with the following:

26 (I) Each consortium or teaching general hospital with a one-year ECRIP
27 award shall receive its annual distribution amount in full upon
28 completion of the requirements set forth in items (I) and (II) of clause
29 (G) of this subparagraph. The requirements set forth in items (IV) and
30 (V) of clause (G) of this subparagraph must be completed by the consor-
31 tium or teaching general hospital in order for the consortium or teach-
32 ing general hospital to be eligible to apply for ECRIP funding in any
33 subsequent funding cycle.

34 (II) Each consortium or teaching general hospital with a two-year
35 ECRIP award shall receive its first annual distribution amount in full
36 upon completion of the requirements set forth in items (I) and (II) of
37 clause (G) of this subparagraph. Each consortium or teaching general
38 hospital will receive its second annual distribution amount in full upon
39 completion of the requirements set forth in item (III) of clause (G) of
40 this subparagraph. The requirements set forth in items (IV) and (V) of
41 clause (G) of this subparagraph must be completed by the consortium or
42 teaching general hospital in order for the consortium or teaching gener-
43 al hospital to be eligible to apply for ECRIP funding in any subsequent
44 funding cycle.

45 (E) Each consortium or teaching general hospital receiving distrib-
46 utions pursuant to this subparagraph shall reserve seventy-five thousand
47 dollars to primarily fund salary and fringe benefits of the clinical
48 research position with the remainder going to fund the development of
49 faculty who are involved in biomedical research, training and clinical
50 care.

51 (F) Undistributed or returned funds available to fund clinical
52 research positions pursuant to this paragraph for a distribution period
53 shall be available to fund clinical research positions in a subsequent
54 distribution period.

55 (G) In order to be eligible for distributions pursuant to this subpar-
56 agraph, each consortium and teaching general hospital shall provide to

1 the commissioner by July first of each distribution period, the follow-
2 ing data and information on a hospital-specific basis. Such data and
3 information shall be certified as to accuracy and completeness by the
4 chief executive officer, chief financial officer or chair of the consor-
5 tium governing body of each consortium or teaching general hospital and
6 shall be maintained by each consortium and teaching general hospital for
7 five years from the date of submission:

8 (I) For each clinical research position, information on the type,
9 scope, training objectives, institutional support, clinical research
10 experience of the sponsor-mentor, plans for submitting research outcomes
11 to peer reviewed journals and at scientific meetings, including a meet-
12 ing sponsored by the department, the name of a principal contact person
13 responsible for tracking the career development of researchers placed in
14 clinical research positions, as defined in paragraph (c) of subdivision
15 one of this section, and who is authorized to certify to the commission-
16 er that all the requirements of the clinical research training objec-
17 tives set forth in this subparagraph shall be met. Such certification
18 shall be provided by July first of each distribution period;

19 (II) For each clinical research position, information on the name,
20 citizenship status, medical education and training, and medical license
21 number of the researcher, if applicable, shall be provided by December
22 thirty-first of the calendar year following the distribution period;

23 (III) Information on the status of the clinical research plan, accom-
24 plishments, changes in research activities, progress, and performance of
25 the researcher shall be provided upon completion of one-half of the
26 award term;

27 (IV) A final report detailing training experiences, accomplishments,
28 activities and performance of the clinical researcher, and data, meth-
29 ods, results and analyses of the clinical research plan shall be
30 provided three months after the clinical research position ends; and

31 (V) Tracking information concerning past researchers, including but
32 not limited to (A) background information, (B) employment history, (C)
33 research status, (D) current research activities, (E) publications and
34 presentations, (F) research support, and (G) any other information
35 necessary to track the researcher; and

36 (VI) Any other data or information required by the commissioner to
37 implement this subparagraph.

38 (H) Notwithstanding any inconsistent provision of this subdivision,
39 for periods on and after April first, two thousand thirteen, ECRIP grant
40 awards shall be made in accordance with rules and regulations promulgat-
41 ed by the commissioner. Such regulations shall, at a minimum:

42 (1) provide that ECRIP grant awards shall be made with the objective
43 of securing federal funding for biomedical research, training clinical
44 researchers, recruiting national leaders as faculty to act as mentors,
45 and training residents and fellows in biomedical research skills;

46 (2) provide that ECRIP grant applicants may include interdisciplinary
47 research teams comprised of teaching general hospitals acting in collab-
48 oration with entities including but not limited to medical centers,
49 hospitals, universities and local health departments;

50 (3) provide that applications for ECRIP grant awards shall be based on
51 such information requested by the commissioner, which shall include but
52 not be limited to hospital-specific data;

53 (4) establish the qualifications for investigators and other staff
54 required for grant projects eligible for ECRIP grant awards; and

55 (5) establish a methodology for the distribution of funds under ECRIP
56 grant awards.

1 (c) Physician loan repayment program. One million nine hundred sixty
2 thousand dollars for the period January first, two thousand eight
3 through December thirty-first, two thousand eight, one million nine
4 hundred sixty thousand dollars for the period January first, two thou-
5 sand nine through December thirty-first, two thousand nine, one million
6 nine hundred sixty thousand dollars for the period January first, two
7 thousand ten through December thirty-first, two thousand ten, four
8 hundred ninety thousand dollars for the period January first, two thou-
9 sand eleven through March thirty-first, two thousand eleven, one million
10 seven hundred thousand dollars each state fiscal year for the period
11 April first, two thousand eleven through March thirty-first, two thou-
12 sand fourteen, up to one million seven hundred five thousand dollars
13 each state fiscal year for the period April first, two thousand fourteen
14 through March thirty-first, two thousand seventeen, up to one million
15 seven hundred five thousand dollars each state fiscal year for the peri-
16 od April first, two thousand seventeen through March thirty-first, two
17 thousand twenty, up to one million seven hundred five thousand dollars
18 each state fiscal year for the period April first, two thousand twenty
19 through March thirty-first, two thousand twenty-three, [and] up to one
20 million seven hundred five thousand dollars each state fiscal year for
21 the period April first, two thousand twenty-three through March thirty-
22 first, two thousand twenty-six, and up to one million seven hundred five
23 thousand dollars each state fiscal year for the period April first, two
24 thousand twenty-six through March thirty-first, two thousand twenty-
25 nine. shall be set aside and reserved by the commissioner from the
26 regional pools established pursuant to subdivision two of this section
27 and shall be available for purposes of physician loan repayment in
28 accordance with subdivision ten of this section. Notwithstanding any
29 contrary provision of this section, sections one hundred twelve and one
30 hundred sixty-three of the state finance law, or any other contrary
31 provision of law, such funding shall be allocated regionally with one-
32 third of available funds going to New York city and two-thirds of avail-
33 able funds going to the rest of the state and shall be distributed in a
34 manner to be determined by the commissioner without a competitive bid or
35 request for proposal process as follows:

36 (i) Funding shall first be awarded to repay loans of up to twenty-five
37 physicians who train in primary care or specialty tracks in teaching
38 general hospitals, and who enter and remain in primary care or specialty
39 practices in underserved communities, as determined by the commissioner.

40 (ii) After distributions in accordance with subparagraph (i) of this
41 paragraph, all remaining funds shall be awarded to repay loans of physi-
42 cians who enter and remain in primary care or specialty practices in
43 underserved communities, as determined by the commissioner, including
44 but not limited to physicians working in general hospitals, or other
45 health care facilities.

46 (iii) In no case shall less than fifty percent of the funds available
47 pursuant to this paragraph be distributed in accordance with subpara-
48 graphs (i) and (ii) of this paragraph to physicians identified by gener-
49 al hospitals.

50 (iv) In addition to the funds allocated under this paragraph, for the
51 period April first, two thousand fifteen through March thirty-first, two
52 thousand sixteen, two million dollars shall be available for the
53 purposes described in subdivision ten of this section;

54 (v) In addition to the funds allocated under this paragraph, for the
55 period April first, two thousand sixteen through March thirty-first, two

1 thousand seventeen, two million dollars shall be available for the
2 purposes described in subdivision ten of this section;

3 (vi) Notwithstanding any provision of law to the contrary, and subject
4 to the extension of the Health Care Reform Act of 1996, sufficient funds
5 shall be available for the purposes described in subdivision ten of this
6 section in amounts necessary to fund the remaining year commitments for
7 awards made pursuant to subparagraphs (iv) and (v) of this paragraph.

8 (d) Physician practice support. Four million nine hundred thousand
9 dollars for the period January first, two thousand eight through Decem-
10 ber thirty-first, two thousand eight, four million nine hundred thousand
11 dollars annually for the period January first, two thousand nine through
12 December thirty-first, two thousand ten, one million two hundred twen-
13 ty-five thousand dollars for the period January first, two thousand
14 eleven through March thirty-first, two thousand eleven, four million
15 three hundred thousand dollars each state fiscal year for the period
16 April first, two thousand eleven through March thirty-first, two thou-
17 sand fourteen, up to four million three hundred sixty thousand dollars
18 each state fiscal year for the period April first, two thousand fourteen
19 through March thirty-first, two thousand seventeen, up to four million
20 three hundred sixty thousand dollars for each state fiscal year for the
21 period April first, two thousand seventeen through March thirty-first,
22 two thousand twenty, up to four million three hundred sixty thousand
23 dollars for each fiscal year for the period April first, two thousand
24 twenty through March thirty-first, two thousand twenty-three, ~~and~~ up
25 to four million three hundred sixty thousand dollars for each fiscal
26 year for the period April first, two thousand twenty-three through March
27 thirty-first, two thousand twenty-six, and up to four million three
28 hundred sixty thousand dollars for each fiscal year for the period April
29 first, two thousand twenty-six through March thirty-first, two thousand
30 twenty-nine, shall be set aside and reserved by the commissioner from
31 the regional pools established pursuant to subdivision two of this
32 section and shall be available for purposes of physician practice
33 support. Notwithstanding any contrary provision of this section,
34 sections one hundred twelve and one hundred sixty-three of the state
35 finance law, or any other contrary provision of law, such funding shall
36 be allocated regionally with one-third of available funds going to New
37 York city and two-thirds of available funds going to the rest of the
38 state and shall be distributed in a manner to be determined by the
39 commissioner without a competitive bid or request for proposal process
40 as follows:

41 (i) Preference in funding shall first be accorded to teaching general
42 hospitals for up to twenty-five awards, to support costs incurred by
43 physicians trained in primary or specialty tracks who thereafter estab-
44 lish or join practices in underserved communities, as determined by the
45 commissioner.

46 (ii) After distributions in accordance with subparagraph (i) of this
47 paragraph, all remaining funds shall be awarded to physicians to support
48 the cost of establishing or joining practices in underserved communi-
49 ties, as determined by the commissioner, and to hospitals and other
50 health care providers to recruit new physicians to provide services in
51 underserved communities, as determined by the commissioner.

52 (iii) In no case shall less than fifty percent of the funds available
53 pursuant to this paragraph be distributed to general hospitals in
54 accordance with subparagraphs (i) and (ii) of this paragraph.

55 (f) Study on physician workforce. Five hundred ninety thousand dollars
56 annually for the period January first, two thousand eight through Decem-

1 ber thirty-first, two thousand ten, one hundred forty-eight thousand
2 dollars for the period January first, two thousand eleven through March
3 thirty-first, two thousand eleven, five hundred sixteen thousand dollars
4 each state fiscal year for the period April first, two thousand eleven
5 through March thirty-first, two thousand fourteen, up to four hundred
6 eighty-seven thousand dollars each state fiscal year for the period
7 April first, two thousand fourteen through March thirty-first, two thou-
8 sand seventeen, up to four hundred eighty-seven thousand dollars for
9 each state fiscal year for the period April first, two thousand seven-
10 teen through March thirty-first, two thousand twenty, up to four hundred
11 eighty-seven thousand dollars each state fiscal year for the period
12 April first, two thousand twenty through March thirty-first, two thou-
13 sand twenty-three, [~~and~~] up to four hundred eighty-seven thousand
14 dollars each state fiscal year for the period April first, two thousand
15 twenty-three through March thirty-first, two thousand twenty-six, and up
16 to four hundred eighty-seven thousand dollars each state fiscal year for
17 the period April first, two thousand twenty-six through March thirty-
18 first, two thousand twenty-nine, shall be set aside and reserved by the
19 commissioner from the regional pools established pursuant to subdivision
20 two of this section and shall be available to fund a study of physician
21 workforce needs and solutions including, but not limited to, an analysis
22 of residency programs and projected physician workforce and community
23 needs. The commissioner shall enter into agreements with one or more
24 organizations to conduct such study based on a request for proposal
25 process.

26 (g) [~~Diversity in medicine/post-baccalaureate program~~] Scholars in
27 medicine and science and scholarships in medicine programs. Notwith-
28 standing any inconsistent provision of section one hundred twelve or one
29 hundred sixty-three of the state finance law or any other law, one
30 million nine hundred sixty thousand dollars annually for the period
31 January first, two thousand eight through December thirty-first, two
32 thousand ten, four hundred ninety thousand dollars for the period Janu-
33 ary first, two thousand eleven through March thirty-first, two thousand
34 eleven, one million seven hundred thousand dollars each state fiscal
35 year for the period April first, two thousand eleven through March thir-
36 ty-first, two thousand fourteen, up to one million six hundred five
37 thousand dollars each state fiscal year for the period April first, two
38 thousand fourteen through March thirty-first, two thousand seventeen, up
39 to one million six hundred five thousand dollars each state fiscal year
40 for the period April first, two thousand seventeen through March thir-
41 ty-first, two thousand twenty, up to one million six hundred five thou-
42 sand dollars each state fiscal year for the period April first, two
43 thousand twenty through March thirty-first, two thousand twenty-three,
44 [~~and~~] up to one million six hundred five thousand dollars each state
45 fiscal year for the period April first, two thousand twenty-three
46 through March thirty-first, two thousand twenty-six, and up to one
47 million six hundred five thousand dollars each state fiscal year for the
48 period April first, two thousand twenty-six through March thirty-first,
49 two thousand twenty-nine, shall be set aside and reserved by the commis-
50 sioner from the regional pools established pursuant to subdivision two
51 of this section and shall be available for distributions to the Associ-
52 ated Medical Schools of New York to fund its [~~diversity program~~] schol-
53 ars in medicine and science and scholarships in medicine programs
54 including existing and new post-baccalaureate programs for minority and
55 economically disadvantaged students and encourage participation from all
56 medical schools in New York. The associated medical schools of New York

1 shall report to the commissioner on an annual basis regarding the use of
2 funds for such purpose in such form and manner as specified by the
3 commissioner.

4 § 11. Intentionally omitted.

5 § 12. Intentionally omitted.

6 § 13. Subdivision 4-c of section 2807-p of the public health law, as
7 amended by section 7 of part C of chapter 57 of the laws of 2023, is
8 amended to read as follows:

9 4-c. Notwithstanding any provision of law to the contrary, the commis-
10 sioner shall make additional payments for uncompensated care to volun-
11 tary non-profit diagnostic and treatment centers that are eligible for
12 distributions under subdivision four of this section in the following
13 amounts: for the period June first, two thousand six through December
14 thirty-first, two thousand six, in the amount of seven million five
15 hundred thousand dollars, for the period January first, two thousand
16 seven through December thirty-first, two thousand seven, seven million
17 five hundred thousand dollars, for the period January first, two thou-
18 sand eight through December thirty-first, two thousand eight, seven
19 million five hundred thousand dollars, for the period January first, two
20 thousand nine through December thirty-first, two thousand nine, fifteen
21 million five hundred thousand dollars, for the period January first, two
22 thousand ten through December thirty-first, two thousand ten, seven
23 million five hundred thousand dollars, for the period January first, two
24 thousand eleven through December thirty-first, two thousand eleven, seven
25 million five hundred thousand dollars, for the period January first, two
26 thousand twelve through December thirty-first, two thousand twelve,
27 seven million five hundred thousand dollars, for the period January
28 first, two thousand thirteen through December thirty-first, two thousand
29 thirteen, seven million five hundred thousand dollars, for the period
30 January first, two thousand fourteen through December thirty-first, two
31 thousand fourteen, seven million five hundred thousand dollars, for the
32 period January first, two thousand fifteen through December thirty-
33 first, two thousand fifteen, seven million five hundred thousand
34 dollars, for the period January first two thousand sixteen through
35 December thirty-first, two thousand sixteen, seven million five hundred
36 thousand dollars, for the period January first, two thousand seventeen
37 through December thirty-first, two thousand seventeen, seven million
38 five hundred thousand dollars, for the period January first, two thou-
39 sand eighteen through December thirty-first, two thousand eighteen,
40 seven million five hundred thousand dollars, for the period January
41 first, two thousand nineteen through December thirty-first, two thousand
42 nineteen, seven million five hundred thousand dollars, for the period
43 January first, two thousand twenty through December thirty-first, two
44 thousand twenty, seven million five hundred thousand dollars, for the
45 period January first, two thousand twenty-one through December thirty-
46 first, two thousand twenty-one, seven million five hundred thousand
47 dollars, for the period January first, two thousand twenty-two through
48 December thirty-first, two thousand twenty-two, seven million five
49 hundred thousand dollars, for the period January first, two thousand
50 twenty-three through December thirty-first, two thousand twenty-three,
51 seven million five hundred thousand dollars, for the period January
52 first, two thousand twenty-four through December thirty-first, two thou-
53 sand twenty-four, seven million five hundred thousand dollars, for the
54 period January first, two thousand twenty-five through December thirty-
55 first, two thousand twenty-five, seven million five hundred thousand
56 dollars, for the period January first, two thousand twenty-six through

1 December thirty-first, two thousand twenty-six, seven million five
2 hundred thousand dollars, for the period January first, two thousand
3 twenty-seven through December thirty-first, two thousand twenty-seven,
4 seven million five hundred thousand dollars, for the period January
5 first, two thousand twenty-eight through December thirty-first, two
6 thousand twenty-eight, seven million five hundred thousand dollars, and
7 for the period January first, two thousand [~~twenty-six~~] twenty-nine
8 through March thirty-first, two thousand [~~twenty-six~~] twenty-nine, in
9 the amount of one million six hundred thousand dollars, provided, howev-
10 er, that for periods on and after January first, two thousand eight,
11 such additional payments shall be distributed to voluntary, non-profit
12 diagnostic and treatment centers and to public diagnostic and treatment
13 centers in accordance with paragraph (g) of subdivision four of this
14 section. In the event that federal financial participation is available
15 for rate adjustments pursuant to this section, the commissioner shall
16 make such payments as additional adjustments to rates of payment for
17 voluntary non-profit diagnostic and treatment centers that are eligible
18 for distributions under subdivision four-a of this section in the
19 following amounts: for the period June first, two thousand six through
20 December thirty-first, two thousand six, fifteen million dollars in the
21 aggregate, and for the period January first, two thousand seven through
22 June thirtieth, two thousand seven, seven million five hundred thousand
23 dollars in the aggregate. The amounts allocated pursuant to this para-
24 graph shall be aggregated with and distributed pursuant to the same
25 methodology applicable to the amounts allocated to such diagnostic and
26 treatment centers for such periods pursuant to subdivision four of this
27 section if federal financial participation is not available, or pursuant
28 to subdivision four-a of this section if federal financial participation
29 is available. Notwithstanding section three hundred sixty-eight-a of the
30 social services law, there shall be no local share in a medical assist-
31 ance payment adjustment under this subdivision.

32 § 14. Paragraph (a) of subdivision 6 of section 2807-s of the public
33 health law is amended by adding a new subparagraph (xvii) to read as
34 follows:

35 (xvii) A gross annual statewide amount for the period January first,
36 two thousand twenty-seven to December thirty-first, two thousand twen-
37 ty-nine shall be one billion eighty-five million dollars, forty million
38 dollars annually of which shall be allocated under section twenty-eight
39 hundred seven-o of this article among the municipalities of and the
40 state of New York based on each municipality's share and the state's
41 share of early intervention program expenditures not reimbursable by the
42 medical assistance program for the latest twelve month period for which
43 such data is available.

44 § 15. Subparagraph (xiii) of paragraph (a) of subdivision 7 of section
45 2807-s of the public health law, as amended by section 10 of part C of
46 chapter 57 of the laws of 2023, is amended to read as follows:

47 (xiii) twenty-three million eight hundred thirty-six thousand dollars
48 each state fiscal year for the period April first, two thousand twelve
49 through March thirty-first, two thousand [~~twenty-six~~] twenty-nine;

50 § 16. Paragraph (b) of subdivision 6 of section 2807-t of the public
51 health law, as amended by section 11 of part C of chapter 57 of the laws
52 of 2023, is amended to read as follows:

53 (b) Notwithstanding the provisions of paragraph (a) of this subdivi-
54 sion, for covered lives assessment rate periods on and after January
55 first, two thousand fifteen through December thirty-first, two thousand
56 twenty-one, for amounts collected in the aggregate in excess of one

1 billion forty-five million dollars on an annual basis, and for the peri-
2 od January first, two thousand twenty-two to December thirty-first, two
3 thousand [~~twenty-six~~] twenty-nine for amounts collected in the aggregate
4 in excess of one billion eighty-five million dollars on an annual basis,
5 prospective adjustments shall be suspended if the annual reconciliation
6 calculation from the prior year would otherwise result in a decrease to
7 the regional allocation of the specified gross annual payment amount for
8 that region, provided, however, that such suspension shall be lifted
9 upon a determination by the commissioner, in consultation with the
10 director of the budget, that sixty-five million dollars in aggregate
11 collections on an annual basis over and above one billion forty-five
12 million dollars on an annual basis for the period on and after January
13 first, two thousand fifteen through December thirty-first, two thousand
14 twenty-one and for the period January first, two thousand twenty-two to
15 December thirty-first, two thousand [~~twenty-six~~] twenty-nine for amounts
16 collected in the aggregate in excess of one billion eighty-five million
17 dollars on an annual basis have been reserved and set aside for deposit
18 in the HCRA resources fund. Any amounts collected in the aggregate at or
19 below one billion forty-five million dollars on an annual basis for the
20 period on and after January first, two thousand fifteen through December
21 thirty-first, two thousand twenty-two, and for the period January first,
22 two thousand twenty-three to December thirty-first, two thousand [~~twen-~~
23 ~~ty-six~~] twenty-nine for amounts collected in the aggregate in excess of
24 one billion eighty-five million dollars on an annual basis, shall be
25 subject to regional adjustments reconciling any decreases or increases
26 to the regional allocation in accordance with paragraph (a) of this
27 subdivision.

28 § 17. Section 2807-v of the public health law, as amended by section
29 12 of part C of chapter 57 of the laws of 2023, is amended to read as
30 follows:

31 § 2807-v. Tobacco control and insurance initiatives pool distrib-
32 utions. 1. Funds accumulated in the tobacco control and insurance
33 initiatives pool or in the health care reform act (HCRA) resources fund
34 established pursuant to section ninety-two-dd of the state finance law,
35 whichever is applicable, including income from invested funds, shall be
36 distributed or retained by the commissioner or by the state comptroller,
37 as applicable, in accordance with the following:

38 (a) Funds shall be deposited by the commissioner, within amounts
39 appropriated, and the state comptroller is hereby authorized and
40 directed to receive for deposit to the credit of the state special
41 revenue funds - other, HCRA transfer fund, medicaid fraud hotline and
42 medicaid administration account, or any successor fund or account, for
43 purposes of services and expenses related to the toll-free medicaid
44 fraud hotline established pursuant to section one hundred eight of chap-
45 ter one of the laws of nineteen hundred ninety-nine from the tobacco
46 control and insurance initiatives pool established for the following
47 periods in the following amounts: four hundred thousand dollars annually
48 for the periods January first, two thousand through December thirty-
49 first, two thousand two, up to four hundred thousand dollars for the
50 period January first, two thousand three through December thirty-first,
51 two thousand three, up to four hundred thousand dollars for the period
52 January first, two thousand four through December thirty-first, two
53 thousand four, up to four hundred thousand dollars for the period Janu-
54 ary first, two thousand five through December thirty-first, two thousand
55 five, up to four hundred thousand dollars for the period January first,
56 two thousand six through December thirty-first, two thousand six, up to

1 four hundred thousand dollars for the period January first, two thousand
2 seven through December thirty-first, two thousand seven, up to four
3 hundred thousand dollars for the period January first, two thousand
4 eight through December thirty-first, two thousand eight, up to four
5 hundred thousand dollars for the period January first, two thousand nine
6 through December thirty-first, two thousand nine, up to four hundred
7 thousand dollars for the period January first, two thousand ten through
8 December thirty-first, two thousand ten, up to one hundred thousand
9 dollars for the period January first, two thousand eleven through March
10 thirty-first, two thousand eleven and within amounts appropriated on and
11 after April first, two thousand eleven.

12 (b) Funds shall be reserved and accumulated from year to year and
13 shall be available, including income from invested funds, for purposes
14 of payment of audits or audit contracts necessary to determine payor and
15 provider compliance with requirements set forth in sections twenty-eight
16 hundred seven-j, twenty-eight hundred seven-s and twenty-eight hundred
17 seven-t of this article from the tobacco control and insurance initi-
18 atives pool established for the following periods in the following
19 amounts: five million six hundred thousand dollars annually for the
20 periods January first, two thousand through December thirty-first, two
21 thousand two, up to five million dollars for the period January first,
22 two thousand three through December thirty-first, two thousand three, up
23 to five million dollars for the period January first, two thousand four
24 through December thirty-first, two thousand four, up to five million
25 dollars for the period January first, two thousand five through December
26 thirty-first, two thousand five, up to five million dollars for the
27 period January first, two thousand six through December thirty-first,
28 two thousand six, up to seven million eight hundred thousand dollars for
29 the period January first, two thousand seven through December thirty-
30 first, two thousand seven, and up to eight million three hundred twen-
31 ty-five thousand dollars for the period January first, two thousand
32 eight through December thirty-first, two thousand eight, up to eight
33 million five hundred thousand dollars for the period January first, two
34 thousand nine through December thirty-first, two thousand nine, up to
35 eight million five hundred thousand dollars for the period January
36 first, two thousand ten through December thirty-first, two thousand ten,
37 up to two million one hundred twenty-five thousand dollars for the peri-
38 od January first, two thousand eleven through March thirty-first, two
39 thousand eleven, up to fourteen million seven hundred thousand dollars
40 each state fiscal year for the period April first, two thousand eleven
41 through March thirty-first, two thousand fourteen, up to eleven million
42 one hundred thousand dollars each state fiscal year for the period April
43 first, two thousand fourteen through March thirty-first, two thousand
44 seventeen, up to eleven million one hundred thousand dollars each state
45 fiscal year for the period April first, two thousand seventeen through
46 March thirty-first, two thousand twenty, up to eleven million one
47 hundred thousand dollars each state fiscal year for the period April
48 first, two thousand twenty through March thirty-first, two thousand
49 twenty-three, [and] up to eleven million one hundred thousand dollars
50 each state fiscal year for the period April first, two thousand twenty-
51 three through March thirty-first, two thousand twenty-six, and up to
52 eleven million one hundred thousand dollars each state fiscal year for
53 the period April first, two thousand twenty-six through March thirty-
54 first, two thousand twenty-nine.

55 (c) Funds shall be deposited by the commissioner, within amounts
56 appropriated, and the state comptroller is hereby authorized and

1 directed to receive for deposit to the credit of the state special
2 revenue funds - other, HCRA transfer fund, enhanced community services
3 account, or any successor fund or account, for mental health services
4 programs for case management services for adults and children; supported
5 housing; home and community based waiver services; family based treat-
6 ment; family support services; mobile mental health teams; transitional
7 housing; and community oversight, established pursuant to articles seven
8 and forty-one of the mental hygiene law and subdivision nine of section
9 three hundred sixty-six of the social services law; and for comprehen-
10 sive care centers for eating disorders pursuant to the former section
11 twenty-seven hundred ninety-nine-1 of this chapter, provided however
12 that, for such centers, funds in the amount of five hundred thousand
13 dollars on an annualized basis shall be transferred from the enhanced
14 community services account, or any successor fund or account, and depos-
15 ited into the fund established by section ninety-five-e of the state
16 finance law; from the tobacco control and insurance initiatives pool
17 established for the following periods in the following amounts:

18 (i) forty-eight million dollars to be reserved, to be retained or for
19 distribution pursuant to a chapter of the laws of two thousand, for the
20 period January first, two thousand through December thirty-first, two
21 thousand;

22 (ii) eighty-seven million dollars to be reserved, to be retained or
23 for distribution pursuant to a chapter of the laws of two thousand one,
24 for the period January first, two thousand one through December thirty-
25 first, two thousand one;

26 (iii) eighty-seven million dollars to be reserved, to be retained or
27 for distribution pursuant to a chapter of the laws of two thousand two,
28 for the period January first, two thousand two through December thirty-
29 first, two thousand two;

30 (iv) eighty-eight million dollars to be reserved, to be retained or
31 for distribution pursuant to a chapter of the laws of two thousand
32 three, for the period January first, two thousand three through December
33 thirty-first, two thousand three;

34 (v) eighty-eight million dollars, plus five hundred thousand dollars,
35 to be reserved, to be retained or for distribution pursuant to a chapter
36 of the laws of two thousand four, and pursuant to the former section
37 twenty-seven hundred ninety-nine-1 of this chapter, for the period Janu-
38 ary first, two thousand four through December thirty-first, two thousand
39 four;

40 (vi) eighty-eight million dollars, plus five hundred thousand dollars,
41 to be reserved, to be retained or for distribution pursuant to a chapter
42 of the laws of two thousand five, and pursuant to the former section
43 twenty-seven hundred ninety-nine-1 of this chapter, for the period Janu-
44 ary first, two thousand five through December thirty-first, two thousand
45 five;

46 (vii) eighty-eight million dollars, plus five hundred thousand
47 dollars, to be reserved, to be retained or for distribution pursuant to
48 a chapter of the laws of two thousand six, and pursuant to former
49 section twenty-seven hundred ninety-nine-1 of this chapter, for the
50 period January first, two thousand six through December thirty-first,
51 two thousand six;

52 (viii) eighty-six million four hundred thousand dollars, plus five
53 hundred thousand dollars, to be reserved, to be retained or for distrib-
54 ution pursuant to a chapter of the laws of two thousand seven and pursu-
55 ant to the former section twenty-seven hundred ninety-nine-1 of this

1 chapter, for the period January first, two thousand seven through Decem-
2 ber thirty-first, two thousand seven; and

3 (ix) twenty-two million nine hundred thirteen thousand dollars, plus
4 one hundred twenty-five thousand dollars, to be reserved, to be retained
5 or for distribution pursuant to a chapter of the laws of two thousand
6 eight and pursuant to the former section twenty-seven hundred ninety-
7 nine-1 of this chapter, for the period January first, two thousand eight
8 through March thirty-first, two thousand eight.

9 (d) Funds shall be deposited by the commissioner, within amounts
10 appropriated, and the state comptroller is hereby authorized and
11 directed to receive for deposit to the credit of the state special
12 revenue funds - other, HCRA transfer fund, medical assistance account,
13 or any successor fund or account, for purposes of funding the state
14 share of services and expenses related to the family health plus program
15 including up to two and one-half million dollars annually for the period
16 January first, two thousand through December thirty-first, two thousand
17 two, for administration and marketing costs associated with such program
18 established pursuant to clause (A) of subparagraph (v) of paragraph (a)
19 of subdivision two of former section three hundred sixty-nine-ee of the
20 social services law from the tobacco control and insurance initiatives
21 pool established for the following periods in the following amounts:

22 (i) three million five hundred thousand dollars for the period January
23 first, two thousand through December thirty-first, two thousand;

24 (ii) twenty-seven million dollars for the period January first, two
25 thousand one through December thirty-first, two thousand one; and

26 (iii) fifty-seven million dollars for the period January first, two
27 thousand two through December thirty-first, two thousand two.

28 (e) Funds shall be deposited by the commissioner, within amounts
29 appropriated, and the state comptroller is hereby authorized and
30 directed to receive for deposit to the credit of the state special
31 revenue funds - other, HCRA transfer fund, medical assistance account,
32 or any successor fund or account, for purposes of funding the state
33 share of services and expenses related to the family health plus program
34 including up to two and one-half million dollars annually for the period
35 January first, two thousand through December thirty-first, two thousand
36 two for administration and marketing costs associated with such program
37 established pursuant to clause (B) of subparagraph (v) of paragraph (a)
38 of subdivision two of former section three hundred sixty-nine-ee of the
39 social services law from the tobacco control and insurance initiatives
40 pool established for the following periods in the following amounts:

41 (i) two million five hundred thousand dollars for the period January
42 first, two thousand through December thirty-first, two thousand;

43 (ii) thirty million five hundred thousand dollars for the period Janu-
44 ary first, two thousand one through December thirty-first, two thousand
45 one; and

46 (iii) sixty-six million dollars for the period January first, two
47 thousand two through December thirty-first, two thousand two.

48 (f) Funds shall be deposited by the commissioner, within amounts
49 appropriated, and the state comptroller is hereby authorized and
50 directed to receive for deposit to the credit of the state special
51 revenue funds - other, HCRA transfer fund, medicaid fraud hotline and
52 medicaid administration account, or any successor fund or account, for
53 purposes of payment of administrative expenses of the department related
54 to the family health plus program established pursuant to former section
55 three hundred sixty-nine-ee of the social services law from the tobacco
56 control and insurance initiatives pool established for the following

1 periods in the following amounts: five hundred thousand dollars on an
2 annual basis for the periods January first, two thousand through Decem-
3 ber thirty-first, two thousand six, five hundred thousand dollars for
4 the period January first, two thousand seven through December thirty-
5 first, two thousand seven, and five hundred thousand dollars for the
6 period January first, two thousand eight through December thirty-first,
7 two thousand eight, five hundred thousand dollars for the period January
8 first, two thousand nine through December thirty-first, two thousand
9 nine, five hundred thousand dollars for the period January first, two
10 thousand ten through December thirty-first, two thousand ten, one
11 hundred twenty-five thousand dollars for the period January first, two
12 thousand eleven through March thirty-first, two thousand eleven and
13 within amounts appropriated on and after April first, two thousand elev-
14 en.

15 (g) Funds shall be reserved and accumulated from year to year and
16 shall be available, including income from invested funds, for purposes
17 of services and expenses related to the health maintenance organization
18 direct pay market program established pursuant to sections [~~forty-three~~
19 four thousand three hundred twenty-one-a and [~~forty-three~~ four thousand
20 three hundred twenty-two-a of the insurance law from the tobacco control
21 and insurance initiatives pool established for the following periods in
22 the following amounts:

23 (i) up to thirty-five million dollars for the period January first,
24 two thousand through December thirty-first, two thousand of which fifty
25 percentum shall be allocated to the program pursuant to section four
26 thousand three hundred twenty-one-a of the insurance law and fifty
27 percentum to the program pursuant to section four thousand three hundred
28 twenty-two-a of the insurance law;

29 (ii) up to thirty-six million dollars for the period January first,
30 two thousand one through December thirty-first, two thousand one of
31 which fifty percentum shall be allocated to the program pursuant to
32 section four thousand three hundred twenty-one-a of the insurance law
33 and fifty percentum to the program pursuant to section four thousand
34 three hundred twenty-two-a of the insurance law;

35 (iii) up to thirty-nine million dollars for the period January first,
36 two thousand two through December thirty-first, two thousand two of
37 which fifty percentum shall be allocated to the program pursuant to
38 section four thousand three hundred twenty-one-a of the insurance law
39 and fifty percentum to the program pursuant to section four thousand
40 three hundred twenty-two-a of the insurance law;

41 (iv) up to forty million dollars for the period January first, two
42 thousand three through December thirty-first, two thousand three of
43 which fifty percentum shall be allocated to the program pursuant to
44 section four thousand three hundred twenty-one-a of the insurance law
45 and fifty percentum to the program pursuant to section four thousand
46 three hundred twenty-two-a of the insurance law;

47 (v) up to forty million dollars for the period January first, two
48 thousand four through December thirty-first, two thousand four of which
49 fifty percentum shall be allocated to the program pursuant to section
50 four thousand three hundred twenty-one-a of the insurance law and fifty
51 percentum to the program pursuant to section four thousand three hundred
52 twenty-two-a of the insurance law;

53 (vi) up to forty million dollars for the period January first, two
54 thousand five through December thirty-first, two thousand five of which
55 fifty percentum shall be allocated to the program pursuant to section
56 four thousand three hundred twenty-one-a of the insurance law and fifty

1 percentum to the program pursuant to section four thousand three hundred
2 twenty-two-a of the insurance law;

3 (vii) up to forty million dollars for the period January first, two
4 thousand six through December thirty-first, two thousand six of which
5 fifty percentum shall be allocated to the program pursuant to section
6 four thousand three hundred twenty-one-a of the insurance law and fifty
7 percentum shall be allocated to the program pursuant to section four
8 thousand three hundred twenty-two-a of the insurance law;

9 (viii) up to forty million dollars for the period January first, two
10 thousand seven through December thirty-first, two thousand seven of
11 which fifty percentum shall be allocated to the program pursuant to
12 section four thousand three hundred twenty-one-a of the insurance law
13 and fifty percentum shall be allocated to the program pursuant to
14 section four thousand three hundred twenty-two-a of the insurance law;
15 and

16 (ix) up to forty million dollars for the period January first, two
17 thousand eight through December thirty-first, two thousand eight of
18 which fifty per centum shall be allocated to the program pursuant to
19 section four thousand three hundred twenty-one-a of the insurance law
20 and fifty per centum shall be allocated to the program pursuant to
21 section four thousand three hundred twenty-two-a of the insurance law.

22 (h) Funds shall be reserved and accumulated from year to year and
23 shall be available, including income from invested funds, for purposes
24 of services and expenses related to the healthy New York individual
25 program established pursuant to sections four thousand three hundred
26 twenty-six and four thousand three hundred twenty-seven of the insurance
27 law from the tobacco control and insurance initiatives pool established
28 for the following periods in the following amounts:

29 (i) up to six million dollars for the period January first, two thou-
30 sand one through December thirty-first, two thousand one;

31 (ii) up to twenty-nine million dollars for the period January first,
32 two thousand two through December thirty-first, two thousand two;

33 (iii) up to five million one hundred thousand dollars for the period
34 January first, two thousand three through December thirty-first, two
35 thousand three;

36 (iv) up to twenty-four million six hundred thousand dollars for the
37 period January first, two thousand four through December thirty-first,
38 two thousand four;

39 (v) up to thirty-four million six hundred thousand dollars for the
40 period January first, two thousand five through December thirty-first,
41 two thousand five;

42 (vi) up to fifty-four million eight hundred thousand dollars for the
43 period January first, two thousand six through December thirty-first,
44 two thousand six;

45 (vii) up to sixty-one million seven hundred thousand dollars for the
46 period January first, two thousand seven through December thirty-first,
47 two thousand seven; and

48 (viii) up to one hundred three million seven hundred fifty thousand
49 dollars for the period January first, two thousand eight through Decem-
50 ber thirty-first, two thousand eight.

51 (i) Funds shall be reserved and accumulated from year to year and
52 shall be available, including income from invested funds, for purposes
53 of services and expenses related to the healthy New York group program
54 established pursuant to sections four thousand three hundred twenty-six
55 and four thousand three hundred twenty-seven of the insurance law from

1 the tobacco control and insurance initiatives pool established for the
2 following periods in the following amounts:

3 (i) up to thirty-four million dollars for the period January first,
4 two thousand one through December thirty-first, two thousand one;

5 (ii) up to seventy-seven million dollars for the period January first,
6 two thousand two through December thirty-first, two thousand two;

7 (iii) up to ten million five hundred thousand dollars for the period
8 January first, two thousand three through December thirty-first, two
9 thousand three;

10 (iv) up to twenty-four million six hundred thousand dollars for the
11 period January first, two thousand four through December thirty-first,
12 two thousand four;

13 (v) up to thirty-four million six hundred thousand dollars for the
14 period January first, two thousand five through December thirty-first,
15 two thousand five;

16 (vi) up to fifty-four million eight hundred thousand dollars for the
17 period January first, two thousand six through December thirty-first,
18 two thousand six;

19 (vii) up to sixty-one million seven hundred thousand dollars for the
20 period January first, two thousand seven through December thirty-first,
21 two thousand seven; and

22 (viii) up to one hundred three million seven hundred fifty thousand
23 dollars for the period January first, two thousand eight through Decem-
24 ber thirty-first, two thousand eight.

25 (i-1) Notwithstanding the provisions of paragraphs (h) and (i) of this
26 subdivision, the commissioner shall reserve and accumulate up to two
27 million five hundred thousand dollars annually for the periods January
28 first, two thousand four through December thirty-first, two thousand
29 six, one million four hundred thousand dollars for the period January
30 first, two thousand seven through December thirty-first, two thousand
31 seven, two million dollars for the period January first, two thousand
32 eight through December thirty-first, two thousand eight, from funds
33 otherwise available for distribution under such paragraphs for the
34 services and expenses related to the pilot program for entertainment
35 industry employees included in subsection (b) of section one thousand
36 one hundred twenty-two of the insurance law, and an additional seven
37 hundred thousand dollars annually for the periods January first, two
38 thousand four through December thirty-first, two thousand six, an addi-
39 tional three hundred thousand dollars for the period January first, two
40 thousand seven through June thirtieth, two thousand seven for services
41 and expenses related to the pilot program for displaced workers included
42 in subsection (c) of section one thousand one hundred twenty-two of the
43 insurance law.

44 (j) Funds shall be reserved and accumulated from year to year and
45 shall be available, including income from invested funds, for purposes
46 of services and expenses related to the tobacco use prevention and
47 control program established pursuant to sections thirteen hundred nine-
48 ty-nine-ii and thirteen hundred ninety-nine-jj of this chapter, from the
49 tobacco control and insurance initiatives pool established for the
50 following periods in the following amounts:

51 (i) up to thirty million dollars for the period January first, two
52 thousand through December thirty-first, two thousand;

53 (ii) up to forty million dollars for the period January first, two
54 thousand one through December thirty-first, two thousand one;

55 (iii) up to forty million dollars for the period January first, two
56 thousand two through December thirty-first, two thousand two;

1 (iv) up to thirty-six million nine hundred fifty thousand dollars for
2 the period January first, two thousand three through December thirty-
3 first, two thousand three;

4 (v) up to thirty-six million nine hundred fifty thousand dollars for
5 the period January first, two thousand four through December thirty-
6 first, two thousand four;

7 (vi) up to forty million six hundred thousand dollars for the period
8 January first, two thousand five through December thirty-first, two
9 thousand five;

10 (vii) up to eighty-one million nine hundred thousand dollars for the
11 period January first, two thousand six through December thirty-first,
12 two thousand six, provided, however, that within amounts appropriated, a
13 portion of such funds may be transferred to the Roswell Park Cancer
14 Institute Corporation to support costs associated with cancer research;

15 (viii) up to ninety-four million one hundred fifty thousand dollars
16 for the period January first, two thousand seven through December thir-
17 ty-first, two thousand seven, provided, however, that within amounts
18 appropriated, a portion of such funds may be transferred to the Roswell
19 Park Cancer Institute Corporation to support costs associated with
20 cancer research;

21 (ix) up to ninety-four million one hundred fifty thousand dollars for
22 the period January first, two thousand eight through December thirty-
23 first, two thousand eight;

24 (x) up to ninety-four million one hundred fifty thousand dollars for
25 the period January first, two thousand nine through December thirty-
26 first, two thousand nine;

27 (xi) up to eighty-seven million seven hundred seventy-five thousand
28 dollars for the period January first, two thousand ten through December
29 thirty-first, two thousand ten;

30 (xii) up to twenty-one million four hundred twelve thousand dollars
31 for the period January first, two thousand eleven through March thirty-
32 first, two thousand eleven;

33 (xiii) up to fifty-two million one hundred thousand dollars each state
34 fiscal year for the period April first, two thousand eleven through
35 March thirty-first, two thousand fourteen;

36 (xiv) up to six million dollars each state fiscal year for the period
37 April first, two thousand fourteen through March thirty-first, two thou-
38 sand seventeen;

39 (xv) up to six million dollars each state fiscal year for the period
40 April first, two thousand seventeen through March thirty-first, two
41 thousand twenty;

42 (xvi) up to six million dollars each state fiscal year for the period
43 April first, two thousand twenty through March thirty-first, two thou-
44 sand twenty-three; ~~and~~

45 (xvii) up to six million dollars each state fiscal year for the period
46 April first, two thousand twenty-three through March thirty-first, two
47 thousand twenty-six~~[-]~~; ~~and~~

48 (xviii) up to six million dollars each state fiscal year for the peri-
49 od April first, two thousand twenty-six through March thirty-first, two
50 thousand twenty-nine.

51 (k) Funds shall be deposited by the commissioner, within amounts
52 appropriated, and the state comptroller is hereby authorized and
53 directed to receive for deposit to the credit of the state special
54 revenue fund - other, HCRA transfer fund, health care services account,
55 or any successor fund or account, for purposes of services and expenses
56 related to public health programs, including comprehensive care centers

1 for eating disorders pursuant to the former section twenty-seven hundred
2 ninety-nine-1 of this chapter, provided however that, for such centers,
3 funds in the amount of five hundred thousand dollars on an annualized
4 basis shall be transferred from the health care services account, or any
5 successor fund or account, and deposited into the fund established by
6 section ninety-five-e of the state finance law for periods prior to
7 March thirty-first, two thousand eleven, from the tobacco control and
8 insurance initiatives pool established for the following periods in the
9 following amounts:

10 (i) up to thirty-one million dollars for the period January first, two
11 thousand through December thirty-first, two thousand;

12 (ii) up to forty-one million dollars for the period January first, two
13 thousand one through December thirty-first, two thousand one;

14 (iii) up to eighty-one million dollars for the period January first,
15 two thousand two through December thirty-first, two thousand two;

16 (iv) one hundred twenty-two million five hundred thousand dollars for
17 the period January first, two thousand three through December thirty-
18 first, two thousand three;

19 (v) one hundred eight million five hundred seventy-five thousand
20 dollars, plus an additional five hundred thousand dollars, for the peri-
21 od January first, two thousand four through December thirty-first, two
22 thousand four;

23 (vi) ninety-one million eight hundred thousand dollars, plus an addi-
24 tional five hundred thousand dollars, for the period January first, two
25 thousand five through December thirty-first, two thousand five;

26 (vii) one hundred fifty-six million six hundred thousand dollars, plus
27 an additional five hundred thousand dollars, for the period January
28 first, two thousand six through December thirty-first, two thousand six;

29 (viii) one hundred fifty-one million four hundred thousand dollars,
30 plus an additional five hundred thousand dollars, for the period January
31 first, two thousand seven through December thirty-first, two thousand
32 seven;

33 (ix) one hundred sixteen million nine hundred forty-nine thousand
34 dollars, plus an additional five hundred thousand dollars, for the peri-
35 od January first, two thousand eight through December thirty-first, two
36 thousand eight;

37 (x) one hundred sixteen million nine hundred forty-nine thousand
38 dollars, plus an additional five hundred thousand dollars, for the peri-
39 od January first, two thousand nine through December thirty-first, two
40 thousand nine;

41 (xi) one hundred sixteen million nine hundred forty-nine thousand
42 dollars, plus an additional five hundred thousand dollars, for the peri-
43 od January first, two thousand ten through December thirty-first, two
44 thousand ten;

45 (xii) twenty-nine million two hundred thirty-seven thousand two
46 hundred fifty dollars, plus an additional one hundred twenty-five thou-
47 sand dollars, for the period January first, two thousand eleven through
48 March thirty-first, two thousand eleven;

49 (xiii) one hundred twenty million thirty-eight thousand dollars for
50 the period April first, two thousand eleven through March thirty-first,
51 two thousand twelve; and

52 (xiv) one hundred nineteen million four hundred seven thousand dollars
53 each state fiscal year for the period April first, two thousand twelve
54 through March thirty-first, two thousand fourteen.

55 (1) Funds shall be deposited by the commissioner, within amounts
56 appropriated, and the state comptroller is hereby authorized and

1 directed to receive for deposit to the credit of the state special
2 revenue funds - other, HCRA transfer fund, medical assistance account,
3 or any successor fund or account, for purposes of funding the state
4 share of the personal care and certified home health agency rate or fee
5 increases established pursuant to subdivision three of section three
6 hundred sixty-seven-o of the social services law from the tobacco
7 control and insurance initiatives pool established for the following
8 periods in the following amounts:

9 (i) twenty-three million two hundred thousand dollars for the period
10 January first, two thousand through December thirty-first, two thousand;

11 (ii) twenty-three million two hundred thousand dollars for the period
12 January first, two thousand one through December thirty-first, two thou-
13 sand one;

14 (iii) twenty-three million two hundred thousand dollars for the period
15 January first, two thousand two through December thirty-first, two thou-
16 sand two;

17 (iv) up to sixty-five million two hundred thousand dollars for the
18 period January first, two thousand three through December thirty-first,
19 two thousand three;

20 (v) up to sixty-five million two hundred thousand dollars for the
21 period January first, two thousand four through December thirty-first,
22 two thousand four;

23 (vi) up to sixty-five million two hundred thousand dollars for the
24 period January first, two thousand five through December thirty-first,
25 two thousand five;

26 (vii) up to sixty-five million two hundred thousand dollars for the
27 period January first, two thousand six through December thirty-first,
28 two thousand six;

29 (viii) up to sixty-five million two hundred thousand dollars for the
30 period January first, two thousand seven through December thirty-first,
31 two thousand seven; and

32 (ix) up to sixteen million three hundred thousand dollars for the
33 period January first, two thousand eight through March thirty-first, two
34 thousand eight.

35 (m) Funds shall be deposited by the commissioner, within amounts
36 appropriated, and the state comptroller is hereby authorized and
37 directed to receive for deposit to the credit of the state special
38 revenue funds - other, HCRA transfer fund, medical assistance account,
39 or any successor fund or account, for purposes of funding the state
40 share of services and expenses related to home care workers insurance
41 pilot demonstration programs established pursuant to subdivision two of
42 section three hundred sixty-seven-o of the social services law from the
43 tobacco control and insurance initiatives pool established for the
44 following periods in the following amounts:

45 (i) three million eight hundred thousand dollars for the period Janu-
46 ary first, two thousand through December thirty-first, two thousand;

47 (ii) three million eight hundred thousand dollars for the period Janu-
48 ary first, two thousand one through December thirty-first, two thousand
49 one;

50 (iii) three million eight hundred thousand dollars for the period
51 January first, two thousand two through December thirty-first, two thou-
52 sand two;

53 (iv) up to three million eight hundred thousand dollars for the period
54 January first, two thousand three through December thirty-first, two
55 thousand three;

- 1 (v) up to three million eight hundred thousand dollars for the period
2 January first, two thousand four through December thirty-first, two
3 thousand four;
- 4 (vi) up to three million eight hundred thousand dollars for the period
5 January first, two thousand five through December thirty-first, two
6 thousand five;
- 7 (vii) up to three million eight hundred thousand dollars for the peri-
8 od January first, two thousand six through December thirty-first, two
9 thousand six;
- 10 (viii) up to three million eight hundred thousand dollars for the
11 period January first, two thousand seven through December thirty-first,
12 two thousand seven; and
- 13 (ix) up to nine hundred fifty thousand dollars for the period January
14 first, two thousand eight through March thirty-first, two thousand
15 eight.
- 16 (n) Funds shall be transferred by the commissioner and shall be depos-
17 ited to the credit of the special revenue funds - other, miscellaneous
18 special revenue fund - 339, elderly pharmaceutical insurance coverage
19 program premium account authorized pursuant to the provisions of title
20 three of article two of the elder law, or any successor fund or account,
21 for funding state expenses relating to the program from the tobacco
22 control and insurance initiatives pool established for the following
23 periods in the following amounts:
- 24 (i) one hundred seven million dollars for the period January first,
25 two thousand through December thirty-first, two thousand;
- 26 (ii) one hundred sixty-four million dollars for the period January
27 first, two thousand one through December thirty-first, two thousand one;
- 28 (iii) three hundred twenty-two million seven hundred thousand dollars
29 for the period January first, two thousand two through December thirty-
30 first, two thousand two;
- 31 (iv) four hundred thirty-three million three hundred thousand dollars
32 for the period January first, two thousand three through December thir-
33 ty-first, two thousand three;
- 34 (v) five hundred four million one hundred fifty thousand dollars for
35 the period January first, two thousand four through December thirty-
36 first, two thousand four;
- 37 (vi) five hundred sixty-six million eight hundred thousand dollars for
38 the period January first, two thousand five through December thirty-
39 first, two thousand five;
- 40 (vii) six hundred three million one hundred fifty thousand dollars for
41 the period January first, two thousand six through December thirty-
42 first, two thousand six;
- 43 (viii) six hundred sixty million eight hundred thousand dollars for
44 the period January first, two thousand seven through December thirty-
45 first, two thousand seven;
- 46 (ix) three hundred sixty-seven million four hundred sixty-three thou-
47 sand dollars for the period January first, two thousand eight through
48 December thirty-first, two thousand eight;
- 49 (x) three hundred thirty-four million eight hundred twenty-five thou-
50 sand dollars for the period January first, two thousand nine through
51 December thirty-first, two thousand nine;
- 52 (xi) three hundred forty-four million nine hundred thousand dollars
53 for the period January first, two thousand ten through December thirty-
54 first, two thousand ten;

- 1 (xii) eighty-seven million seven hundred eighty-eight thousand dollars
2 for the period January first, two thousand eleven through March thirty-
3 first, two thousand eleven;
- 4 (xiii) one hundred forty-three million one hundred fifty thousand
5 dollars for the period April first, two thousand eleven through March
6 thirty-first, two thousand twelve;
- 7 (xiv) one hundred twenty million nine hundred fifty thousand dollars
8 for the period April first, two thousand twelve through March thirty-
9 first, two thousand thirteen;
- 10 (xv) one hundred twenty-eight million eight hundred fifty thousand
11 dollars for the period April first, two thousand thirteen through March
12 thirty-first, two thousand fourteen;
- 13 (xvi) one hundred twenty-seven million four hundred sixteen thousand
14 dollars each state fiscal year for the period April first, two thousand
15 fourteen through March thirty-first, two thousand seventeen;
- 16 (xvii) one hundred twenty-seven million four hundred sixteen thousand
17 dollars each state fiscal year for the period April first, two thousand
18 seventeen through March thirty-first, two thousand twenty;
- 19 (xviii) one hundred twenty-seven million four hundred sixteen thousand
20 dollars each state fiscal year for the period April first, two thousand
21 twenty through March thirty-first, two thousand twenty-three; ~~and~~
- 22 (xix) one hundred twenty-seven million four hundred sixteen thousand
23 dollars each state fiscal year for the period April first, two thousand
24 twenty-three through March thirty-first, two thousand twenty-six~~[-]~~; and
25 (xx) one hundred twenty-seven million four hundred sixteen thousand
26 dollars each state fiscal year for the period April first, two thousand
27 twenty-six through March thirty-first, two thousand twenty-nine.
- 28 (o) Funds shall be reserved and accumulated and shall be transferred
29 to the Roswell Park Cancer Institute Corporation, from the tobacco
30 control and insurance initiatives pool established for the following
31 periods in the following amounts:
- 32 (i) up to ninety million dollars for the period January first, two
33 thousand through December thirty-first, two thousand;
- 34 (ii) up to sixty million dollars for the period January first, two
35 thousand one through December thirty-first, two thousand one;
- 36 (iii) up to eighty-five million dollars for the period January first,
37 two thousand two through December thirty-first, two thousand two;
- 38 (iv) eighty-five million two hundred fifty thousand dollars for the
39 period January first, two thousand three through December thirty-first,
40 two thousand three;
- 41 (v) seventy-eight million dollars for the period January first, two
42 thousand four through December thirty-first, two thousand four;
- 43 (vi) seventy-eight million dollars for the period January first, two
44 thousand five through December thirty-first, two thousand five;
- 45 (vii) ninety-one million dollars for the period January first, two
46 thousand six through December thirty-first, two thousand six;
- 47 (viii) seventy-eight million dollars for the period January first, two
48 thousand seven through December thirty-first, two thousand seven;
- 49 (ix) seventy-eight million dollars for the period January first, two
50 thousand eight through December thirty-first, two thousand eight;
- 51 (x) seventy-eight million dollars for the period January first, two
52 thousand nine through December thirty-first, two thousand nine;
- 53 (xi) seventy-eight million dollars for the period January first, two
54 thousand ten through December thirty-first, two thousand ten;

1 (xii) nineteen million five hundred thousand dollars for the period
2 January first, two thousand eleven through March thirty-first, two thou-
3 sand eleven;

4 (xiii) sixty-nine million eight hundred forty thousand dollars each
5 state fiscal year for the period April first, two thousand eleven
6 through March thirty-first, two thousand fourteen;

7 (xiv) up to ninety-six million six hundred thousand dollars each state
8 fiscal year for the period April first, two thousand fourteen through
9 March thirty-first, two thousand seventeen;

10 (xv) up to ninety-six million six hundred thousand dollars each state
11 fiscal year for the period April first, two thousand seventeen through
12 March thirty-first, two thousand twenty;

13 (xvi) up to ninety-six million six hundred thousand dollars each state
14 fiscal year for the period April first, two thousand twenty through
15 March thirty-first, two thousand twenty-three; ~~and~~

16 (xvii) up to ninety-six million six hundred thousand dollars each
17 state fiscal year for the period April first, two thousand twenty-three
18 through March thirty-first, two thousand twenty-six~~-~~; and

19 (xviii) up to ninety-six million six hundred thousand dollars each
20 state fiscal year for the period April first, two thousand twenty-six
21 through March thirty-first, two thousand twenty-nine.

22 (p) Funds shall be deposited by the commissioner, within amounts
23 appropriated, and the state comptroller is hereby authorized and
24 directed to receive for deposit to the credit of the state special
25 revenue funds - other, indigent care fund - 068, indigent care account,
26 or any successor fund or account, for purposes of providing a medicaid
27 disproportionate share payment from the high need indigent care adjust-
28 ment pool established pursuant to section twenty-eight hundred seven-w
29 of this article, from the tobacco control and insurance initiatives pool
30 established for the following periods in the following amounts:

31 (i) eighty-two million dollars annually for the periods January first,
32 two thousand through December thirty-first, two thousand two;

33 (ii) up to eighty-two million dollars for the period January first,
34 two thousand three through December thirty-first, two thousand three;

35 (iii) up to eighty-two million dollars for the period January first,
36 two thousand four through December thirty-first, two thousand four;

37 (iv) up to eighty-two million dollars for the period January first,
38 two thousand five through December thirty-first, two thousand five;

39 (v) up to eighty-two million dollars for the period January first, two
40 thousand six through December thirty-first, two thousand six;

41 (vi) up to eighty-two million dollars for the period January first,
42 two thousand seven through December thirty-first, two thousand seven;

43 (vii) up to eighty-two million dollars for the period January first,
44 two thousand eight through December thirty-first, two thousand eight;

45 (viii) up to eighty-two million dollars for the period January first,
46 two thousand nine through December thirty-first, two thousand nine;

47 (ix) up to eighty-two million dollars for the period January first,
48 two thousand ten through December thirty-first, two thousand ten;

49 (x) up to twenty million five hundred thousand dollars for the period
50 January first, two thousand eleven through March thirty-first, two thou-
51 sand eleven; and

52 (xi) up to eighty-two million dollars each state fiscal year for the
53 period April first, two thousand eleven through March thirty-first, two
54 thousand fourteen.

55 (q) Funds shall be reserved and accumulated from year to year and
56 shall be available, including income from invested funds, for purposes

1 of providing distributions to eligible school based health centers
2 established pursuant to section eighty-eight of chapter one of the laws
3 of nineteen hundred ninety-nine, from the tobacco control and insurance
4 initiatives pool established for the following periods in the following
5 amounts:

6 (i) seven million dollars annually for the period January first, two
7 thousand through December thirty-first, two thousand two;

8 (ii) up to seven million dollars for the period January first, two
9 thousand three through December thirty-first, two thousand three;

10 (iii) up to seven million dollars for the period January first, two
11 thousand four through December thirty-first, two thousand four;

12 (iv) up to seven million dollars for the period January first, two
13 thousand five through December thirty-first, two thousand five;

14 (v) up to seven million dollars for the period January first, two
15 thousand six through December thirty-first, two thousand six;

16 (vi) up to seven million dollars for the period January first, two
17 thousand seven through December thirty-first, two thousand seven;

18 (vii) up to seven million dollars for the period January first, two
19 thousand eight through December thirty-first, two thousand eight;

20 (viii) up to seven million dollars for the period January first, two
21 thousand nine through December thirty-first, two thousand nine;

22 (ix) up to seven million dollars for the period January first, two
23 thousand ten through December thirty-first, two thousand ten;

24 (x) up to one million seven hundred fifty thousand dollars for the
25 period January first, two thousand eleven through March thirty-first,
26 two thousand eleven;

27 (xi) up to five million six hundred thousand dollars each state fiscal
28 year for the period April first, two thousand eleven through March thir-
29 ty-first, two thousand fourteen;

30 (xii) up to five million two hundred eighty-eight thousand dollars
31 each state fiscal year for the period April first, two thousand fourteen
32 through March thirty-first, two thousand seventeen;

33 (xiii) up to five million two hundred eighty-eight thousand dollars
34 each state fiscal year for the period April first, two thousand seven-
35 teen through March thirty-first, two thousand twenty;

36 (xiv) up to five million two hundred eighty-eight thousand dollars
37 each state fiscal year for the period April first, two thousand twenty
38 through March thirty-first, two thousand twenty-three; ~~and~~

39 (xv) up to five million two hundred eighty-eight thousand dollars each
40 state fiscal year for the period April first, two thousand twenty-three
41 through March thirty-first, two thousand twenty-six[-]; ~~and~~

42 (xvi) up to five million two hundred eighty-eight thousand dollars
43 each state fiscal year for the period April first, two thousand twenty-
44 six through March thirty-first, two thousand twenty-nine.

45 (r) Funds shall be deposited by the commissioner within amounts appro-
46 priated, and the state comptroller is hereby authorized and directed to
47 receive for deposit to the credit of the state special revenue funds -
48 other, HCRA transfer fund, medical assistance account, or any successor
49 fund or account, for purposes of providing distributions for supplemen-
50 tary medical insurance for Medicare part B premiums, physicians
51 services, outpatient services, medical equipment, supplies and other
52 health services, from the tobacco control and insurance initiatives pool
53 established for the following periods in the following amounts:

54 (i) forty-three million dollars for the period January first, two
55 thousand through December thirty-first, two thousand;

- 1 (ii) sixty-one million dollars for the period January first, two thou-
2 sand one through December thirty-first, two thousand one;
- 3 (iii) sixty-five million dollars for the period January first, two
4 thousand two through December thirty-first, two thousand two;
- 5 (iv) sixty-seven million five hundred thousand dollars for the period
6 January first, two thousand three through December thirty-first, two
7 thousand three;
- 8 (v) sixty-eight million dollars for the period January first, two
9 thousand four through December thirty-first, two thousand four;
- 10 (vi) sixty-eight million dollars for the period January first, two
11 thousand five through December thirty-first, two thousand five;
- 12 (vii) sixty-eight million dollars for the period January first, two
13 thousand six through December thirty-first, two thousand six;
- 14 (viii) seventeen million five hundred thousand dollars for the period
15 January first, two thousand seven through December thirty-first, two
16 thousand seven;
- 17 (ix) sixty-eight million dollars for the period January first, two
18 thousand eight through December thirty-first, two thousand eight;
- 19 (x) sixty-eight million dollars for the period January first, two
20 thousand nine through December thirty-first, two thousand nine;
- 21 (xi) sixty-eight million dollars for the period January first, two
22 thousand ten through December thirty-first, two thousand ten;
- 23 (xii) seventeen million dollars for the period January first, two
24 thousand eleven through March thirty-first, two thousand eleven; and
- 25 (xiii) sixty-eight million dollars each state fiscal year for the
26 period April first, two thousand eleven through March thirty-first, two
27 thousand fourteen.
- 28 (s) Funds shall be deposited by the commissioner within amounts appro-
29 priated, and the state comptroller is hereby authorized and directed to
30 receive for deposit to the credit of the state special revenue funds -
31 other, HCRA transfer fund, medical assistance account, or any successor
32 fund or account, for purposes of providing distributions pursuant to
33 paragraphs (s-5), (s-6), (s-7) and (s-8) of subdivision eleven of
34 section twenty-eight hundred seven-c of this article from the tobacco
35 control and insurance initiatives pool established for the following
36 periods in the following amounts:
- 37 (i) eighteen million dollars for the period January first, two thou-
38 sand through December thirty-first, two thousand;
- 39 (ii) twenty-four million dollars annually for the periods January
40 first, two thousand one through December thirty-first, two thousand two;
- 41 (iii) up to twenty-four million dollars for the period January first,
42 two thousand three through December thirty-first, two thousand three;
- 43 (iv) up to twenty-four million dollars for the period January first,
44 two thousand four through December thirty-first, two thousand four;
- 45 (v) up to twenty-four million dollars for the period January first,
46 two thousand five through December thirty-first, two thousand five;
- 47 (vi) up to twenty-four million dollars for the period January first,
48 two thousand six through December thirty-first, two thousand six;
- 49 (vii) up to twenty-four million dollars for the period January first,
50 two thousand seven through December thirty-first, two thousand seven;
- 51 (viii) up to twenty-four million dollars for the period January first,
52 two thousand eight through December thirty-first, two thousand eight;
- 53 and
- 54 (ix) up to twenty-two million dollars for the period January first,
55 two thousand nine through November thirtieth, two thousand nine.

1 (t) Funds shall be reserved and accumulated from year to year by the
2 commissioner and shall be made available, including income from invested
3 funds:

4 (i) For the purpose of making grants to a state owned and operated
5 medical school which does not have a state owned and operated hospital
6 on site and available for teaching purposes. Notwithstanding sections
7 one hundred twelve and one hundred sixty-three of the state finance law,
8 such grants shall be made in the amount of up to five hundred thousand
9 dollars for the period January first, two thousand through December
10 thirty-first, two thousand;

11 (ii) For the purpose of making grants to medical schools pursuant to
12 section eighty-six-a of chapter one of the laws of nineteen hundred
13 ninety-nine in the sum of up to four million dollars for the period
14 January first, two thousand through December thirty-first, two thousand;
15 and

16 (iii) The funds disbursed pursuant to subparagraphs (i) and (ii) of
17 this paragraph from the tobacco control and insurance initiatives pool
18 are contingent upon meeting all funding amounts established pursuant to
19 paragraphs (a), (b), (c), (d), (e), (f), (l), (m), (n), (p), (q), (r)
20 and (s) of this subdivision, paragraph (a) of subdivision nine of
21 section twenty-eight hundred seven-j of this article, and paragraphs
22 (a), (i) and (k) of subdivision one of section twenty-eight hundred
23 seven-1 of this article.

24 (u) Funds shall be deposited by the commissioner, within amounts
25 appropriated, and the state comptroller is hereby authorized and
26 directed to receive for deposit to the credit of the state special
27 revenue funds - other, HCRA transfer fund, medical assistance account,
28 or any successor fund or account, for purposes of funding the state
29 share of services and expenses related to the nursing home quality
30 improvement demonstration program established pursuant to section twen-
31 ty-eight hundred eight-d of this article from the tobacco control and
32 insurance initiatives pool established for the following periods in the
33 following amounts:

34 (i) up to twenty-five million dollars for the period beginning April
35 first, two thousand two and ending December thirty-first, two thousand
36 two, and on an annualized basis, for each annual period thereafter
37 beginning January first, two thousand three and ending December thirty-
38 first, two thousand four;

39 (ii) up to eighteen million seven hundred fifty thousand dollars for
40 the period January first, two thousand five through December thirty-
41 first, two thousand five; and

42 (iii) up to fifty-six million five hundred thousand dollars for the
43 period January first, two thousand six through December thirty-first,
44 two thousand six.

45 (v) Funds shall be transferred by the commissioner and shall be depos-
46 ited to the credit of the hospital excess liability pool created pursu-
47 ant to section eighteen of chapter two hundred sixty-six of the laws of
48 nineteen hundred eighty-six, or any successor fund or account, for
49 purposes of expenses related to the purchase of excess medical malprac-
50 tice insurance and the cost of administrating the pool, including costs
51 associated with the risk management program established pursuant to
52 section forty-two of part A of chapter one of the laws of two thousand
53 two required by paragraph (a) of subdivision one of section eighteen of
54 chapter two hundred sixty-six of the laws of nineteen hundred eighty-six
55 as may be amended from time to time, from the tobacco control and insur-

1 ance initiatives pool established for the following periods in the
2 following amounts:

3 (i) up to fifty million dollars or so much as is needed for the period
4 January first, two thousand two through December thirty-first, two thou-
5 sand two;

6 (ii) up to seventy-six million seven hundred thousand dollars for the
7 period January first, two thousand three through December thirty-first,
8 two thousand three;

9 (iii) up to sixty-five million dollars for the period January first,
10 two thousand four through December thirty-first, two thousand four;

11 (iv) up to sixty-five million dollars for the period January first,
12 two thousand five through December thirty-first, two thousand five;

13 (v) up to one hundred thirteen million eight hundred thousand dollars
14 for the period January first, two thousand six through December thirty-
15 first, two thousand six;

16 (vi) up to one hundred thirty million dollars for the period January
17 first, two thousand seven through December thirty-first, two thousand
18 seven;

19 (vii) up to one hundred thirty million dollars for the period January
20 first, two thousand eight through December thirty-first, two thousand
21 eight;

22 (viii) up to one hundred thirty million dollars for the period January
23 first, two thousand nine through December thirty-first, two thousand
24 nine;

25 (ix) up to one hundred thirty million dollars for the period January
26 first, two thousand ten through December thirty-first, two thousand ten;

27 (x) up to thirty-two million five hundred thousand dollars for the
28 period January first, two thousand eleven through March thirty-first,
29 two thousand eleven;

30 (xi) up to one hundred twenty-seven million four hundred thousand
31 dollars each state fiscal year for the period April first, two thousand
32 eleven through March thirty-first, two thousand fourteen;

33 (xii) up to one hundred twenty-seven million four hundred thousand
34 dollars each state fiscal year for the period April first, two thousand
35 fourteen through March thirty-first, two thousand seventeen;

36 (xiii) up to one hundred twenty-seven million four hundred thousand
37 dollars each state fiscal year for the period April first, two thousand
38 seventeen through March thirty-first, two thousand twenty;

39 (xiv) up to one hundred twenty-seven million four hundred thousand
40 dollars each state fiscal year for the period April first, two thousand
41 twenty through March thirty-first, two thousand twenty-three; ~~and~~

42 (xv) up to one hundred twenty-seven million four hundred thousand
43 dollars each state fiscal year for the period April first, two thousand
44 twenty-three through March thirty-first, two thousand twenty-six[-]; ~~and~~
45 (xvi) up to one hundred twenty-seven million four hundred thousand
46 dollars each state fiscal year for the period April first, two thousand
47 twenty-six through March thirty-first, two thousand twenty-nine.

48 (w) Funds shall be deposited by the commissioner, within amounts
49 appropriated, and the state comptroller is hereby authorized and
50 directed to receive for deposit to the credit of the state special
51 revenue funds - other, HCRA transfer fund, medical assistance account,
52 or any successor fund or account, for purposes of funding the state
53 share of the treatment of breast and cervical cancer pursuant to para-
54 graph (d) of subdivision four of section three hundred sixty-six of the
55 social services law, from the tobacco control and insurance initiatives
56 pool established for the following periods in the following amounts:

1 (i) up to four hundred fifty thousand dollars for the period January
2 first, two thousand two through December thirty-first, two thousand two;
3 (ii) up to two million one hundred thousand dollars for the period
4 January first, two thousand three through December thirty-first, two
5 thousand three;
6 (iii) up to two million one hundred thousand dollars for the period
7 January first, two thousand four through December thirty-first, two
8 thousand four;
9 (iv) up to two million one hundred thousand dollars for the period
10 January first, two thousand five through December thirty-first, two
11 thousand five;
12 (v) up to two million one hundred thousand dollars for the period
13 January first, two thousand six through December thirty-first, two thou-
14 sand six;
15 (vi) up to two million one hundred thousand dollars for the period
16 January first, two thousand seven through December thirty-first, two
17 thousand seven;
18 (vii) up to two million one hundred thousand dollars for the period
19 January first, two thousand eight through December thirty-first, two
20 thousand eight;
21 (viii) up to two million one hundred thousand dollars for the period
22 January first, two thousand nine through December thirty-first, two
23 thousand nine;
24 (ix) up to two million one hundred thousand dollars for the period
25 January first, two thousand ten through December thirty-first, two thou-
26 sand ten;
27 (x) up to five hundred twenty-five thousand dollars for the period
28 January first, two thousand eleven through March thirty-first, two thou-
29 sand eleven;
30 (xi) up to two million one hundred thousand dollars each state fiscal
31 year for the period April first, two thousand eleven through March thir-
32 ty-first, two thousand fourteen;
33 (xii) up to two million one hundred thousand dollars each state fiscal
34 year for the period April first, two thousand fourteen through March
35 thirty-first, two thousand seventeen;
36 (xiii) up to two million one hundred thousand dollars each state
37 fiscal year for the period April first, two thousand seventeen through
38 March thirty-first, two thousand twenty;
39 (xiv) up to two million one hundred thousand dollars each state fiscal
40 year for the period April first, two thousand twenty through March thir-
41 ty-first, two thousand twenty-three; ~~and~~
42 (xv) up to two million one hundred thousand dollars each state fiscal
43 year for the period April first, two thousand twenty-three through March
44 thirty-first, two thousand twenty-six[-]; and
45 (xvi) up to two million one hundred thousand dollars each state fiscal
46 year for the period April first, two thousand twenty-six through March
47 thirty-first, two thousand twenty-nine.
48 (x) Funds shall be deposited by the commissioner, within amounts
49 appropriated, and the state comptroller is hereby authorized and
50 directed to receive for deposit to the credit of the state special
51 revenue funds - other, HCRA transfer fund, medical assistance account,
52 or any successor fund or account, for purposes of funding the state
53 share of the non-public general hospital rates increases for recruitment
54 and retention of health care workers from the tobacco control and insur-
55 ance initiatives pool established for the following periods in the
56 following amounts:

1 (i) twenty-seven million one hundred thousand dollars on an annualized
2 basis for the period January first, two thousand two through December
3 thirty-first, two thousand two;

4 (ii) fifty million eight hundred thousand dollars on an annualized
5 basis for the period January first, two thousand three through December
6 thirty-first, two thousand three;

7 (iii) sixty-nine million three hundred thousand dollars on an annual-
8 ized basis for the period January first, two thousand four through
9 December thirty-first, two thousand four;

10 (iv) sixty-nine million three hundred thousand dollars for the period
11 January first, two thousand five through December thirty-first, two
12 thousand five;

13 (v) sixty-nine million three hundred thousand dollars for the period
14 January first, two thousand six through December thirty-first, two thou-
15 sand six;

16 (vi) sixty-five million three hundred thousand dollars for the period
17 January first, two thousand seven through December thirty-first, two
18 thousand seven;

19 (vii) sixty-one million one hundred fifty thousand dollars for the
20 period January first, two thousand eight through December thirty-first,
21 two thousand eight; and

22 (viii) forty-eight million seven hundred twenty-one thousand dollars
23 for the period January first, two thousand nine through November thirti-
24 eth, two thousand nine.

25 (y) Funds shall be reserved and accumulated from year to year and
26 shall be available, including income from invested funds, for purposes
27 of grants to public general hospitals for recruitment and retention of
28 health care workers pursuant to paragraph (b) of subdivision thirty of
29 section twenty-eight hundred seven-c of this article from the tobacco
30 control and insurance initiatives pool established for the following
31 periods in the following amounts:

32 (i) eighteen million five hundred thousand dollars on an annualized
33 basis for the period January first, two thousand two through December
34 thirty-first, two thousand two;

35 (ii) thirty-seven million four hundred thousand dollars on an annual-
36 ized basis for the period January first, two thousand three through
37 December thirty-first, two thousand three;

38 (iii) fifty-two million two hundred thousand dollars on an annualized
39 basis for the period January first, two thousand four through December
40 thirty-first, two thousand four;

41 (iv) fifty-two million two hundred thousand dollars for the period
42 January first, two thousand five through December thirty-first, two
43 thousand five;

44 (v) fifty-two million two hundred thousand dollars for the period
45 January first, two thousand six through December thirty-first, two thou-
46 sand six;

47 (vi) forty-nine million dollars for the period January first, two
48 thousand seven through December thirty-first, two thousand seven;

49 (vii) forty-nine million dollars for the period January first, two
50 thousand eight through December thirty-first, two thousand eight; and

51 (viii) twelve million two hundred fifty thousand dollars for the peri-
52 od January first, two thousand nine through March thirty-first, two
53 thousand nine.

54 Provided, however, amounts pursuant to this paragraph may be reduced
55 in an amount to be approved by the director of the budget to reflect
56 amounts received from the federal government under the state's 1115

1 waiver which are directed under its terms and conditions to the health
2 workforce recruitment and retention program.

3 (z) Funds shall be deposited by the commissioner, within amounts
4 appropriated, and the state comptroller is hereby authorized and
5 directed to receive for deposit to the credit of the state special
6 revenue funds - other, HCRA transfer fund, medical assistance account,
7 or any successor fund or account, for purposes of funding the state
8 share of the non-public residential health care facility rate increases
9 for recruitment and retention of health care workers pursuant to para-
10 graph (a) of subdivision eighteen of section twenty-eight hundred eight
11 of this article from the tobacco control and insurance initiatives pool
12 established for the following periods in the following amounts:

13 (i) twenty-one million five hundred thousand dollars on an annualized
14 basis for the period January first, two thousand two through December
15 thirty-first, two thousand two;

16 (ii) thirty-three million three hundred thousand dollars on an annual-
17 ized basis for the period January first, two thousand three through
18 December thirty-first, two thousand three;

19 (iii) forty-six million three hundred thousand dollars on an annual-
20 ized basis for the period January first, two thousand four through
21 December thirty-first, two thousand four;

22 (iv) forty-six million three hundred thousand dollars for the period
23 January first, two thousand five through December thirty-first, two
24 thousand five;

25 (v) forty-six million three hundred thousand dollars for the period
26 January first, two thousand six through December thirty-first, two thou-
27 sand six;

28 (vi) thirty million nine hundred thousand dollars for the period Janu-
29 ary first, two thousand seven through December thirty-first, two thou-
30 sand seven;

31 (vii) twenty-four million seven hundred thousand dollars for the peri-
32 od January first, two thousand eight through December thirty-first, two
33 thousand eight;

34 (viii) twelve million three hundred seventy-five thousand dollars for
35 the period January first, two thousand nine through December thirty-
36 first, two thousand nine;

37 (ix) nine million three hundred thousand dollars for the period Janu-
38 ary first, two thousand ten through December thirty-first, two thousand
39 ten; and

40 (x) two million three hundred twenty-five thousand dollars for the
41 period January first, two thousand eleven through March thirty-first,
42 two thousand eleven.

43 (aa) Funds shall be reserved and accumulated from year to year and
44 shall be available, including income from invested funds, for purposes
45 of grants to public residential health care facilities for recruitment
46 and retention of health care workers pursuant to paragraph (b) of subdi-
47 vision eighteen of section twenty-eight hundred eight of this article
48 from the tobacco control and insurance initiatives pool established for
49 the following periods in the following amounts:

50 (i) seven million five hundred thousand dollars on an annualized basis
51 for the period January first, two thousand two through December thirty-
52 first, two thousand two;

53 (ii) eleven million seven hundred thousand dollars on an annualized
54 basis for the period January first, two thousand three through December
55 thirty-first, two thousand three;

1 (iii) sixteen million two hundred thousand dollars on an annualized
2 basis for the period January first, two thousand four through December
3 thirty-first, two thousand four;

4 (iv) sixteen million two hundred thousand dollars for the period Janu-
5 ary first, two thousand five through December thirty-first, two thousand
6 five;

7 (v) sixteen million two hundred thousand dollars for the period Janu-
8 ary first, two thousand six through December thirty-first, two thousand
9 six;

10 (vi) ten million eight hundred thousand dollars for the period January
11 first, two thousand seven through December thirty-first, two thousand
12 seven;

13 (vii) six million seven hundred fifty thousand dollars for the period
14 January first, two thousand eight through December thirty-first, two
15 thousand eight; and

16 (viii) one million three hundred fifty thousand dollars for the period
17 January first, two thousand nine through December thirty-first, two
18 thousand nine.

19 (bb)(i) Funds shall be deposited by the commissioner, within amounts
20 appropriated, and subject to the availability of federal financial
21 participation, and the state comptroller is hereby authorized and
22 directed to receive for deposit to the credit of the state special
23 revenue funds - other, HCRA transfer fund, medical assistance account,
24 or any successor fund or account, for the purpose of supporting the
25 state share of adjustments to Medicaid rates of payment for personal
26 care services provided pursuant to paragraph (e) of subdivision two of
27 section three hundred sixty-five-a of the social services law, for local
28 social service districts which include a city with a population of over
29 one million persons and computed and distributed in accordance with
30 memorandums of understanding to be entered into between the state of New
31 York and such local social service districts for the purpose of support-
32 ing the recruitment and retention of personal care service workers or
33 any worker with direct patient care responsibility, from the tobacco
34 control and insurance initiatives pool established for the following
35 periods and the following amounts:

36 (A) forty-four million dollars, on an annualized basis, for the period
37 April first, two thousand two through December thirty-first, two thou-
38 sand two;

39 (B) seventy-four million dollars, on an annualized basis, for the
40 period January first, two thousand three through December thirty-first,
41 two thousand three;

42 (C) one hundred four million dollars, on an annualized basis, for the
43 period January first, two thousand four through December thirty-first,
44 two thousand four;

45 (D) one hundred thirty-six million dollars, on an annualized basis,
46 for the period January first, two thousand five through December thir-
47 ty-first, two thousand five;

48 (E) one hundred thirty-six million dollars, on an annualized basis,
49 for the period January first, two thousand six through December thirty-
50 first, two thousand six;

51 (F) one hundred thirty-six million dollars for the period January
52 first, two thousand seven through December thirty-first, two thousand
53 seven;

54 (G) one hundred thirty-six million dollars for the period January
55 first, two thousand eight through December thirty-first, two thousand
56 eight;

1 (H) one hundred thirty-six million dollars for the period January
2 first, two thousand nine through December thirty-first, two thousand
3 nine;

4 (I) one hundred thirty-six million dollars for the period January
5 first, two thousand ten through December thirty-first, two thousand ten;

6 (J) thirty-four million dollars for the period January first, two
7 thousand eleven through March thirty-first, two thousand eleven;

8 (K) up to one hundred thirty-six million dollars each state fiscal
9 year for the period April first, two thousand eleven through March thir-
10 ty-first, two thousand fourteen;

11 (L) up to one hundred thirty-six million dollars each state fiscal
12 year for the period March thirty-first, two thousand fourteen through
13 April first, two thousand seventeen;

14 (M) up to one hundred thirty-six million dollars each state fiscal
15 year for the period April first, two thousand seventeen through March
16 thirty-first, two thousand twenty;

17 (N) up to one hundred thirty-six million dollars each state fiscal
18 year for the period April first, two thousand twenty through March thir-
19 ty-first, two thousand twenty-three; ~~and~~

20 (O) up to one hundred thirty-six million dollars each state fiscal
21 year for the period April first, two thousand twenty-three through March
22 thirty-first, two thousand twenty-six~~[-]~~; and

23 (P) up to one hundred thirty-six million dollars each state fiscal
24 year for the period April first, two thousand twenty-six through March
25 thirty-first, two thousand twenty-nine.

26 (ii) Adjustments to Medicaid rates made pursuant to this paragraph
27 shall not, in aggregate, exceed the following amounts for the following
28 periods:

29 (A) for the period April first, two thousand two through December
30 thirty-first, two thousand two, one hundred ten million dollars;

31 (B) for the period January first, two thousand three through December
32 thirty-first, two thousand three, one hundred eighty-five million
33 dollars;

34 (C) for the period January first, two thousand four through December
35 thirty-first, two thousand four, two hundred sixty million dollars;

36 (D) for the period January first, two thousand five through December
37 thirty-first, two thousand five, three hundred forty million dollars;

38 (E) for the period January first, two thousand six through December
39 thirty-first, two thousand six, three hundred forty million dollars;

40 (F) for the period January first, two thousand seven through December
41 thirty-first, two thousand seven, three hundred forty million dollars;

42 (G) for the period January first, two thousand eight through December
43 thirty-first, two thousand eight, three hundred forty million dollars;

44 (H) for the period January first, two thousand nine through December
45 thirty-first, two thousand nine, three hundred forty million dollars;

46 (I) for the period January first, two thousand ten through December
47 thirty-first, two thousand ten, three hundred forty million dollars;

48 (J) for the period January first, two thousand eleven through March
49 thirty-first, two thousand eleven, eighty-five million dollars;

50 (K) for each state fiscal year within the period April first, two
51 thousand eleven through March thirty-first, two thousand fourteen, three
52 hundred forty million dollars;

53 (L) for each state fiscal year within the period April first, two
54 thousand fourteen through March thirty-first, two thousand seventeen,
55 three hundred forty million dollars;

1 (M) for each state fiscal year within the period April first, two
2 thousand seventeen through March thirty-first, two thousand twenty,
3 three hundred forty million dollars;

4 (N) for each state fiscal year within the period April first, two
5 thousand twenty through March thirty-first, two thousand twenty-three,
6 three hundred forty million dollars; ~~and~~

7 (O) for each state fiscal year within the period April first, two
8 thousand twenty-three through March thirty-first, two thousand twenty-
9 six, three hundred forty million dollars~~[-]~~; ~~and~~

10 (P) for each state fiscal year within the period April first, two
11 thousand twenty-six through March thirty-first, two thousand twenty-
12 nine, three hundred forty million dollars.

13 (iii) Personal care service providers which have their rates adjusted
14 pursuant to this paragraph shall use such funds for the purpose of
15 recruitment and retention of non-supervisory personal care services
16 workers or any worker with direct patient care responsibility only and
17 are prohibited from using such funds for any other purpose. Each such
18 personal care services provider shall submit, at a time and in a manner
19 to be determined by the commissioner, a written certification attesting
20 that such funds will be used solely for the purpose of recruitment and
21 retention of non-supervisory personal care services workers or any work-
22 er with direct patient care responsibility. The commissioner is author-
23 ized to audit each such provider to ensure compliance with the written
24 certification required by this subdivision and shall recoup any funds
25 determined to have been used for purposes other than recruitment and
26 retention of non-supervisory personal care services workers or any work-
27 er with direct patient care responsibility. Such recoupment shall be in
28 addition to any other penalties provided by law.

29 (cc) Funds shall be deposited by the commissioner, within amounts
30 appropriated, and the state comptroller is hereby authorized and
31 directed to receive for deposit to the credit of the state special
32 revenue funds - other, HCRA transfer fund, medical assistance account,
33 or any successor fund or account, for the purpose of supporting the
34 state share of adjustments to Medicaid rates of payment for personal
35 care services provided pursuant to paragraph (e) of subdivision two of
36 section three hundred sixty-five-a of the social services law, for local
37 social service districts which shall not include a city with a popu-
38 lation of over one million persons for the purpose of supporting the
39 personal care services worker recruitment and retention program as
40 established pursuant to section three hundred sixty-seven-q of the
41 social services law, from the tobacco control and insurance initiatives
42 pool established for the following periods and the following amounts:

43 (i) two million eight hundred thousand dollars for the period April
44 first, two thousand two through December thirty-first, two thousand two;

45 (ii) five million six hundred thousand dollars, on an annualized
46 basis, for the period January first, two thousand three through December
47 thirty-first, two thousand three;

48 (iii) eight million four hundred thousand dollars, on an annualized
49 basis, for the period January first, two thousand four through December
50 thirty-first, two thousand four;

51 (iv) ten million eight hundred thousand dollars, on an annualized
52 basis, for the period January first, two thousand five through December
53 thirty-first, two thousand five;

54 (v) ten million eight hundred thousand dollars, on an annualized
55 basis, for the period January first, two thousand six through December
56 thirty-first, two thousand six;

- 1 (vi) eleven million two hundred thousand dollars for the period Janu-
2 ary first, two thousand seven through December thirty-first, two thou-
3 sand seven;
- 4 (vii) eleven million two hundred thousand dollars for the period Janu-
5 ary first, two thousand eight through December thirty-first, two thou-
6 sand eight;
- 7 (viii) eleven million two hundred thousand dollars for the period
8 January first, two thousand nine through December thirty-first, two
9 thousand nine;
- 10 (ix) eleven million two hundred thousand dollars for the period Janu-
11 ary first, two thousand ten through December thirty-first, two thousand
12 ten;
- 13 (x) two million eight hundred thousand dollars for the period January
14 first, two thousand eleven through March thirty-first, two thousand
15 eleven;
- 16 (xi) up to eleven million two hundred thousand dollars each state
17 fiscal year for the period April first, two thousand eleven through
18 March thirty-first, two thousand fourteen;
- 19 (xii) up to eleven million two hundred thousand dollars each state
20 fiscal year for the period April first, two thousand fourteen through
21 March thirty-first, two thousand seventeen;
- 22 (xiii) up to eleven million two hundred thousand dollars each state
23 fiscal year for the period April first, two thousand seventeen through
24 March thirty-first, two thousand twenty;
- 25 (xiv) up to eleven million two hundred thousand dollars each state
26 fiscal year for the period April first, two thousand twenty through
27 March thirty-first, two thousand twenty-three; ~~and~~
- 28 (xv) up to eleven million two hundred thousand dollars each state
29 fiscal year for the period April first, two thousand twenty-three
30 through March thirty-first, two thousand twenty-six~~[-]~~; and
- 31 (xvi) up to eleven million two hundred thousand dollars each state
32 fiscal year for the period April first, two thousand twenty-six through
33 March thirty-first, two thousand twenty-nine.
- 34 (dd) Funds shall be deposited by the commissioner, within amounts
35 appropriated, and the state comptroller is hereby authorized and
36 directed to receive for deposit to the credit of the state special
37 revenue fund - other, HCRA transfer fund, medical assistance account, or
38 any successor fund or account, for purposes of funding the state share
39 of Medicaid expenditures for physician services from the tobacco control
40 and insurance initiatives pool established for the following periods in
41 the following amounts:
- 42 (i) up to fifty-two million dollars for the period January first, two
43 thousand two through December thirty-first, two thousand two;
- 44 (ii) eighty-one million two hundred thousand dollars for the period
45 January first, two thousand three through December thirty-first, two
46 thousand three;
- 47 (iii) eighty-five million two hundred thousand dollars for the period
48 January first, two thousand four through December thirty-first, two
49 thousand four;
- 50 (iv) eighty-five million two hundred thousand dollars for the period
51 January first, two thousand five through December thirty-first, two
52 thousand five;
- 53 (v) eighty-five million two hundred thousand dollars for the period
54 January first, two thousand six through December thirty-first, two thou-
55 sand six;

1 (vi) eighty-five million two hundred thousand dollars for the period
2 January first, two thousand seven through December thirty-first, two
3 thousand seven;

4 (vii) eighty-five million two hundred thousand dollars for the period
5 January first, two thousand eight through December thirty-first, two
6 thousand eight;

7 (viii) eighty-five million two hundred thousand dollars for the period
8 January first, two thousand nine through December thirty-first, two
9 thousand nine;

10 (ix) eighty-five million two hundred thousand dollars for the period
11 January first, two thousand ten through December thirty-first, two thou-
12 sand ten;

13 (x) twenty-one million three hundred thousand dollars for the period
14 January first, two thousand eleven through March thirty-first, two thou-
15 sand eleven; and

16 (xi) eighty-five million two hundred thousand dollars each state
17 fiscal year for the period April first, two thousand eleven through
18 March thirty-first, two thousand fourteen.

19 (ee) Funds shall be deposited by the commissioner, within amounts
20 appropriated, and the state comptroller is hereby authorized and
21 directed to receive for deposit to the credit of the state special
22 revenue fund - other, HCRA transfer fund, medical assistance account, or
23 any successor fund or account, for purposes of funding the state share
24 of the free-standing diagnostic and treatment center rate increases for
25 recruitment and retention of health care workers pursuant to subdivision
26 seventeen of section twenty-eight hundred seven of this article from the
27 tobacco control and insurance initiatives pool established for the
28 following periods in the following amounts:

29 (i) three million two hundred fifty thousand dollars for the period
30 April first, two thousand two through December thirty-first, two thou-
31 sand two;

32 (ii) three million two hundred fifty thousand dollars on an annualized
33 basis for the period January first, two thousand three through December
34 thirty-first, two thousand three;

35 (iii) three million two hundred fifty thousand dollars on an annual-
36 ized basis for the period January first, two thousand four through
37 December thirty-first, two thousand four;

38 (iv) three million two hundred fifty thousand dollars for the period
39 January first, two thousand five through December thirty-first, two
40 thousand five;

41 (v) three million two hundred fifty thousand dollars for the period
42 January first, two thousand six through December thirty-first, two thou-
43 sand six;

44 (vi) three million two hundred fifty thousand dollars for the period
45 January first, two thousand seven through December thirty-first, two
46 thousand seven;

47 (vii) three million four hundred thirty-eight thousand dollars for the
48 period January first, two thousand eight through December thirty-first,
49 two thousand eight;

50 (viii) two million four hundred fifty thousand dollars for the period
51 January first, two thousand nine through December thirty-first, two
52 thousand nine;

53 (ix) one million five hundred thousand dollars for the period January
54 first, two thousand ten through December thirty-first, two thousand ten;
55 and

1 (x) three hundred twenty-five thousand dollars for the period January
2 first, two thousand eleven through March thirty-first, two thousand
3 eleven.

4 (ff) Funds shall be deposited by the commissioner, within amounts
5 appropriated, and the state comptroller is hereby authorized and
6 directed to receive for deposit to the credit of the state special
7 revenue fund - other, HCRA transfer fund, medical assistance account, or
8 any successor fund or account, for purposes of funding the state share
9 of Medicaid expenditures for disabled persons as authorized pursuant to
10 former subparagraphs twelve and thirteen of paragraph (a) of subdivision
11 one of section three hundred sixty-six of the social services law from
12 the tobacco control and insurance initiatives pool established for the
13 following periods in the following amounts:

14 (i) one million eight hundred thousand dollars for the period April
15 first, two thousand two through December thirty-first, two thousand two;

16 (ii) sixteen million four hundred thousand dollars on an annualized
17 basis for the period January first, two thousand three through December
18 thirty-first, two thousand three;

19 (iii) eighteen million seven hundred thousand dollars on an annualized
20 basis for the period January first, two thousand four through December
21 thirty-first, two thousand four;

22 (iv) thirty million six hundred thousand dollars for the period Janu-
23 ary first, two thousand five through December thirty-first, two thousand
24 five;

25 (v) thirty million six hundred thousand dollars for the period January
26 first, two thousand six through December thirty-first, two thousand six;

27 (vi) thirty million six hundred thousand dollars for the period Janu-
28 ary first, two thousand seven through December thirty-first, two thou-
29 sand seven;

30 (vii) fifteen million dollars for the period January first, two thou-
31 sand eight through December thirty-first, two thousand eight;

32 (viii) fifteen million dollars for the period January first, two thou-
33 sand nine through December thirty-first, two thousand nine;

34 (ix) fifteen million dollars for the period January first, two thou-
35 sand ten through December thirty-first, two thousand ten;

36 (x) three million seven hundred fifty thousand dollars for the period
37 January first, two thousand eleven through March thirty-first, two thou-
38 sand eleven;

39 (xi) fifteen million dollars each state fiscal year for the period
40 April first, two thousand eleven through March thirty-first, two thou-
41 sand fourteen;

42 (xii) fifteen million dollars each state fiscal year for the period
43 April first, two thousand fourteen through March thirty-first, two thou-
44 sand seventeen;

45 (xiii) fifteen million dollars each state fiscal year for the period
46 April first, two thousand seventeen through March thirty-first, two
47 thousand twenty;

48 (xiv) fifteen million dollars each state fiscal year for the period
49 April first, two thousand twenty through March thirty-first, two thou-
50 sand twenty-three; ~~and~~

51 (xv) fifteen million dollars each state fiscal year for the period
52 April first, two thousand twenty-three through March thirty-first, two
53 thousand twenty-six~~]; and~~

54 (xvi) fifteen million dollars each state fiscal year for the period
55 April first, two thousand twenty-six through March thirty-first, two
56 thousand twenty-nine.

1 (gg) Funds shall be reserved and accumulated from year to year and
2 shall be available, including income from invested funds, for purposes
3 of grants to non-public general hospitals pursuant to paragraph (c) of
4 subdivision thirty of section twenty-eight hundred seven-c of this arti-
5 cle from the tobacco control and insurance initiatives pool established
6 for the following periods in the following amounts:

7 (i) up to one million three hundred thousand dollars on an annualized
8 basis for the period January first, two thousand two through December
9 thirty-first, two thousand two;

10 (ii) up to three million two hundred thousand dollars on an annualized
11 basis for the period January first, two thousand three through December
12 thirty-first, two thousand three;

13 (iii) up to five million six hundred thousand dollars on an annualized
14 basis for the period January first, two thousand four through December
15 thirty-first, two thousand four;

16 (iv) up to eight million six hundred thousand dollars for the period
17 January first, two thousand five through December thirty-first, two
18 thousand five;

19 (v) up to eight million six hundred thousand dollars on an annualized
20 basis for the period January first, two thousand six through December
21 thirty-first, two thousand six;

22 (vi) up to two million six hundred thousand dollars for the period
23 January first, two thousand seven through December thirty-first, two
24 thousand seven;

25 (vii) up to two million six hundred thousand dollars for the period
26 January first, two thousand eight through December thirty-first, two
27 thousand eight;

28 (viii) up to two million six hundred thousand dollars for the period
29 January first, two thousand nine through December thirty-first, two
30 thousand nine;

31 (ix) up to two million six hundred thousand dollars for the period
32 January first, two thousand ten through December thirty-first, two thou-
33 sand ten; and

34 (x) up to six hundred fifty thousand dollars for the period January
35 first, two thousand eleven through March thirty-first, two thousand
36 eleven.

37 (hh) Funds shall be deposited by the commissioner, within amounts
38 appropriated, and the state comptroller is hereby authorized and
39 directed to receive for deposit to the credit of the special revenue
40 fund - other, HCRA transfer fund, medical assistance account for
41 purposes of providing financial assistance to residential health care
42 facilities pursuant to subdivisions nineteen and twenty-one of section
43 twenty-eight hundred eight of this article, from the tobacco control and
44 insurance initiatives pool established for the following periods in the
45 following amounts:

46 (i) for the period April first, two thousand two through December
47 thirty-first, two thousand two, ten million dollars;

48 (ii) for the period January first, two thousand three through December
49 thirty-first, two thousand three, nine million four hundred fifty thou-
50 sand dollars;

51 (iii) for the period January first, two thousand four through December
52 thirty-first, two thousand four, nine million three hundred fifty thou-
53 sand dollars;

54 (iv) up to fifteen million dollars for the period January first, two
55 thousand five through December thirty-first, two thousand five;

1 (v) up to fifteen million dollars for the period January first, two
2 thousand six through December thirty-first, two thousand six;

3 (vi) up to fifteen million dollars for the period January first, two
4 thousand seven through December thirty-first, two thousand seven;

5 (vii) up to fifteen million dollars for the period January first, two
6 thousand eight through December thirty-first, two thousand eight;

7 (viii) up to fifteen million dollars for the period January first, two
8 thousand nine through December thirty-first, two thousand nine;

9 (ix) up to fifteen million dollars for the period January first, two
10 thousand ten through December thirty-first, two thousand ten;

11 (x) up to three million seven hundred fifty thousand dollars for the
12 period January first, two thousand eleven through March thirty-first,
13 two thousand eleven; and

14 (xi) fifteen million dollars each state fiscal year for the period
15 April first, two thousand eleven through March thirty-first, two thou-
16 sand fourteen.

17 (ii) Funds shall be deposited by the commissioner, within amounts
18 appropriated, and the state comptroller is hereby authorized and
19 directed to receive for deposit to the credit of the state special
20 revenue funds - other, HCRA transfer fund, medical assistance account,
21 or any successor fund or account, for the purpose of supporting the
22 state share of Medicaid expenditures for disabled persons as authorized
23 by sections 1619 (a) and (b) of the federal social security act pursuant
24 to the tobacco control and insurance initiatives pool established for
25 the following periods in the following amounts:

26 (i) six million four hundred thousand dollars for the period April
27 first, two thousand two through December thirty-first, two thousand two;

28 (ii) eight million five hundred thousand dollars, for the period Janu-
29 ary first, two thousand three through December thirty-first, two thou-
30 sand three;

31 (iii) eight million five hundred thousand dollars for the period Janu-
32 ary first, two thousand four through December thirty-first, two thousand
33 four;

34 (iv) eight million five hundred thousand dollars for the period Janu-
35 ary first, two thousand five through December thirty-first, two thousand
36 five;

37 (v) eight million five hundred thousand dollars for the period January
38 first, two thousand six through December thirty-first, two thousand six;

39 (vi) eight million six hundred thousand dollars for the period January
40 first, two thousand seven through December thirty-first, two thousand
41 seven;

42 (vii) eight million five hundred thousand dollars for the period Janu-
43 ary first, two thousand eight through December thirty-first, two thou-
44 sand eight;

45 (viii) eight million five hundred thousand dollars for the period
46 January first, two thousand nine through December thirty-first, two
47 thousand nine;

48 (ix) eight million five hundred thousand dollars for the period Janu-
49 ary first, two thousand ten through December thirty-first, two thousand
50 ten;

51 (x) two million one hundred twenty-five thousand dollars for the peri-
52 od January first, two thousand eleven through March thirty-first, two
53 thousand eleven;

54 (xi) eight million five hundred thousand dollars each state fiscal
55 year for the period April first, two thousand eleven through March thir-
56 ty-first, two thousand fourteen;

1 (xii) eight million five hundred thousand dollars each state fiscal
2 year for the period April first, two thousand fourteen through March
3 thirty-first, two thousand seventeen;

4 (xiii) eight million five hundred thousand dollars each state fiscal
5 year for the period April first, two thousand seventeen through March
6 thirty-first, two thousand twenty;

7 (xiv) eight million five hundred thousand dollars each state fiscal
8 year for the period April first, two thousand twenty through March thir-
9 ty-first, two thousand twenty-three; [~~and~~]

10 (xv) eight million five hundred thousand dollars each state fiscal
11 year for the period April first, two thousand twenty-three through March
12 thirty-first, two thousand twenty-six[~~+~~]; and

13 (xvi) eight million five hundred thousand dollars each state fiscal
14 year for the period April first, two thousand twenty-six through March
15 thirty-first, two thousand twenty-nine.

16 (jj) Funds shall be reserved and accumulated from year to year and
17 shall be available, including income from invested funds, for the
18 purposes of a grant program to improve access to infertility services,
19 treatments and procedures, from the tobacco control and insurance initi-
20 atives pool established for the period January first, two thousand two
21 through December thirty-first, two thousand two in the amount of nine
22 million one hundred seventy-five thousand dollars, for the period April
23 first, two thousand six through March thirty-first, two thousand seven
24 in the amount of five million dollars, for the period April first, two
25 thousand seven through March thirty-first, two thousand eight in the
26 amount of five million dollars, for the period April first, two thousand
27 eight through March thirty-first, two thousand nine in the amount of
28 five million dollars, and for the period April first, two thousand nine
29 through March thirty-first, two thousand ten in the amount of five
30 million dollars, for the period April first, two thousand ten through
31 March thirty-first, two thousand eleven in the amount of two million two
32 hundred thousand dollars, and for the period April first, two thousand
33 eleven through March thirty-first, two thousand twelve up to one million
34 one hundred thousand dollars.

35 (kk) Funds shall be deposited by the commissioner, within amounts
36 appropriated, and the state comptroller is hereby authorized and
37 directed to receive for deposit to the credit of the state special
38 revenue funds -- other, HCRA transfer fund, medical assistance account,
39 or any successor fund or account, for purposes of funding the state
40 share of Medical Assistance Program expenditures from the tobacco
41 control and insurance initiatives pool established for the following
42 periods in the following amounts:

43 (i) thirty-eight million eight hundred thousand dollars for the period
44 January first, two thousand two through December thirty-first, two thou-
45 sand two;

46 (ii) up to two hundred ninety-five million dollars for the period
47 January first, two thousand three through December thirty-first, two
48 thousand three;

49 (iii) up to four hundred seventy-two million dollars for the period
50 January first, two thousand four through December thirty-first, two
51 thousand four;

52 (iv) up to nine hundred million dollars for the period January first,
53 two thousand five through December thirty-first, two thousand five;

54 (v) up to eight hundred sixty-six million three hundred thousand
55 dollars for the period January first, two thousand six through December
56 thirty-first, two thousand six;

1 (vi) up to six hundred sixteen million seven hundred thousand dollars
2 for the period January first, two thousand seven through December thir-
3 ty-first, two thousand seven;

4 (vii) up to five hundred seventy-eight million nine hundred twenty-
5 five thousand dollars for the period January first, two thousand eight
6 through December thirty-first, two thousand eight; and

7 (viii) within amounts appropriated on and after January first, two
8 thousand nine.

9 (ll) Funds shall be deposited by the commissioner, within amounts
10 appropriated, and the state comptroller is hereby authorized and
11 directed to receive for deposit to the credit of the state special
12 revenue funds -- other, HCRA transfer fund, medical assistance account,
13 or any successor fund or account, for purposes of funding the state
14 share of Medicaid expenditures related to the city of New York from the
15 tobacco control and insurance initiatives pool established for the
16 following periods in the following amounts:

17 (i) eighty-two million seven hundred thousand dollars for the period
18 January first, two thousand two through December thirty-first, two thou-
19 sand two;

20 (ii) one hundred twenty-four million six hundred thousand dollars for
21 the period January first, two thousand three through December thirty-
22 first, two thousand three;

23 (iii) one hundred twenty-four million seven hundred thousand dollars
24 for the period January first, two thousand four through December thir-
25 ty-first, two thousand four;

26 (iv) one hundred twenty-four million seven hundred thousand dollars
27 for the period January first, two thousand five through December thir-
28 ty-first, two thousand five;

29 (v) one hundred twenty-four million seven hundred thousand dollars for
30 the period January first, two thousand six through December thirty-
31 first, two thousand six;

32 (vi) one hundred twenty-four million seven hundred thousand dollars
33 for the period January first, two thousand seven through December thir-
34 ty-first, two thousand seven;

35 (vii) one hundred twenty-four million seven hundred thousand dollars
36 for the period January first, two thousand eight through December thir-
37 ty-first, two thousand eight;

38 (viii) one hundred twenty-four million seven hundred thousand dollars
39 for the period January first, two thousand nine through December thir-
40 ty-first, two thousand nine;

41 (ix) one hundred twenty-four million seven hundred thousand dollars
42 for the period January first, two thousand ten through December thirty-
43 first, two thousand ten;

44 (x) thirty-one million one hundred seventy-five thousand dollars for
45 the period January first, two thousand eleven through March thirty-
46 first, two thousand eleven; and

47 (xi) one hundred twenty-four million seven hundred thousand dollars
48 each state fiscal year for the period April first, two thousand eleven
49 through March thirty-first, two thousand fourteen.

50 (mm) Funds shall be deposited by the commissioner, within amounts
51 appropriated, and the state comptroller is hereby authorized and
52 directed to receive for deposit to the credit of the state special
53 revenue funds - other, HCRA transfer fund, medical assistance account,
54 or any successor fund or account, for purposes of funding specified
55 percentages of the state share of services and expenses related to the
56 family health plus program in accordance with the following schedule:

1 (i) (A) for the period January first, two thousand three through
2 December thirty-first, two thousand four, one hundred percent of the
3 state share;

4 (B) for the period January first, two thousand five through December
5 thirty-first, two thousand five, seventy-five percent of the state
6 share; and

7 (C) for periods beginning on and after January first, two thousand
8 six, fifty percent of the state share.

9 (ii) Funding for the family health plus program will include up to
10 five million dollars annually for the period January first, two thousand
11 three through December thirty-first, two thousand six, up to five
12 million dollars for the period January first, two thousand seven through
13 December thirty-first, two thousand seven, up to seven million two
14 hundred thousand dollars for the period January first, two thousand
15 eight through December thirty-first, two thousand eight, up to seven
16 million two hundred thousand dollars for the period January first, two
17 thousand nine through December thirty-first, two thousand nine, up to
18 seven million two hundred thousand dollars for the period January first,
19 two thousand ten through December thirty-first, two thousand ten, up to
20 one million eight hundred thousand dollars for the period January first,
21 two thousand eleven through March thirty-first, two thousand eleven, up
22 to six million forty-nine thousand dollars for the period April first,
23 two thousand eleven through March thirty-first, two thousand twelve, up
24 to six million two hundred eighty-nine thousand dollars for the period
25 April first, two thousand twelve through March thirty-first, two thou-
26 sand thirteen, and up to six million four hundred sixty-one thousand
27 dollars for the period April first, two thousand thirteen through March
28 thirty-first, two thousand fourteen, for administration and marketing
29 costs associated with such program established pursuant to clauses (A)
30 and (B) of subparagraph (v) of paragraph (a) of subdivision two of the
31 former section three hundred sixty-nine-ee of the social services law
32 from the tobacco control and insurance initiatives pool established for
33 the following periods in the following amounts:

34 (A) one hundred ninety million six hundred thousand dollars for the
35 period January first, two thousand three through December thirty-first,
36 two thousand three;

37 (B) three hundred seventy-four million dollars for the period January
38 first, two thousand four through December thirty-first, two thousand
39 four;

40 (C) five hundred thirty-eight million four hundred thousand dollars
41 for the period January first, two thousand five through December thir-
42 ty-first, two thousand five;

43 (D) three hundred eighteen million seven hundred seventy-five thousand
44 dollars for the period January first, two thousand six through December
45 thirty-first, two thousand six;

46 (E) four hundred eighty-two million eight hundred thousand dollars for
47 the period January first, two thousand seven through December thirty-
48 first, two thousand seven;

49 (F) five hundred seventy million twenty-five thousand dollars for the
50 period January first, two thousand eight through December thirty-first,
51 two thousand eight;

52 (G) six hundred ten million seven hundred twenty-five thousand dollars
53 for the period January first, two thousand nine through December thir-
54 ty-first, two thousand nine;

1 (H) six hundred twenty-seven million two hundred seventy-five thousand
2 dollars for the period January first, two thousand ten through December
3 thirty-first, two thousand ten;

4 (I) one hundred fifty-seven million eight hundred seventy-five thou-
5 sand dollars for the period January first, two thousand eleven through
6 March thirty-first, two thousand eleven;

7 (J) six hundred twenty-eight million four hundred thousand dollars for
8 the period April first, two thousand eleven through March thirty-first,
9 two thousand twelve;

10 (K) six hundred fifty million four hundred thousand dollars for the
11 period April first, two thousand twelve through March thirty-first, two
12 thousand thirteen;

13 (L) six hundred fifty million four hundred thousand dollars for the
14 period April first, two thousand thirteen through March thirty-first,
15 two thousand fourteen; and

16 (M) up to three hundred ten million five hundred ninety-five thousand
17 dollars for the period April first, two thousand fourteen through March
18 thirty-first, two thousand fifteen.

19 (nn) Funds shall be deposited by the commissioner, within amounts
20 appropriated, and the state comptroller is hereby authorized and
21 directed to receive for deposit to the credit of the state special
22 revenue fund - other, HCRA transfer fund, health care services account,
23 or any successor fund or account, for purposes related to adult home
24 initiatives for medicaid eligible residents of residential facilities
25 licensed pursuant to section four hundred sixty-b of the social services
26 law from the tobacco control and insurance initiatives pool established
27 for the following periods in the following amounts:

28 (i) up to four million dollars for the period January first, two thou-
29 sand three through December thirty-first, two thousand three;

30 (ii) up to six million dollars for the period January first, two thou-
31 sand four through December thirty-first, two thousand four;

32 (iii) up to eight million dollars for the period January first, two
33 thousand five through December thirty-first, two thousand five,
34 provided, however, that up to five million two hundred fifty thousand
35 dollars of such funds shall be received by the comptroller and deposited
36 to the credit of the special revenue fund - other / aid to localities,
37 HCRA transfer fund - 061, enhanced community services account - 05, or
38 any successor fund or account, for the purposes set forth in this para-
39 graph;

40 (iv) up to eight million dollars for the period January first, two
41 thousand six through December thirty-first, two thousand six, provided,
42 however, that up to five million two hundred fifty thousand dollars of
43 such funds shall be received by the comptroller and deposited to the
44 credit of the special revenue fund - other / aid to localities, HCRA
45 transfer fund - 061, enhanced community services account - 05, or any
46 successor fund or account, for the purposes set forth in this paragraph;

47 (v) up to eight million dollars for the period January first, two
48 thousand seven through December thirty-first, two thousand seven,
49 provided, however, that up to five million two hundred fifty thousand
50 dollars of such funds shall be received by the comptroller and deposited
51 to the credit of the special revenue fund - other / aid to localities,
52 HCRA transfer fund - 061, enhanced community services account - 05, or
53 any successor fund or account, for the purposes set forth in this para-
54 graph;

1 (vi) up to two million seven hundred fifty thousand dollars for the
2 period January first, two thousand eight through December thirty-first,
3 two thousand eight;

4 (vii) up to two million seven hundred fifty thousand dollars for the
5 period January first, two thousand nine through December thirty-first,
6 two thousand nine;

7 (viii) up to two million seven hundred fifty thousand dollars for the
8 period January first, two thousand ten through December thirty-first,
9 two thousand ten; and

10 (ix) up to six hundred eighty-eight thousand dollars for the period
11 January first, two thousand eleven through March thirty-first, two thou-
12 sand eleven.

13 (oo) Funds shall be reserved and accumulated from year to year and
14 shall be available, including income from invested funds, for purposes
15 of grants to non-public general hospitals pursuant to paragraph (e) of
16 subdivision twenty-five of section twenty-eight hundred seven-c of this
17 article from the tobacco control and insurance initiatives pool estab-
18 lished for the following periods in the following amounts:

19 (i) up to five million dollars on an annualized basis for the period
20 January first, two thousand four through December thirty-first, two
21 thousand four;

22 (ii) up to five million dollars for the period January first, two
23 thousand five through December thirty-first, two thousand five;

24 (iii) up to five million dollars for the period January first, two
25 thousand six through December thirty-first, two thousand six;

26 (iv) up to five million dollars for the period January first, two
27 thousand seven through December thirty-first, two thousand seven;

28 (v) up to five million dollars for the period January first, two thou-
29 sand eight through December thirty-first, two thousand eight;

30 (vi) up to five million dollars for the period January first, two
31 thousand nine through December thirty-first, two thousand nine;

32 (vii) up to five million dollars for the period January first, two
33 thousand ten through December thirty-first, two thousand ten; and

34 (viii) up to one million two hundred fifty thousand dollars for the
35 period January first, two thousand eleven through March thirty-first,
36 two thousand eleven.

37 (pp) Funds shall be reserved and accumulated from year to year and
38 shall be available, including income from invested funds, for the
39 purpose of supporting the provision of tax credits for long term care
40 insurance pursuant to subdivision one of section one hundred ninety of
41 the tax law, paragraph (a) of subdivision fourteen of section two
42 hundred ten-B of such law, subsection (aa) of section six hundred six of
43 such law and paragraph one of subdivision (m) of section fifteen hundred
44 eleven of such law, in the following amounts:

45 (i) ten million dollars for the period January first, two thousand
46 four through December thirty-first, two thousand four;

47 (ii) ten million dollars for the period January first, two thousand
48 five through December thirty-first, two thousand five;

49 (iii) ten million dollars for the period January first, two thousand
50 six through December thirty-first, two thousand six; and

51 (iv) five million dollars for the period January first, two thousand
52 seven through June thirtieth, two thousand seven.

53 (qq) Funds shall be reserved and accumulated from year to year and
54 shall be available, including income from invested funds, for the
55 purpose of supporting the long-term care insurance education and

1 outreach program established pursuant to section two hundred seventeen-a
2 of the elder law for the following periods in the following amounts:

3 (i) up to five million dollars for the period January first, two thou-
4 sand four through December thirty-first, two thousand four; of such
5 funds one million nine hundred fifty thousand dollars shall be made
6 available to the department for the purpose of developing, implementing
7 and administering the long-term care insurance education and outreach
8 program and three million fifty thousand dollars shall be deposited by
9 the commissioner, within amounts appropriated, and the comptroller is
10 hereby authorized and directed to receive for deposit to the credit of
11 the special revenue funds - other, HCRA transfer fund, long term care
12 insurance resource center account of the state office for the aging or
13 any future account designated for the purpose of implementing the long
14 term care insurance education and outreach program and providing the
15 long term care insurance resource centers with the necessary resources
16 to carry out their operations;

17 (ii) up to five million dollars for the period January first, two
18 thousand five through December thirty-first, two thousand five; of such
19 funds one million nine hundred fifty thousand dollars shall be made
20 available to the department for the purpose of developing, implementing
21 and administering the long-term care insurance education and outreach
22 program and three million fifty thousand dollars shall be deposited by
23 the commissioner, within amounts appropriated, and the comptroller is
24 hereby authorized and directed to receive for deposit to the credit of
25 the special revenue funds - other, HCRA transfer fund, long term care
26 insurance resource center account of the state office for the aging or
27 any future account designated for the purpose of implementing the long
28 term care insurance education and outreach program and providing the
29 long term care insurance resource centers with the necessary resources
30 to carry out their operations;

31 (iii) up to five million dollars for the period January first, two
32 thousand six through December thirty-first, two thousand six; of such
33 funds one million nine hundred fifty thousand dollars shall be made
34 available to the department for the purpose of developing, implementing
35 and administering the long-term care insurance education and outreach
36 program and three million fifty thousand dollars shall be made available
37 to the office for the aging for the purpose of providing the long term
38 care insurance resource centers with the necessary resources to carry
39 out their operations;

40 (iv) up to five million dollars for the period January first, two
41 thousand seven through December thirty-first, two thousand seven; of
42 such funds one million nine hundred fifty thousand dollars shall be made
43 available to the department for the purpose of developing, implementing
44 and administering the long-term care insurance education and outreach
45 program and three million fifty thousand dollars shall be made available
46 to the office for the aging for the purpose of providing the long term
47 care insurance resource centers with the necessary resources to carry
48 out their operations;

49 (v) up to five million dollars for the period January first, two thou-
50 sand eight through December thirty-first, two thousand eight; of such
51 funds one million nine hundred fifty thousand dollars shall be made
52 available to the department for the purpose of developing, implementing
53 and administering the long term care insurance education and outreach
54 program and three million fifty thousand dollars shall be made available
55 to the office for the aging for the purpose of providing the long term

1 care insurance resource centers with the necessary resources to carry
2 out their operations;

3 (vi) up to five million dollars for the period January first, two
4 thousand nine through December thirty-first, two thousand nine; of such
5 funds one million nine hundred fifty thousand dollars shall be made
6 available to the department for the purpose of developing, implementing
7 and administering the long-term care insurance education and outreach
8 program and three million fifty thousand dollars shall be made available
9 to the office for the aging for the purpose of providing the long-term
10 care insurance resource centers with the necessary resources to carry
11 out their operations;

12 (vii) up to four hundred eighty-eight thousand dollars for the period
13 January first, two thousand ten through March thirty-first, two thousand
14 ten; of such funds four hundred eighty-eight thousand dollars shall be
15 made available to the department for the purpose of developing, imple-
16 menting and administering the long-term care insurance education and
17 outreach program.

18 (rr) Funds shall be reserved and accumulated from the tobacco control
19 and insurance initiatives pool and shall be available, including income
20 from invested funds, for the purpose of supporting expenses related to
21 implementation of the provisions of title three of article twenty-nine-D
22 of this chapter, for the following periods and in the following amounts:

23 (i) up to ten million dollars for the period January first, two thou-
24 sand six through December thirty-first, two thousand six;

25 (ii) up to ten million dollars for the period January first, two thou-
26 sand seven through December thirty-first, two thousand seven;

27 (iii) up to ten million dollars for the period January first, two
28 thousand eight through December thirty-first, two thousand eight;

29 (iv) up to ten million dollars for the period January first, two thou-
30 sand nine through December thirty-first, two thousand nine;

31 (v) up to ten million dollars for the period January first, two thou-
32 sand ten through December thirty-first, two thousand ten; and

33 (vi) up to two million five hundred thousand dollars for the period
34 January first, two thousand eleven through March thirty-first, two thou-
35 sand eleven.

36 (ss) Funds shall be reserved and accumulated from the tobacco control
37 and insurance initiatives pool and used for a health care stabilization
38 program established by the commissioner for the purposes of stabilizing
39 critical health care providers and health care programs whose ability to
40 continue to provide appropriate services are threatened by financial or
41 other challenges, in the amount of up to twenty-eight million dollars
42 for the period July first, two thousand four through June thirtieth, two
43 thousand five. Notwithstanding the provisions of section one hundred
44 twelve of the state finance law or any other inconsistent provision of
45 the state finance law or any other law, funds available for distribution
46 pursuant to this paragraph may be allocated and distributed by the
47 commissioner, or the state comptroller as applicable without a compet-
48 itive bid or request for proposal process. Considerations relied upon by
49 the commissioner in determining the allocation and distribution of these
50 funds shall include, but not be limited to, the following: (i) the
51 importance of the provider or program in meeting critical health care
52 needs in the community in which it operates; (ii) the provider or
53 program provision of care to under-served populations; (iii) the quality
54 of the care or services the provider or program delivers; (iv) the abil-
55 ity of the provider or program to continue to deliver an appropriate
56 level of care or services if additional funding is made available; (v)

1 the ability of the provider or program to access, in a timely manner,
2 alternative sources of funding, including other sources of government
3 funding; (vi) the ability of other providers or programs in the communi-
4 ty to meet the community health care needs; (vii) whether the provider
5 or program has an appropriate plan to improve its financial condition;
6 and (viii) whether additional funding would permit the provider or
7 program to consolidate, relocate, or close programs or services where
8 such actions would result in greater stability and efficiency in the
9 delivery of needed health care services or programs.

10 (tt) Funds shall be reserved and accumulated from year to year and
11 shall be available, including income from invested funds, for purposes
12 of providing grants for two long term care demonstration projects
13 designed to test new models for the delivery of long term care services
14 established pursuant to section twenty-eight hundred seven-x of this
15 [~~chapter~~] article, for the following periods and in the following
16 amounts:

17 (i) up to five hundred thousand dollars for the period January first,
18 two thousand four through December thirty-first, two thousand four;

19 (ii) up to five hundred thousand dollars for the period January first,
20 two thousand five through December thirty-first, two thousand five;

21 (iii) up to five hundred thousand dollars for the period January
22 first, two thousand six through December thirty-first, two thousand six;

23 (iv) up to one million dollars for the period January first, two thou-
24 sand seven through December thirty-first, two thousand seven; and

25 (v) up to two hundred fifty thousand dollars for the period January
26 first, two thousand eight through March thirty-first, two thousand
27 eight.

28 (uu) Funds shall be reserved and accumulated from year to year and
29 shall be available, including income from invested funds, for the
30 purpose of supporting disease management and telemedicine demonstration
31 programs authorized pursuant to section twenty-one hundred eleven of
32 this chapter for the following periods in the following amounts:

33 (i) five million dollars for the period January first, two thousand
34 four through December thirty-first, two thousand four, of which three
35 million dollars shall be available for disease management demonstration
36 programs and two million dollars shall be available for telemedicine
37 demonstration programs;

38 (ii) five million dollars for the period January first, two thousand
39 five through December thirty-first, two thousand five, of which three
40 million dollars shall be available for disease management demonstration
41 programs and two million dollars shall be available for telemedicine
42 demonstration programs;

43 (iii) nine million five hundred thousand dollars for the period Janu-
44 ary first, two thousand six through December thirty-first, two thousand
45 six, of which seven million five hundred thousand dollars shall be
46 available for disease management demonstration programs and two million
47 dollars shall be available for telemedicine demonstration programs;

48 (iv) nine million five hundred thousand dollars for the period January
49 first, two thousand seven through December thirty-first, two thousand
50 seven, of which seven million five hundred thousand dollars shall be
51 available for disease management demonstration programs and one million
52 dollars shall be available for telemedicine demonstration programs;

53 (v) nine million five hundred thousand dollars for the period January
54 first, two thousand eight through December thirty-first, two thousand
55 eight, of which seven million five hundred thousand dollars shall be

1 available for disease management demonstration programs and two million
2 dollars shall be available for telemedicine demonstration programs;

3 (vi) seven million eight hundred thirty-three thousand three hundred
4 thirty-three dollars for the period January first, two thousand nine
5 through December thirty-first, two thousand nine, of which seven million
6 five hundred thousand dollars shall be available for disease management
7 demonstration programs and three hundred thirty-three thousand three
8 hundred thirty-three dollars shall be available for telemedicine demon-
9 stration programs for the period January first, two thousand nine
10 through March first, two thousand nine;

11 (vii) one million eight hundred seventy-five thousand dollars for the
12 period January first, two thousand ten through March thirty-first, two
13 thousand ten shall be available for disease management demonstration
14 programs.

15 (ww) Funds shall be deposited by the commissioner, within amounts
16 appropriated, and the state comptroller is hereby authorized and
17 directed to receive for the deposit to the credit of the state special
18 revenue funds - other, HCRA transfer fund, medical assistance account,
19 or any successor fund or account, for purposes of funding the state
20 share of the general hospital rates increases for recruitment and
21 retention of health care workers pursuant to paragraph (e) of subdivi-
22 sion thirty of section twenty-eight hundred seven-c of this article from
23 the tobacco control and insurance initiatives pool established for the
24 following periods in the following amounts:

25 (i) sixty million five hundred thousand dollars for the period January
26 first, two thousand five through December thirty-first, two thousand
27 five; and

28 (ii) sixty million five hundred thousand dollars for the period Janu-
29 ary first, two thousand six through December thirty-first, two thousand
30 six.

31 (xx) Funds shall be deposited by the commissioner, within amounts
32 appropriated, and the state comptroller is hereby authorized and
33 directed to receive for the deposit to the credit of the state special
34 revenue funds - other, HCRA transfer fund, medical assistance account,
35 or any successor fund or account, for purposes of funding the state
36 share of the general hospital rates increases for rural hospitals pursu-
37 ant to subdivision thirty-two of section twenty-eight hundred seven-c of
38 this article from the tobacco control and insurance initiatives pool
39 established for the following periods in the following amounts:

40 (i) three million five hundred thousand dollars for the period January
41 first, two thousand five through December thirty-first, two thousand
42 five;

43 (ii) three million five hundred thousand dollars for the period Janu-
44 ary first, two thousand six through December thirty-first, two thousand
45 six;

46 (iii) three million five hundred thousand dollars for the period Janu-
47 ary first, two thousand seven through December thirty-first, two thou-
48 sand seven;

49 (iv) three million five hundred thousand dollars for the period Janu-
50 ary first, two thousand eight through December thirty-first, two thou-
51 sand eight; and

52 (v) three million two hundred eight thousand dollars for the period
53 January first, two thousand nine through November thirtieth, two thou-
54 sand nine.

55 (yy) Funds shall be reserved and accumulated from year to year and
56 shall be available, within amounts appropriated and notwithstanding

1 section one hundred twelve of the state finance law and any other
2 contrary provision of law, for the purpose of supporting grants not to
3 exceed five million dollars to be made by the commissioner without a
4 competitive bid or request for proposal process, in support of the
5 delivery of critically needed health care services, to health care
6 providers located in the counties of Erie and Niagara which executed a
7 memorandum of closing and conducted a merger closing in escrow on Novem-
8 ber twenty-fourth, nineteen hundred ninety-seven and which entered into
9 a settlement dated December thirtieth, two thousand four for a loss on
10 disposal of assets under the provisions of title XVIII of the federal
11 social security act applicable to mergers occurring prior to December
12 first, nineteen hundred ninety-seven.

13 (zz) Funds shall be reserved and accumulated from year to year and
14 shall be available, within amounts appropriated, for the purpose of
15 supporting expenditures authorized pursuant to section twenty-eight
16 hundred eighteen of this article from the tobacco control and insurance
17 initiatives pool established for the following periods in the following
18 amounts:

19 (i) six million five hundred thousand dollars for the period January
20 first, two thousand five through December thirty-first, two thousand
21 five;

22 (ii) one hundred eight million three hundred thousand dollars for the
23 period January first, two thousand six through December thirty-first,
24 two thousand six, provided, however, that within amounts appropriated in
25 the two thousand six through two thousand seven state fiscal year, a
26 portion of such funds may be transferred to the Roswell Park Cancer
27 Institute Corporation to fund capital costs;

28 (iii) one hundred seventy-one million dollars for the period January
29 first, two thousand seven through December thirty-first, two thousand
30 seven, provided, however, that within amounts appropriated in the two
31 thousand six through two thousand seven state fiscal year, a portion of
32 such funds may be transferred to the Roswell Park Cancer Institute
33 Corporation to fund capital costs;

34 (iv) one hundred seventy-one million five hundred thousand dollars for
35 the period January first, two thousand eight through December thirty-
36 first, two thousand eight;

37 (v) one hundred twenty-eight million seven hundred fifty thousand
38 dollars for the period January first, two thousand nine through December
39 thirty-first, two thousand nine;

40 (vi) one hundred thirty-one million three hundred seventy-five thou-
41 sand dollars for the period January first, two thousand ten through
42 December thirty-first, two thousand ten;

43 (vii) thirty-four million two hundred fifty thousand dollars for the
44 period January first, two thousand eleven through March thirty-first,
45 two thousand eleven;

46 (viii) four hundred thirty-three million three hundred sixty-six thou-
47 sand dollars for the period April first, two thousand eleven through
48 March thirty-first, two thousand twelve;

49 (ix) one hundred fifty million eight hundred six thousand dollars for
50 the period April first, two thousand twelve through March thirty-first,
51 two thousand thirteen;

52 (x) seventy-eight million seventy-one thousand dollars for the period
53 April first, two thousand thirteen through March thirty-first, two thou-
54 sand fourteen.

55 (aaa) Funds shall be reserved and accumulated from year to year and
56 shall be available, including income from invested funds, for services

1 and expenses related to school based health centers, in an amount up to
2 three million five hundred thousand dollars for the period April first,
3 two thousand six through March thirty-first, two thousand seven, up to
4 three million five hundred thousand dollars for the period April first,
5 two thousand seven through March thirty-first, two thousand eight, up to
6 three million five hundred thousand dollars for the period April first,
7 two thousand eight through March thirty-first, two thousand nine, up to
8 three million five hundred thousand dollars for the period April first,
9 two thousand nine through March thirty-first, two thousand ten, up to
10 three million five hundred thousand dollars for the period April first,
11 two thousand ten through March thirty-first, two thousand eleven, up to
12 two million eight hundred thousand dollars each state fiscal year for
13 the period April first, two thousand eleven through March thirty-first,
14 two thousand fourteen, up to two million six hundred forty-four thousand
15 dollars each state fiscal year for the period April first, two thousand
16 fourteen through March thirty-first, two thousand seventeen, up to two
17 million six hundred forty-four thousand dollars each state fiscal year
18 for the period April first, two thousand seventeen through March thir-
19 ty-first, two thousand twenty, up to two million six hundred forty-four
20 thousand dollars each state fiscal year for the period April first, two
21 thousand twenty through March thirty-first, two thousand twenty-three,
22 [~~and~~] up to two million six hundred forty-four thousand dollars each
23 state fiscal year for the period April first, two thousand twenty-three
24 through March thirty-first, two thousand twenty-six, and up to two
25 million six hundred forty-four thousand dollars each state fiscal year
26 for the period April first, two thousand twenty-six through March thir-
27 ty-first, two thousand twenty-nine. The total amount of funds provided
28 herein shall be distributed as grants based on the ratio of each provid-
29 er's total enrollment for all sites to the total enrollment of all
30 providers. This formula shall be applied to the total amount provided
31 herein.

32 (bbb) Funds shall be reserved and accumulated from year to year and
33 shall be available, including income from invested funds, for purposes
34 of awarding grants to operators of adult homes, enriched housing
35 programs and residences through the enhancing abilities and life experi-
36 ence (EnAbLe) program to provide for the installation, operation and
37 maintenance of air conditioning in resident rooms, consistent with this
38 paragraph, in an amount up to two million dollars for the period April
39 first, two thousand six through March thirty-first, two thousand seven,
40 up to three million eight hundred thousand dollars for the period April
41 first, two thousand seven through March thirty-first, two thousand
42 eight, up to three million eight hundred thousand dollars for the period
43 April first, two thousand eight through March thirty-first, two thousand
44 nine, up to three million eight hundred thousand dollars for the period
45 April first, two thousand nine through March thirty-first, two thousand
46 ten, and up to three million eight hundred thousand dollars for the
47 period April first, two thousand ten through March thirty-first, two
48 thousand eleven. Residents shall not be charged utility cost for the use
49 of air conditioners supplied under the EnAbLe program. All such air
50 conditioners must be operated in occupied resident rooms consistent with
51 requirements applicable to common areas.

52 (ccc) Funds shall be deposited by the commissioner, within amounts
53 appropriated, and the state comptroller is hereby authorized and
54 directed to receive for the deposit to the credit of the state special
55 revenue funds - other, HCRA transfer fund, medical assistance account,
56 or any successor fund or account, for purposes of funding the state

1 share of increases in the rates for certified home health agencies, long
2 term home health care programs, AIDS home care programs, hospice
3 programs and managed long term care plans and approved managed long term
4 care operating demonstrations as defined in section forty-four hundred
5 three-f of this chapter for recruitment and retention of health care
6 workers pursuant to subdivisions nine and ten of section thirty-six
7 hundred fourteen of this chapter from the tobacco control and insurance
8 initiatives pool established for the following periods in the following
9 amounts:

10 (i) twenty-five million dollars for the period June first, two thou-
11 sand six through December thirty-first, two thousand six;

12 (ii) fifty million dollars for the period January first, two thousand
13 seven through December thirty-first, two thousand seven;

14 (iii) fifty million dollars for the period January first, two thousand
15 eight through December thirty-first, two thousand eight;

16 (iv) fifty million dollars for the period January first, two thousand
17 nine through December thirty-first, two thousand nine;

18 (v) fifty million dollars for the period January first, two thousand
19 ten through December thirty-first, two thousand ten;

20 (vi) twelve million five hundred thousand dollars for the period Janu-
21 ary first, two thousand eleven through March thirty-first, two thousand
22 eleven;

23 (vii) up to fifty million dollars each state fiscal year for the peri-
24 od April first, two thousand eleven through March thirty-first, two
25 thousand fourteen;

26 (viii) up to fifty million dollars each state fiscal year for the
27 period April first, two thousand fourteen through March thirty-first,
28 two thousand seventeen;

29 (ix) up to fifty million dollars each state fiscal year for the period
30 April first, two thousand seventeen through March thirty-first, two
31 thousand twenty;

32 (x) up to fifty million dollars each state fiscal year for the period
33 April first, two thousand twenty through March thirty-first, two thou-
34 sand twenty-three; [~~and~~]

35 (xi) up to fifty million dollars each state fiscal year for the period
36 April first, two thousand twenty-three through March thirty-first, two
37 thousand twenty-six[~~-~~]; and

38 (xii) up to fifty million dollars each state fiscal year for the peri-
39 od April first, two thousand twenty-six through March thirty-first, two
40 thousand twenty-nine.

41 (ddd) Funds shall be deposited by the commissioner, within amounts
42 appropriated, and the state comptroller is hereby authorized and
43 directed to receive for the deposit to the credit of the state special
44 revenue funds - other, HCRA transfer fund, medical assistance account,
45 or any successor fund or account, for purposes of funding the state
46 share of increases in the medical assistance rates for providers for
47 purposes of enhancing the provision, quality and/or efficiency of home
48 care services pursuant to subdivision eleven of section thirty-six
49 hundred fourteen of this chapter from the tobacco control and insurance
50 initiatives pool established for the following period in the amount of
51 eight million dollars for the period April first, two thousand six
52 through December thirty-first, two thousand six.

53 (eee) Funds shall be reserved and accumulated from year to year and
54 shall be available, including income from invested funds, to the Center
55 for Functional Genomics at the State University of New York at Albany,
56 for the purposes of the Adirondack network for cancer education and

1 research in rural communities grant program to improve access to health
2 care and shall be made available from the tobacco control and insurance
3 initiatives pool established for the following period in the amount of
4 up to five million dollars for the period January first, two thousand
5 six through December thirty-first, two thousand six.

6 (fff) Funds shall be made available to the empire state stem cell
7 trust fund established by section ninety-nine-p of the state finance law
8 within amounts appropriated up to fifty million dollars annually and
9 shall not exceed five hundred million dollars in total.

10 (ggg) Funds shall be deposited by the commissioner, within amounts
11 appropriated, and the state comptroller is hereby authorized and
12 directed to receive for deposit to the credit of the state special
13 revenue fund - other, HCRA transfer fund, medical assistance account, or
14 any successor fund or account, for the purpose of supporting the state
15 share of Medicaid expenditures for hospital translation services as
16 authorized pursuant to paragraph (k) of subdivision one of section twen-
17 ty-eight hundred seven-c of this article from the tobacco control and
18 initiatives pool established for the following periods in the following
19 amounts:

20 (i) sixteen million dollars for the period July first, two thousand
21 eight through December thirty-first, two thousand eight; and

22 (ii) fourteen million seven hundred thousand dollars for the period
23 January first, two thousand nine through November thirtieth, two thou-
24 sand nine.

25 (hhh) Funds shall be deposited by the commissioner, within amounts
26 appropriated, and the state comptroller is hereby authorized and
27 directed to receive for deposit to the credit of the state special
28 revenue fund - other, HCRA transfer fund, medical assistance account, or
29 any successor fund or account, for the purpose of supporting the state
30 share of Medicaid expenditures for adjustments to inpatient rates of
31 payment for general hospitals located in the counties of Nassau and
32 Suffolk as authorized pursuant to paragraph (l) of subdivision one of
33 section twenty-eight hundred seven-c of this article from the tobacco
34 control and initiatives pool established for the following periods in
35 the following amounts:

36 (i) two million five hundred thousand dollars for the period April
37 first, two thousand eight through December thirty-first, two thousand
38 eight; and

39 (ii) two million two hundred ninety-two thousand dollars for the peri-
40 od January first, two thousand nine through November thirtieth, two
41 thousand nine.

42 (iii) Funds shall be reserved and set aside and accumulated from year
43 to year and shall be made available, including income from investment
44 funds, for the purpose of supporting the New York state medical indem-
45 nity fund as authorized pursuant to title four of article twenty-nine-D
46 of this chapter, for the following periods and in the following amounts,
47 provided, however, that the commissioner is authorized to seek waiver
48 authority from the federal centers for medicare and Medicaid for the
49 purpose of securing Medicaid federal financial participation for such
50 program, in which case the funding authorized pursuant to this paragraph
51 shall be utilized as the non-federal share for such payments:

52 Thirty million dollars for the period April first, two thousand eleven
53 through March thirty-first, two thousand twelve.

54 2. (a) For periods prior to January first, two thousand five, the
55 commissioner is authorized to contract with the article forty-three
56 insurance law plans, or such other contractors as the commissioner shall

1 designate, to receive and distribute funds from the tobacco control and
2 insurance initiatives pool established pursuant to this section. In the
3 event contracts with the article forty-three insurance law plans or
4 other commissioner's designees are effectuated, the commissioner shall
5 conduct annual audits of the receipt and distribution of such funds. The
6 reasonable costs and expenses of an administrator as approved by the
7 commissioner, not to exceed for personnel services on an annual basis
8 five hundred thousand dollars, for collection and distribution of funds
9 pursuant to this section shall be paid from such funds.

10 (b) Notwithstanding any inconsistent provision of section one hundred
11 twelve or one hundred sixty-three of the state finance law or any other
12 law, at the discretion of the commissioner without a competitive bid or
13 request for proposal process, contracts in effect for administration of
14 pools established pursuant to sections twenty-eight hundred seven-k,
15 twenty-eight hundred seven-l and twenty-eight hundred seven-m of this
16 article for the period January first, nineteen hundred ninety-nine
17 through December thirty-first, nineteen hundred ninety-nine may be
18 extended to provide for administration pursuant to this section and may
19 be amended as may be necessary.

20 § 18. Paragraph (a) of subdivision 12 of section 367-b of the social
21 services law, as amended by section 13 of part C of chapter 57 of the
22 laws of 2023, is amended to read as follows:

23 (a) For the purpose of regulating cash flow for general hospitals, the
24 department shall develop and implement a payment methodology to provide
25 for timely payments for inpatient hospital services eligible for case
26 based payments per discharge based on diagnosis-related groups provided
27 during the period January first, nineteen hundred eighty-eight through
28 March thirty-first two thousand [~~twenty-six~~] twenty-nine, by such hospi-
29 tals which elect to participate in the system.

30 § 19. Paragraph (u) of subdivision 9 of section 3614 of the public
31 health law, as added by section 14 of part C of chapter 57 of the laws
32 of 2023, is amended and three new paragraphs (v), (w) and (x) are added
33 to read as follows:

34 (u) for the period April first, two thousand twenty-five through March
35 thirty-first, two thousand twenty-six, up to one hundred million
36 dollars[+];

37 (v) for the period April first, two thousand twenty-six through March
38 thirty-first, two thousand twenty-seven, up to one hundred million
39 dollars;

40 (w) for the period April first, two thousand twenty-seven through
41 March thirty-first, two thousand twenty-eight, up to one hundred million
42 dollars;

43 (x) for the period April first, two thousand twenty-eight through
44 March thirty-first, two thousand twenty-nine, up to one hundred million
45 dollars.

46 § 20. Paragraph (y) of subdivision 1 of section 367-q of the social
47 services law, as added by section 15 of part C of chapter 57 of the laws
48 of 2023, is amended and three new paragraphs (z), (aa) and (bb) are
49 added to read as follows:

50 (y) for the period April first, two thousand twenty-five through March
51 thirty-first, two thousand twenty-six, up to twenty-eight million five
52 hundred thousand dollars[+];

53 (z) for the period April first, two thousand twenty-six through March
54 thirty-first, two thousand twenty-seven, up to twenty-eight million five
55 hundred thousand dollars;

1 (aa) for the period April first, two thousand twenty-seven through
2 March thirty-first, two thousand twenty-eight, up to twenty-eight
3 million five hundred thousand dollars;

4 (bb) for the period April first, two thousand twenty-eight through
5 March thirty-first, two thousand twenty-nine, up to twenty-eight million
6 five hundred thousand dollars.

7 § 21. This act shall take effect April 1, 2026; provided, however, if
8 this act shall become a law after such date it shall take effect imme-
9 diately and shall be deemed to have been in full force and effect on and
10 after April 1, 2026; and further provided, that:

11 (a) the amendments to sections 2807-j and 2807-s of the public health
12 law made by sections two, fourteen and fifteen of this act shall not
13 affect the expiration of such sections and shall expire therewith;

14 (b) the amendments to subdivision 6 of section 2807-t of the public
15 health law made by section sixteen of this act shall not affect the
16 expiration of such section and shall be deemed to expire therewith; and

17 (c) the amendments to paragraph (i-1) of subdivision 1 of section
18 2807-v of the public health law made by section seventeen of this act
19 shall not affect the repeal of such paragraph and shall be deemed
20 repealed therewith.

21

PART D

22 Section 1. Paragraph (a) of subdivision 1 of section 18 of chapter 266
23 of the laws of 1986, amending the civil practice law and rules and other
24 laws relating to malpractice and professional medical conduct, as
25 amended by section 1 of part G of chapter 57 of the laws of 2025, is
26 amended to read as follows:

27 (a) The superintendent of financial services and the commissioner of
28 health or their designee shall, from funds available in the hospital
29 excess liability pool created pursuant to subdivision 5 of this section,
30 purchase a policy or policies for excess insurance coverage, as author-
31 ized by paragraph 1 of subsection (e) of section 5502 of the insurance
32 law; or from an insurer, other than an insurer described in section 5502
33 of the insurance law, duly authorized to write such coverage and actual-
34 ly writing medical malpractice insurance in this state; or shall
35 purchase equivalent excess coverage in a form previously approved by the
36 superintendent of financial services for purposes of providing equiv-
37 alent excess coverage in accordance with section 19 of chapter 294 of
38 the laws of 1985, for medical or dental malpractice occurrences between
39 July 1, 1986 and June 30, 1987, between July 1, 1987 and June 30, 1988,
40 between July 1, 1988 and June 30, 1989, between July 1, 1989 and June
41 30, 1990, between July 1, 1990 and June 30, 1991, between July 1, 1991
42 and June 30, 1992, between July 1, 1992 and June 30, 1993, between July
43 1, 1993 and June 30, 1994, between July 1, 1994 and June 30, 1995,
44 between July 1, 1995 and June 30, 1996, between July 1, 1996 and June
45 30, 1997, between July 1, 1997 and June 30, 1998, between July 1, 1998
46 and June 30, 1999, between July 1, 1999 and June 30, 2000, between July
47 1, 2000 and June 30, 2001, between July 1, 2001 and June 30, 2002,
48 between July 1, 2002 and June 30, 2003, between July 1, 2003 and June
49 30, 2004, between July 1, 2004 and June 30, 2005, between July 1, 2005
50 and June 30, 2006, between July 1, 2006 and June 30, 2007, between July
51 1, 2007 and June 30, 2008, between July 1, 2008 and June 30, 2009,
52 between July 1, 2009 and June 30, 2010, between July 1, 2010 and June
53 30, 2011, between July 1, 2011 and June 30, 2012, between July 1, 2012
54 and June 30, 2013, between July 1, 2013 and June 30, 2014, between July

1 1, 2014 and June 30, 2015, between July 1, 2015 and June 30, 2016,
2 between July 1, 2016 and June 30, 2017, between July 1, 2017 and June
3 30, 2018, between July 1, 2018 and June 30, 2019, between July 1, 2019
4 and June 30, 2020, between July 1, 2020 and June 30, 2021, between July
5 1, 2021 and June 30, 2022, between July 1, 2022 and June 30, 2023,
6 between July 1, 2023 and June 30, 2024, between July 1, 2024 and June
7 30, 2025, [~~and~~] between July 1, 2025 and June 30, 2026, and between July
8 1, 2026 and June 30, 2027 or reimburse the hospital where the hospital
9 purchases equivalent excess coverage as defined in subparagraph (i) of
10 paragraph (a) of subdivision 1-a of this section for medical or dental
11 malpractice occurrences between July 1, 1987 and June 30, 1988, between
12 July 1, 1988 and June 30, 1989, between July 1, 1989 and June 30, 1990,
13 between July 1, 1990 and June 30, 1991, between July 1, 1991 and June
14 30, 1992, between July 1, 1992 and June 30, 1993, between July 1, 1993
15 and June 30, 1994, between July 1, 1994 and June 30, 1995, between July
16 1, 1995 and June 30, 1996, between July 1, 1996 and June 30, 1997,
17 between July 1, 1997 and June 30, 1998, between July 1, 1998 and June
18 30, 1999, between July 1, 1999 and June 30, 2000, between July 1, 2000
19 and June 30, 2001, between July 1, 2001 and June 30, 2002, between July
20 1, 2002 and June 30, 2003, between July 1, 2003 and June 30, 2004,
21 between July 1, 2004 and June 30, 2005, between July 1, 2005 and June
22 30, 2006, between July 1, 2006 and June 30, 2007, between July 1, 2007
23 and June 30, 2008, between July 1, 2008 and June 30, 2009, between July
24 1, 2009 and June 30, 2010, between July 1, 2010 and June 30, 2011,
25 between July 1, 2011 and June 30, 2012, between July 1, 2012 and June
26 30, 2013, between July 1, 2013 and June 30, 2014, between July 1, 2014
27 and June 30, 2015, between July 1, 2015 and June 30, 2016, between July
28 1, 2016 and June 30, 2017, between July 1, 2017 and June 30, 2018,
29 between July 1, 2018 and June 30, 2019, between July 1, 2019 and June
30 30, 2020, between July 1, 2020 and June 30, 2021, between July 1, 2021
31 and June 30, 2022, between July 1, 2022 and June 30, 2023, between July
32 1, 2023 and June 30, 2024, between July 1, 2024 and June 30, 2025, [~~and~~]
33 between July 1, 2025 and June 30, 2026, and between July 1, 2026 and
34 June 30, 2027 for physicians or dentists certified as eligible for each
35 such period or periods pursuant to subdivision 2 of this section by a
36 general hospital licensed pursuant to article 28 of the public health
37 law; provided that no single insurer shall write more than fifty percent
38 of the total excess premium for a given policy year; and provided,
39 however, that such eligible physicians or dentists must have in force an
40 individual policy, from an insurer licensed in this state of primary
41 malpractice insurance coverage in amounts of no less than one million
42 three hundred thousand dollars for each claimant and three million nine
43 hundred thousand dollars for all claimants under that policy during the
44 period of such excess coverage for such occurrences or be endorsed as
45 additional insureds under a hospital professional liability policy which
46 is offered through a voluntary attending physician ("channeling")
47 program previously permitted by the superintendent of financial services
48 during the period of such excess coverage for such occurrences. During
49 such period, such policy for excess coverage or such equivalent excess
50 coverage shall, when combined with the physician's or dentist's primary
51 malpractice insurance coverage or coverage provided through a voluntary
52 attending physician ("channeling") program, total an aggregate level of
53 two million three hundred thousand dollars for each claimant and six
54 million nine hundred thousand dollars for all claimants from all such
55 policies with respect to occurrences in each of such years provided,
56 however, if the cost of primary malpractice insurance coverage in excess

1 of one million dollars, but below the excess medical malpractice insur-
2 ance coverage provided pursuant to this act, exceeds the rate of nine
3 percent per annum, then the required level of primary malpractice insur-
4 ance coverage in excess of one million dollars for each claimant shall
5 be in an amount of not less than the dollar amount of such coverage
6 available at nine percent per annum; the required level of such coverage
7 for all claimants under that policy shall be in an amount not less than
8 three times the dollar amount of coverage for each claimant; and excess
9 coverage, when combined with such primary malpractice insurance cover-
10 age, shall increase the aggregate level for each claimant by one million
11 dollars and three million dollars for all claimants; and provided
12 further, that, with respect to policies of primary medical malpractice
13 coverage that include occurrences between April 1, 2002 and June 30,
14 2002, such requirement that coverage be in amounts no less than one
15 million three hundred thousand dollars for each claimant and three
16 million nine hundred thousand dollars for all claimants for such occur-
17 rences shall be effective April 1, 2002.

18 § 2. Subdivision 3 of section 18 of chapter 266 of the laws of 1986,
19 amending the civil practice law and rules and other laws relating to
20 malpractice and professional medical conduct, as amended by section 2 of
21 part G of chapter 57 of the laws of 2025, is amended to read as follows:

22 (3)(a) The superintendent of financial services shall determine and
23 certify to each general hospital and to the commissioner of health the
24 cost of excess malpractice insurance for medical or dental malpractice
25 occurrences between July 1, 1986 and June 30, 1987, between July 1, 1988
26 and June 30, 1989, between July 1, 1989 and June 30, 1990, between July
27 1, 1990 and June 30, 1991, between July 1, 1991 and June 30, 1992,
28 between July 1, 1992 and June 30, 1993, between July 1, 1993 and June
29 30, 1994, between July 1, 1994 and June 30, 1995, between July 1, 1995
30 and June 30, 1996, between July 1, 1996 and June 30, 1997, between July
31 1, 1997 and June 30, 1998, between July 1, 1998 and June 30, 1999,
32 between July 1, 1999 and June 30, 2000, between July 1, 2000 and June
33 30, 2001, between July 1, 2001 and June 30, 2002, between July 1, 2002
34 and June 30, 2003, between July 1, 2003 and June 30, 2004, between July
35 1, 2004 and June 30, 2005, between July 1, 2005 and June 30, 2006,
36 between July 1, 2006 and June 30, 2007, between July 1, 2007 and June
37 30, 2008, between July 1, 2008 and June 30, 2009, between July 1, 2009
38 and June 30, 2010, between July 1, 2010 and June 30, 2011, between July
39 1, 2011 and June 30, 2012, between July 1, 2012 and June 30, 2013,
40 between July 1, 2013 and June 30, 2014, between July 1, 2014 and June
41 30, 2015, between July 1, 2015 and June 30, 2016, between July 1, 2016
42 and June 30, 2017, between July 1, 2017 and June 30, 2018, between July
43 1, 2018 and June 30, 2019, between July 1, 2019 and June 30, 2020,
44 between July 1, 2020 and June 30, 2021, between July 1, 2021 and June
45 30, 2022, between July 1, 2022 and June 30, 2023, between July 1, 2023
46 and June 30, 2024, between July 1, 2024 and June 30, 2025, [~~and~~]
47 July 1, 2025 and June 30, 2026, and between July 1, 2026 and June 30,
48 2027 allocable to each general hospital for physicians or dentists
49 certified as eligible for purchase of a policy for excess insurance
50 coverage by such general hospital in accordance with subdivision 2 of
51 this section, and may amend such determination and certification as
52 necessary.

53 (b) The superintendent of financial services shall determine and
54 certify to each general hospital and to the commissioner of health the
55 cost of excess malpractice insurance or equivalent excess coverage for
56 medical or dental malpractice occurrences between July 1, 1987 and June

1 30, 1988, between July 1, 1988 and June 30, 1989, between July 1, 1989
2 and June 30, 1990, between July 1, 1990 and June 30, 1991, between July
3 1, 1991 and June 30, 1992, between July 1, 1992 and June 30, 1993,
4 between July 1, 1993 and June 30, 1994, between July 1, 1994 and June
5 30, 1995, between July 1, 1995 and June 30, 1996, between July 1, 1996
6 and June 30, 1997, between July 1, 1997 and June 30, 1998, between July
7 1, 1998 and June 30, 1999, between July 1, 1999 and June 30, 2000,
8 between July 1, 2000 and June 30, 2001, between July 1, 2001 and June
9 30, 2002, between July 1, 2002 and June 30, 2003, between July 1, 2003
10 and June 30, 2004, between July 1, 2004 and June 30, 2005, between July
11 1, 2005 and June 30, 2006, between July 1, 2006 and June 30, 2007,
12 between July 1, 2007 and June 30, 2008, between July 1, 2008 and June
13 30, 2009, between July 1, 2009 and June 30, 2010, between July 1, 2010
14 and June 30, 2011, between July 1, 2011 and June 30, 2012, between July
15 1, 2012 and June 30, 2013, between July 1, 2013 and June 30, 2014,
16 between July 1, 2014 and June 30, 2015, between July 1, 2015 and June
17 30, 2016, between July 1, 2016 and June 30, 2017, between July 1, 2017
18 and June 30, 2018, between July 1, 2018 and June 30, 2019, between July
19 1, 2019 and June 30, 2020, between July 1, 2020 and June 30, 2021,
20 between July 1, 2021 and June 30, 2022, between July 1, 2022 and June
21 30, 2023, between July 1, 2023 and June 30, 2024, between July 1, 2024
22 and June 30, 2025, [~~and~~] between July 1, 2025 and June 30, 2026, and
23 between July 1, 2026 and June 30, 2027 allocable to each general hospi-
24 tal for physicians or dentists certified as eligible for purchase of a
25 policy for excess insurance coverage or equivalent excess coverage by
26 such general hospital in accordance with subdivision 2 of this section,
27 and may amend such determination and certification as necessary. The
28 superintendent of financial services shall determine and certify to each
29 general hospital and to the commissioner of health the ratable share of
30 such cost allocable to the period July 1, 1987 to December 31, 1987, to
31 the period January 1, 1988 to June 30, 1988, to the period July 1, 1988
32 to December 31, 1988, to the period January 1, 1989 to June 30, 1989, to
33 the period July 1, 1989 to December 31, 1989, to the period January 1,
34 1990 to June 30, 1990, to the period July 1, 1990 to December 31, 1990,
35 to the period January 1, 1991 to June 30, 1991, to the period July 1,
36 1991 to December 31, 1991, to the period January 1, 1992 to June 30,
37 1992, to the period July 1, 1992 to December 31, 1992, to the period
38 January 1, 1993 to June 30, 1993, to the period July 1, 1993 to December
39 31, 1993, to the period January 1, 1994 to June 30, 1994, to the period
40 July 1, 1994 to December 31, 1994, to the period January 1, 1995 to June
41 30, 1995, to the period July 1, 1995 to December 31, 1995, to the period
42 January 1, 1996 to June 30, 1996, to the period July 1, 1996 to December
43 31, 1996, to the period January 1, 1997 to June 30, 1997, to the period
44 July 1, 1997 to December 31, 1997, to the period January 1, 1998 to June
45 30, 1998, to the period July 1, 1998 to December 31, 1998, to the period
46 January 1, 1999 to June 30, 1999, to the period July 1, 1999 to December
47 31, 1999, to the period January 1, 2000 to June 30, 2000, to the period
48 July 1, 2000 to December 31, 2000, to the period January 1, 2001 to June
49 30, 2001, to the period July 1, 2001 to June 30, 2002, to the period
50 July 1, 2002 to June 30, 2003, to the period July 1, 2003 to June 30,
51 2004, to the period July 1, 2004 to June 30, 2005, to the period July 1,
52 2005 and June 30, 2006, to the period July 1, 2006 and June 30, 2007, to
53 the period July 1, 2007 and June 30, 2008, to the period July 1, 2008
54 and June 30, 2009, to the period July 1, 2009 and June 30, 2010, to the
55 period July 1, 2010 and June 30, 2011, to the period July 1, 2011 and
56 June 30, 2012, to the period July 1, 2012 and June 30, 2013, to the

1 period July 1, 2013 and June 30, 2014, to the period July 1, 2014 and
2 June 30, 2015, to the period July 1, 2015 and June 30, 2016, to the
3 period July 1, 2016 and June 30, 2017, to the period July 1, 2017 to
4 June 30, 2018, to the period July 1, 2018 to June 30, 2019, to the peri-
5 od July 1, 2019 to June 30, 2020, to the period July 1, 2020 to June 30,
6 2021, to the period July 1, 2021 to June 30, 2022, to the period July 1,
7 2022 to June 30, 2023, to the period July 1, 2023 to June 30, 2024, to
8 the period July 1, 2024 to June 30, 2025, [~~and~~] to the period July 1,
9 2025 to June 30, 2026, and to the period July 1, 2026 to June 30, 2027.

10 § 3. Paragraphs (a), (b), (c), (d) and (e) of subdivision 8 of section
11 18 of chapter 266 of the laws of 1986, amending the civil practice law
12 and rules and other laws relating to malpractice and professional
13 medical conduct, as amended by section 3 of part G of chapter 57 of the
14 laws of 2025, are amended to read as follows:

15 (a) To the extent funds available to the hospital excess liability
16 pool pursuant to subdivision 5 of this section as amended, and pursuant
17 to section 6 of part J of chapter 63 of the laws of 2001, as may from
18 time to time be amended, which amended this subdivision, are insuffi-
19 cient to meet the costs of excess insurance coverage or equivalent
20 excess coverage for coverage periods during the period July 1, 1992 to
21 June 30, 1993, during the period July 1, 1993 to June 30, 1994, during
22 the period July 1, 1994 to June 30, 1995, during the period July 1, 1995
23 to June 30, 1996, during the period July 1, 1996 to June 30, 1997,
24 during the period July 1, 1997 to June 30, 1998, during the period July
25 1, 1998 to June 30, 1999, during the period July 1, 1999 to June 30,
26 2000, during the period July 1, 2000 to June 30, 2001, during the period
27 July 1, 2001 to October 29, 2001, during the period April 1, 2002 to
28 June 30, 2002, during the period July 1, 2002 to June 30, 2003, during
29 the period July 1, 2003 to June 30, 2004, during the period July 1, 2004
30 to June 30, 2005, during the period July 1, 2005 to June 30, 2006,
31 during the period July 1, 2006 to June 30, 2007, during the period July
32 1, 2007 to June 30, 2008, during the period July 1, 2008 to June 30,
33 2009, during the period July 1, 2009 to June 30, 2010, during the period
34 July 1, 2010 to June 30, 2011, during the period July 1, 2011 to June
35 30, 2012, during the period July 1, 2012 to June 30, 2013, during the
36 period July 1, 2013 to June 30, 2014, during the period July 1, 2014 to
37 June 30, 2015, during the period July 1, 2015 to June 30, 2016, during
38 the period July 1, 2016 to June 30, 2017, during the period July 1, 2017
39 to June 30, 2018, during the period July 1, 2018 to June 30, 2019,
40 during the period July 1, 2019 to June 30, 2020, during the period July
41 1, 2020 to June 30, 2021, during the period July 1, 2021 to June 30,
42 2022, during the period July 1, 2022 to June 30, 2023, during the period
43 July 1, 2023 to June 30, 2024, during the period July 1, 2024 to June
44 30, 2025, [~~and~~] during the period July 1, 2025 to June 30, 2026, and
45 during the period July 1, 2026 to June 30, 2027 allocated or reallocated
46 in accordance with paragraph (a) of subdivision 4-a of this section to
47 rates of payment applicable to state governmental agencies, each physi-
48 cian or dentist for whom a policy for excess insurance coverage or
49 equivalent excess coverage is purchased for such period shall be respon-
50 sible for payment to the provider of excess insurance coverage or equiv-
51 alent excess coverage of an allocable share of such insufficiency, based
52 on the ratio of the total cost of such coverage for such physician to
53 the sum of the total cost of such coverage for all physicians applied to
54 such insufficiency.

55 (b) Each provider of excess insurance coverage or equivalent excess
56 coverage covering the period July 1, 1992 to June 30, 1993, or covering

1 the period July 1, 1993 to June 30, 1994, or covering the period July 1,
2 1994 to June 30, 1995, or covering the period July 1, 1995 to June 30,
3 1996, or covering the period July 1, 1996 to June 30, 1997, or covering
4 the period July 1, 1997 to June 30, 1998, or covering the period July 1,
5 1998 to June 30, 1999, or covering the period July 1, 1999 to June 30,
6 2000, or covering the period July 1, 2000 to June 30, 2001, or covering
7 the period July 1, 2001 to October 29, 2001, or covering the period
8 April 1, 2002 to June 30, 2002, or covering the period July 1, 2002 to
9 June 30, 2003, or covering the period July 1, 2003 to June 30, 2004, or
10 covering the period July 1, 2004 to June 30, 2005, or covering the peri-
11 od July 1, 2005 to June 30, 2006, or covering the period July 1, 2006 to
12 June 30, 2007, or covering the period July 1, 2007 to June 30, 2008, or
13 covering the period July 1, 2008 to June 30, 2009, or covering the peri-
14 od July 1, 2009 to June 30, 2010, or covering the period July 1, 2010 to
15 June 30, 2011, or covering the period July 1, 2011 to June 30, 2012, or
16 covering the period July 1, 2012 to June 30, 2013, or covering the peri-
17 od July 1, 2013 to June 30, 2014, or covering the period July 1, 2014 to
18 June 30, 2015, or covering the period July 1, 2015 to June 30, 2016, or
19 covering the period July 1, 2016 to June 30, 2017, or covering the peri-
20 od July 1, 2017 to June 30, 2018, or covering the period July 1, 2018 to
21 June 30, 2019, or covering the period July 1, 2019 to June 30, 2020, or
22 covering the period July 1, 2020 to June 30, 2021, or covering the peri-
23 od July 1, 2021 to June 30, 2022, or covering the period July 1, 2022 to
24 June 30, 2023, or covering the period July 1, 2023 to June 30, 2024, or
25 covering the period July 1, 2024 to June 30, 2025, or covering the peri-
26 od July 1, 2025 to June 30, 2026, or covering the period July 1, 2026 to
27 June 30, 2027 shall notify a covered physician or dentist by mail,
28 mailed to the address shown on the last application for excess insurance
29 coverage or equivalent excess coverage, of the amount due to such
30 provider from such physician or dentist for such coverage period deter-
31 mined in accordance with paragraph (a) of this subdivision. Such amount
32 shall be due from such physician or dentist to such provider of excess
33 insurance coverage or equivalent excess coverage in a time and manner
34 determined by the superintendent of financial services.

35 (c) If a physician or dentist liable for payment of a portion of the
36 costs of excess insurance coverage or equivalent excess coverage cover-
37 ing the period July 1, 1992 to June 30, 1993, or covering the period
38 July 1, 1993 to June 30, 1994, or covering the period July 1, 1994 to
39 June 30, 1995, or covering the period July 1, 1995 to June 30, 1996, or
40 covering the period July 1, 1996 to June 30, 1997, or covering the peri-
41 od July 1, 1997 to June 30, 1998, or covering the period July 1, 1998 to
42 June 30, 1999, or covering the period July 1, 1999 to June 30, 2000, or
43 covering the period July 1, 2000 to June 30, 2001, or covering the peri-
44 od July 1, 2001 to October 29, 2001, or covering the period April 1,
45 2002 to June 30, 2002, or covering the period July 1, 2002 to June 30,
46 2003, or covering the period July 1, 2003 to June 30, 2004, or covering
47 the period July 1, 2004 to June 30, 2005, or covering the period July 1,
48 2005 to June 30, 2006, or covering the period July 1, 2006 to June 30,
49 2007, or covering the period July 1, 2007 to June 30, 2008, or covering
50 the period July 1, 2008 to June 30, 2009, or covering the period July 1,
51 2009 to June 30, 2010, or covering the period July 1, 2010 to June 30,
52 2011, or covering the period July 1, 2011 to June 30, 2012, or covering
53 the period July 1, 2012 to June 30, 2013, or covering the period July 1,
54 2013 to June 30, 2014, or covering the period July 1, 2014 to June 30,
55 2015, or covering the period July 1, 2015 to June 30, 2016, or covering
56 the period July 1, 2016 to June 30, 2017, or covering the period July 1,

1 2017 to June 30, 2018, or covering the period July 1, 2018 to June 30,
2 2019, or covering the period July 1, 2019 to June 30, 2020, or covering
3 the period July 1, 2020 to June 30, 2021, or covering the period July 1,
4 2021 to June 30, 2022, or covering the period July 1, 2022 to June 30,
5 2023, or covering the period July 1, 2023 to June 30, 2024, or covering
6 the period July 1, 2024 to June 30, 2025, or covering the period July 1,
7 2025 to June 30, 2026, or covering the period July 1, 2026 to June 30,
8 2027 determined in accordance with paragraph (a) of this subdivision
9 fails, refuses or neglects to make payment to the provider of excess
10 insurance coverage or equivalent excess coverage in such time and manner
11 as determined by the superintendent of financial services pursuant to
12 paragraph (b) of this subdivision, excess insurance coverage or equiv-
13 alent excess coverage purchased for such physician or dentist in accord-
14 ance with this section for such coverage period shall be cancelled and
15 shall be null and void as of the first day on or after the commencement
16 of a policy period where the liability for payment pursuant to this
17 subdivision has not been met.

18 (d) Each provider of excess insurance coverage or equivalent excess
19 coverage shall notify the superintendent of financial services and the
20 commissioner of health or their designee of each physician and dentist
21 eligible for purchase of a policy for excess insurance coverage or
22 equivalent excess coverage covering the period July 1, 1992 to June 30,
23 1993, or covering the period July 1, 1993 to June 30, 1994, or covering
24 the period July 1, 1994 to June 30, 1995, or covering the period July 1,
25 1995 to June 30, 1996, or covering the period July 1, 1996 to June 30,
26 1997, or covering the period July 1, 1997 to June 30, 1998, or covering
27 the period July 1, 1998 to June 30, 1999, or covering the period July 1,
28 1999 to June 30, 2000, or covering the period July 1, 2000 to June 30,
29 2001, or covering the period July 1, 2001 to October 29, 2001, or cover-
30 ing the period April 1, 2002 to June 30, 2002, or covering the period
31 July 1, 2002 to June 30, 2003, or covering the period July 1, 2003 to
32 June 30, 2004, or covering the period July 1, 2004 to June 30, 2005, or
33 covering the period July 1, 2005 to June 30, 2006, or covering the peri-
34 od July 1, 2006 to June 30, 2007, or covering the period July 1, 2007 to
35 June 30, 2008, or covering the period July 1, 2008 to June 30, 2009, or
36 covering the period July 1, 2009 to June 30, 2010, or covering the peri-
37 od July 1, 2010 to June 30, 2011, or covering the period July 1, 2011 to
38 June 30, 2012, or covering the period July 1, 2012 to June 30, 2013, or
39 covering the period July 1, 2013 to June 30, 2014, or covering the peri-
40 od July 1, 2014 to June 30, 2015, or covering the period July 1, 2015 to
41 June 30, 2016, or covering the period July 1, 2016 to June 30, 2017, or
42 covering the period July 1, 2017 to June 30, 2018, or covering the peri-
43 od July 1, 2018 to June 30, 2019, or covering the period July 1, 2019 to
44 June 30, 2020, or covering the period July 1, 2020 to June 30, 2021, or
45 covering the period July 1, 2021 to June 30, 2022, or covering the peri-
46 od July 1, 2022 to June 30, 2023, or covering the period July 1, 2023 to
47 June 30, 2024, or covering the period July 1, 2024 to June 30, 2025, or
48 covering the period July 1, 2025 to June 30, 2026, or covering the peri-
49 od July 1, 2026 to June 30, 2027 that has made payment to such provider
50 of excess insurance coverage or equivalent excess coverage in accordance
51 with paragraph (b) of this subdivision and of each physician and dentist
52 who has failed, refused or neglected to make such payment.

53 (e) A provider of excess insurance coverage or equivalent excess
54 coverage shall refund to the hospital excess liability pool any amount
55 allocable to the period July 1, 1992 to June 30, 1993, and to the period
56 July 1, 1993 to June 30, 1994, and to the period July 1, 1994 to June

1 30, 1995, and to the period July 1, 1995 to June 30, 1996, and to the
2 period July 1, 1996 to June 30, 1997, and to the period July 1, 1997 to
3 June 30, 1998, and to the period July 1, 1998 to June 30, 1999, and to
4 the period July 1, 1999 to June 30, 2000, and to the period July 1, 2000
5 to June 30, 2001, and to the period July 1, 2001 to October 29, 2001,
6 and to the period April 1, 2002 to June 30, 2002, and to the period July
7 1, 2002 to June 30, 2003, and to the period July 1, 2003 to June 30,
8 2004, and to the period July 1, 2004 to June 30, 2005, and to the period
9 July 1, 2005 to June 30, 2006, and to the period July 1, 2006 to June
10 30, 2007, and to the period July 1, 2007 to June 30, 2008, and to the
11 period July 1, 2008 to June 30, 2009, and to the period July 1, 2009 to
12 June 30, 2010, and to the period July 1, 2010 to June 30, 2011, and to
13 the period July 1, 2011 to June 30, 2012, and to the period July 1, 2012
14 to June 30, 2013, and to the period July 1, 2013 to June 30, 2014, and
15 to the period July 1, 2014 to June 30, 2015, and to the period July 1,
16 2015 to June 30, 2016, to the period July 1, 2016 to June 30, 2017, and
17 to the period July 1, 2017 to June 30, 2018, and to the period July 1,
18 2018 to June 30, 2019, and to the period July 1, 2019 to June 30, 2020,
19 and to the period July 1, 2020 to June 30, 2021, and to the period July
20 1, 2021 to June 30, 2022, and to the period July 1, 2022 to June 30,
21 2023, and to the period July 1, 2023 to June 30, 2024, and to the period
22 July 1, 2024 to June 30, 2025, and to the period July 1, 2025 to June
23 30, 2026, and to the period July 1, 2026 to June 30, 2027 received from
24 the hospital excess liability pool for purchase of excess insurance
25 coverage or equivalent excess coverage covering the period July 1, 1992
26 to June 30, 1993, and covering the period July 1, 1993 to June 30, 1994,
27 and covering the period July 1, 1994 to June 30, 1995, and covering the
28 period July 1, 1995 to June 30, 1996, and covering the period July 1,
29 1996 to June 30, 1997, and covering the period July 1, 1997 to June 30,
30 1998, and covering the period July 1, 1998 to June 30, 1999, and cover-
31 ing the period July 1, 1999 to June 30, 2000, and covering the period
32 July 1, 2000 to June 30, 2001, and covering the period July 1, 2001 to
33 October 29, 2001, and covering the period April 1, 2002 to June 30,
34 2002, and covering the period July 1, 2002 to June 30, 2003, and cover-
35 ing the period July 1, 2003 to June 30, 2004, and covering the period
36 July 1, 2004 to June 30, 2005, and covering the period July 1, 2005 to
37 June 30, 2006, and covering the period July 1, 2006 to June 30, 2007,
38 and covering the period July 1, 2007 to June 30, 2008, and covering the
39 period July 1, 2008 to June 30, 2009, and covering the period July 1,
40 2009 to June 30, 2010, and covering the period July 1, 2010 to June 30,
41 2011, and covering the period July 1, 2011 to June 30, 2012, and cover-
42 ing the period July 1, 2012 to June 30, 2013, and covering the period
43 July 1, 2013 to June 30, 2014, and covering the period July 1, 2014 to
44 June 30, 2015, and covering the period July 1, 2015 to June 30, 2016,
45 and covering the period July 1, 2016 to June 30, 2017, and covering the
46 period July 1, 2017 to June 30, 2018, and covering the period July 1,
47 2018 to June 30, 2019, and covering the period July 1, 2019 to June 30,
48 2020, and covering the period July 1, 2020 to June 30, 2021, and cover-
49 ing the period July 1, 2021 to June 30, 2022, and covering the period
50 July 1, 2022 to June 30, 2023 for, and covering the period July 1, 2023
51 to June 30, 2024, and covering the period July 1, 2024 to June 30, 2025,
52 and covering the period July 1, 2025 to June 30, 2026, and covering the
53 period July 1, 2026 to June 30, 2027 a physician or dentist where such
54 excess insurance coverage or equivalent excess coverage is cancelled in
55 accordance with paragraph (c) of this subdivision.

1 § 4. Section 40 of chapter 266 of the laws of 1986, amending the civil
2 practice law and rules and other laws relating to malpractice and
3 professional medical conduct, as amended by section 4 of part G of chap-
4 ter 57 of the laws of 2025, is amended to read as follows:

5 § 40. The superintendent of financial services shall establish rates
6 for policies providing coverage for physicians and surgeons medical
7 malpractice for the periods commencing July 1, 1985 and ending June 30,
8 [~~2026~~] 2027; provided, however, that notwithstanding any other provision
9 of law, the superintendent shall not establish or approve any increase
10 in rates for the period commencing July 1, 2009 and ending June 30,
11 2010. The superintendent shall direct insurers to establish segregated
12 accounts for premiums, payments, reserves and investment income attrib-
13 utable to such premium periods and shall require periodic reports by the
14 insurers regarding claims and expenses attributable to such periods to
15 monitor whether such accounts will be sufficient to meet incurred claims
16 and expenses. On or after July 1, 1989, the superintendent shall impose
17 a surcharge on premiums to satisfy a projected deficiency that is
18 attributable to the premium levels established pursuant to this section
19 for such periods; provided, however, that such annual surcharge shall
20 not exceed eight percent of the established rate until July 1, [~~2026~~]
21 2027, at which time and thereafter such surcharge shall not exceed twen-
22 ty-five percent of the approved adequate rate, and that such annual
23 surcharges shall continue for such period of time as shall be sufficient
24 to satisfy such deficiency. The superintendent shall not impose such
25 surcharge during the period commencing July 1, 2009 and ending June 30,
26 2010. On and after July 1, 1989, the surcharge prescribed by this
27 section shall be retained by insurers to the extent that they insured
28 physicians and surgeons during the July 1, 1985 through June 30, [~~2026~~]
29 2027 policy periods; in the event and to the extent physicians and
30 surgeons were insured by another insurer during such periods, all or a
31 pro rata share of the surcharge, as the case may be, shall be remitted
32 to such other insurer in accordance with rules and regulations to be
33 promulgated by the superintendent. Surcharges collected from physicians
34 and surgeons who were not insured during such policy periods shall be
35 apportioned among all insurers in proportion to the premium written by
36 each insurer during such policy periods; if a physician or surgeon was
37 insured by an insurer subject to rates established by the superintendent
38 during such policy periods, and at any time thereafter a hospital,
39 health maintenance organization, employer or institution is responsible
40 for responding in damages for liability arising out of such physician's
41 or surgeon's practice of medicine, such responsible entity shall also
42 remit to such prior insurer the equivalent amount that would then be
43 collected as a surcharge if the physician or surgeon had continued to
44 remain insured by such prior insurer. In the event any insurer that
45 provided coverage during such policy periods is in liquidation, the
46 property/casualty insurance security fund shall receive the portion of
47 surcharges to which the insurer in liquidation would have been entitled.
48 The surcharges authorized herein shall be deemed to be income earned for
49 the purposes of section 2303 of the insurance law. The superintendent,
50 in establishing adequate rates and in determining any projected defi-
51 ciency pursuant to the requirements of this section and the insurance
52 law, shall give substantial weight, determined in [~~his~~] their discretion
53 and judgment, to the prospective anticipated effect of any regulations
54 promulgated and laws enacted and the public benefit of stabilizing
55 malpractice rates and minimizing rate level fluctuation during the peri-
56 od of time necessary for the development of more reliable statistical

1 experience as to the efficacy of such laws and regulations affecting
2 medical, dental or podiatric malpractice enacted or promulgated in 1985,
3 1986, by this act and at any other time. Notwithstanding any provision
4 of the insurance law, rates already established and to be established by
5 the superintendent pursuant to this section are deemed adequate if such
6 rates would be adequate when taken together with the maximum authorized
7 annual surcharges to be imposed for a reasonable period of time whether
8 or not any such annual surcharge has been actually imposed as of the
9 establishment of such rates.

10 § 5. Section 5 and subdivisions (a) and (e) of section 6 of part J of
11 chapter 63 of the laws of 2001, amending chapter 266 of the laws of
12 1986, amending the civil practice law and rules and other laws relating
13 to malpractice and professional medical conduct, as amended by section 5
14 of part G of chapter 57 of the laws of 2025, are amended to read as
15 follows:

16 § 5. The superintendent of financial services and the commissioner of
17 health shall determine, no later than June 15, 2002, June 15, 2003, June
18 15, 2004, June 15, 2005, June 15, 2006, June 15, 2007, June 15, 2008,
19 June 15, 2009, June 15, 2010, June 15, 2011, June 15, 2012, June 15,
20 2013, June 15, 2014, June 15, 2015, June 15, 2016, June 15, 2017, June
21 15, 2018, June 15, 2019, June 15, 2020, June 15, 2021, June 15, 2022,
22 June 15, 2023, June 15, 2024, June 15, 2025, ~~and~~ June 15, 2026, and
23 June 15, 2027 the amount of funds available in the hospital excess
24 liability pool, created pursuant to section 18 of chapter 266 of the
25 laws of 1986, and whether such funds are sufficient for purposes of
26 purchasing excess insurance coverage for eligible participating physi-
27 cians and dentists during the period July 1, 2001 to June 30, 2002, or
28 July 1, 2002 to June 30, 2003, or July 1, 2003 to June 30, 2004, or July
29 1, 2004 to June 30, 2005, or July 1, 2005 to June 30, 2006, or July 1,
30 2006 to June 30, 2007, or July 1, 2007 to June 30, 2008, or July 1, 2008
31 to June 30, 2009, or July 1, 2009 to June 30, 2010, or July 1, 2010 to
32 June 30, 2011, or July 1, 2011 to June 30, 2012, or July 1, 2012 to June
33 30, 2013, or July 1, 2013 to June 30, 2014, or July 1, 2014 to June 30,
34 2015, or July 1, 2015 to June 30, 2016, or July 1, 2016 to June 30,
35 2017, or July 1, 2017 to June 30, 2018, or July 1, 2018 to June 30,
36 2019, or July 1, 2019 to June 30, 2020, or July 1, 2020 to June 30,
37 2021, or July 1, 2021 to June 30, 2022, or July 1, 2022 to June 30,
38 2023, or July 1, 2023 to June 30, 2024, or July 1, 2024 to June 30,
39 2025, or July 1, 2025 to June 30, 2026, or July 1, 2026 to June 30, 2027
40 as applicable.

41 (a) This section shall be effective only upon a determination, pursu-
42 ant to section five of this act, by the superintendent of financial
43 services and the commissioner of health, and a certification of such
44 determination to the state director of the budget, the chair of the
45 senate committee on finance and the chair of the assembly committee on
46 ways and means, that the amount of funds in the hospital excess liabil-
47 ity pool, created pursuant to section 18 of chapter 266 of the laws of
48 1986, is insufficient for purposes of purchasing excess insurance cover-
49 age for eligible participating physicians and dentists during the period
50 July 1, 2001 to June 30, 2002, or July 1, 2002 to June 30, 2003, or July
51 1, 2003 to June 30, 2004, or July 1, 2004 to June 30, 2005, or July 1,
52 2005 to June 30, 2006, or July 1, 2006 to June 30, 2007, or July 1, 2007
53 to June 30, 2008, or July 1, 2008 to June 30, 2009, or July 1, 2009 to
54 June 30, 2010, or July 1, 2010 to June 30, 2011, or July 1, 2011 to June
55 30, 2012, or July 1, 2012 to June 30, 2013, or July 1, 2013 to June 30,
56 2014, or July 1, 2014 to June 30, 2015, or July 1, 2015 to June 30,

1 2016, or July 1, 2016 to June 30, 2017, or July 1, 2017 to June 30,
2 2018, or July 1, 2018 to June 30, 2019, or July 1, 2019 to June 30,
3 2020, or July 1, 2020 to June 30, 2021, or July 1, 2021 to June 30,
4 2022, or July 1, 2022 to June 30, 2023, or July 1, 2023 to June 30,
5 2024, or July 1, 2024 to June 30, 2025, or July 1, 2025 to June 30,
6 2026, or July 1, 2026 to June 30, 2027 as applicable.

7 (e) The commissioner of health shall transfer for deposit to the
8 hospital excess liability pool created pursuant to section 18 of chapter
9 266 of the laws of 1986 such amounts as directed by the superintendent
10 of financial services for the purchase of excess liability insurance
11 coverage for eligible participating physicians and dentists for the
12 policy year July 1, 2001 to June 30, 2002, or July 1, 2002 to June 30,
13 2003, or July 1, 2003 to June 30, 2004, or July 1, 2004 to June 30,
14 2005, or July 1, 2005 to June 30, 2006, or July 1, 2006 to June 30,
15 2007, as applicable, and the cost of administering the hospital excess
16 liability pool for such applicable policy year, pursuant to the program
17 established in chapter 266 of the laws of 1986, as amended, no later
18 than June 15, 2002, June 15, 2003, June 15, 2004, June 15, 2005, June
19 15, 2006, June 15, 2007, June 15, 2008, June 15, 2009, June 15, 2010,
20 June 15, 2011, June 15, 2012, June 15, 2013, June 15, 2014, June 15,
21 2015, June 15, 2016, June 15, 2017, June 15, 2018, June 15, 2019, June
22 15, 2020, June 15, 2021, June 15, 2022, June 15, 2023, June 15, 2024,
23 June 15, 2025, [~~and~~] June 15, 2026, and June 15, 2027 as applicable.

24 § 6. Section 20 of part H of chapter 57 of the laws of 2017, amending
25 the New York Health Care Reform Act of 1996 and other laws relating to
26 extending certain provisions thereto, as amended by section 6 of part G
27 of chapter 57 of the laws of 2025, is amended to read as follows:

28 § 20. Notwithstanding any law, rule or regulation to the contrary,
29 only physicians or dentists who were eligible, and for whom the super-
30 intendent of financial services and the commissioner of health, or their
31 designee, purchased, with funds available in the hospital excess liabil-
32 ity pool, a full or partial policy for excess coverage or equivalent
33 excess coverage for the coverage period ending the thirtieth of June,
34 two thousand [~~twenty-five~~] twenty-six, shall be eligible to apply for
35 such coverage for the coverage period beginning the first of July, two
36 thousand [~~twenty-five~~] twenty-six; provided, however, if the total
37 number of physicians or dentists for whom such excess coverage or equiv-
38 alent excess coverage was purchased for the policy year ending the thir-
39 tieth of June, two thousand [~~twenty-five~~] twenty-six exceeds the total
40 number of physicians or dentists certified as eligible for the coverage
41 period beginning the first of July, two thousand [~~twenty-five~~] twenty-
42 six, then the general hospitals may certify additional eligible physi-
43 cians or dentists in a number equal to such general hospital's propor-
44 tional share of the total number of physicians or dentists for whom
45 excess coverage or equivalent excess coverage was purchased with funds
46 available in the hospital excess liability pool as of the thirtieth of
47 June, two thousand [~~twenty-five~~] twenty-six, as applied to the differ-
48 ence between the number of eligible physicians or dentists for whom a
49 policy for excess coverage or equivalent excess coverage was purchased
50 for the coverage period ending the thirtieth of June, two thousand
51 [~~twenty-five~~] twenty-six and the number of such eligible physicians or
52 dentists who have applied for excess coverage or equivalent excess
53 coverage for the coverage period beginning the first of July, two thou-
54 sand [~~twenty-five~~] twenty-six.

55 § 7. This act shall take effect immediately and shall be deemed to
56 have been in full force and effect on and after April 1, 2026.

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PART E

Intentionally Omitted

PART F

Section 1. The section heading and subdivisions 1 and 3 of section 97-www of the state finance law, as added by chapter 586 of the laws of 2000, are amended to read as follows:

~~[Percy T. Phillips educational foundation of the Dental Society of the state of]~~ New York State Dental Foundation fund. 1. There is hereby established in the joint custody of the state comptroller and the commissioner of taxation and finance a fund to be known as the "~~Percy T. Phillips Educational Foundation of The Dental Society of the State of~~"] New York State Dental Foundation Fund".

3. Moneys of the fund shall be expended for the benefit of the dental education and public access programs of the ~~[Percy T. Phillips educational foundation of the Dental Society of the state of]~~ New York State Dental Foundation. Moneys shall be paid out of the fund on the audit and warrant of the state comptroller on vouchers ~~[approved by the chairman of the board of trustees of the Percy T. Phillips educational foundation of the Dental Society of the state of New York or by the treasurer or the executive director of the Percy T. Phillips educational foundation of the Dental Society of the state of New York]~~ approved and certified by the commissioner of health. Any interest received by the comptroller on moneys on deposit in the ~~[Percy T. Phillips educational foundation of the Dental Society of the state of]~~ New York State Dental Foundation fund shall be retained in and become part of such fund. No money from such fund may be withdrawn, transferred, or used by any person for any purpose other than as permitted in this section.

§ 1-a. Subdivision 3 of section 404-r of the vehicle and traffic law, as added by chapter 586 of the laws of 2000, is amended to read as follows:

3. A distinctive plate issued pursuant to this section shall be issued in the same manner as other number plates upon payment of the regular registration fee prescribed by section four hundred one of this article and an additional annual service charge of thirty dollars. Twenty dollars from each thirty dollars received as annual service charges under this section shall be deposited to a fund for the credit of the ~~[Percy T. Phillips Educational Foundation of The Dental Society of the State of]~~ New York State Dental Foundation, said fund established as a revolving fund pursuant to section ninety-seven-www of the state finance law; provided, however, that one year after the effective date of this section, funds in the amount of five thousand dollars, or so much thereof as may be available shall be allocated from such fund to the department to offset costs associated with the production of such license plates.

§ 2. Section 9 of part JJ of chapter 57 of the laws of 2025 amending the public health law relating to reporting pregnancy losses and clarifying which agencies are responsible for such reports, is amended to read as follows:

§ 9. 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 ~~[the amendments to subdivision 2 of section 4160 of the public health law made by]~~ section ~~[two]~~ three of this act shall ~~[expire]~~

1 ~~and be deemed repealed]~~ take effect March 30, 2027[~~, when upon such date~~
2 ~~the provisions of section three of this act shall take effect)].~~

3 § 3. Section 5 of part P of chapter 57 of the laws of 2025 amending
4 the public health law relating to requiring hospitals to provide stabi-
5 lizing care to pregnant individuals, is amended to read as follows:

6 § 5. This act shall take effect immediately; provided, however, that
7 the amendments to subdivision 3 of section 2805-b of the public health
8 law [~~made by~~] as designated subdivision 5 in section one of this act
9 shall be subject to the expiration and reversion of such subdivision
10 pursuant to section 21 of chapter 723 of the laws of 1989, as amended,
11 when upon such date the provisions of section two of this act shall take
12 effect.

13 § 4. Section 11 of part GG of chapter 56 of the laws of 2020 amending
14 the social services law and the public health law relating to creating a
15 single preferred-drug list for medication assisted treatment, is amended
16 to read as follows:

17 § 11. This act shall take effect immediately, provided however, that:

18 a. the amendments to paragraph (e) of subdivision 7 of section 367-a
19 of the social services law made by section one of this act shall not
20 affect the repeal of such paragraph and shall be deemed expired there-
21 with;

22 b. [~~the provisions of section two of this act shall expire March 31,~~
23 ~~2026, when upon such date the provisions of such section shall be deemed~~
24 ~~repealed;~~

25 ~~e-~~] the amendments to section 364-j of the social services law made by
26 sections five and six of this act shall not affect the repeal of such
27 section and shall be deemed repealed therewith;

28 [~~d-~~] c. the statewide formulary of opioid dependence agents and opioid
29 antagonists authorized by this act shall be implemented within six
30 months after it shall have become a law;

31 [~~e-~~] d. Provided further, however, that the director of the budget
32 may, in consultation with the commissioner of health, delay the
33 effective dates prescribed herein for a period of time which shall not
34 exceed 90 days following the conclusion or termination of an executive
35 order issued pursuant to section 28 of the executive law declaring a
36 state disaster emergency for the entire state of New York, upon such
37 delay the director of the budget shall notify the chairs of the assembly
38 ways and means committee and senate finance committee and the chairs of
39 the assembly and senate health committee; provided further, however,
40 that the director of the budget shall notify the legislative bill draft-
41 ing commission upon the occurrence of a delay in the effective date of
42 this act in order that the commission may maintain an accurate and time-
43 ly effective data base of the official text of the laws of the state of
44 New York in furtherance of effectuating the provisions of section 44 of
45 the legislative law and section 70-b of the public officers law.

46 § 5. Subdivision 6 of section 3331 of the public health law, as
47 amended by chapter 178 of the laws of 2010, is amended to read as
48 follows:

49 6. A practitioner dispensing a controlled substance shall file infor-
50 mation pursuant to such dispensing with the department by electronic
51 means in such manner and detail as the commissioner shall, by regu-
52 lation, require. This requirement shall not apply to the dispensing by a
53 practitioner pursuant to subdivision [~~five~~] six of section thirty-three
54 hundred fifty-one of this article.

1 § 6. Subparagraph (ii) of paragraph (a) of subdivision 2 of section
2 3343-a of the public health law, as added by section 2 of part A of
3 chapter 447 of the laws of 2012, is amended to read as follows:

4 (ii) a practitioner dispensing pursuant to subdivision [~~three~~] four of
5 section thirty-three hundred fifty-one of this article;

6 § 7. Clause (vi) of subparagraph 1 of paragraph (e) of subdivision 5
7 of section 366 of the social services law, as amended by section 13 of
8 part MM of chapter 56 of the laws of 2020, is amended to read as
9 follows:

10 (vi) "look-back period" means the sixty-month period immediately
11 preceding the date that an institutionalized individual is both institu-
12 tionalized and has applied for medical assistance, or in the case of a
13 non-institutionalized individual, subject to federal approval, the thir-
14 ty-month period immediately preceding the date that such non-institu-
15 tionalized individual applies for medical assistance coverage of long
16 term care services. Nothing herein precludes a review of eligibility for
17 retroactive authorization for medical expenses incurred during the
18 [~~three months prior to the month of application for medical assistance~~]
19 maximum allowable retroactive eligibility period under federal law.

20 § 8. Subsection (c) of section 1119 of the insurance law, as amended
21 by chapter 76 of the laws of 2026, is amended to read as follows:

22 (c) Such organization shall be subject to the provisions of article
23 seventy-four of this chapter. Prior to commencing action under such
24 article seventy-four, the superintendent shall consult with the continu-
25 ing care retirement community council established pursuant to section
26 [~~forty-six hundred two~~] forty-six hundred three of the public health
27 law.

28 § 9. This act shall take effect immediately; provided, however, that:

29 a. sections five and six of this act shall take effect on the same
30 date and in the same manner as chapter 546 of the laws of 2025 took
31 effect;

32 b. section seven of this act shall take effect January 1, 2027; and

33 c. section eight of this act shall take effect on the same date and in
34 the same manner as chapter 76 of the laws of 2026 took effect.

35

PART G

36 Section 1. Section 3000-b of the public health law, as added by chap-
37 ter 552 of the laws of 1998, paragraph (b) of subdivision 1 as amended
38 by chapter 119 of the laws of 2017, subdivision 2 as amended by chapter
39 583 of the laws of 1999, paragraph (a) of subdivision 3 as amended by
40 chapter 243 of the laws of 2010, and paragraph (f) of subdivision 3 as
41 added by chapter 236 of the laws of 2007, is amended and a new subdivi-
42 sion 5 is added to read as follows:

43 § 3000-b. Automated external defibrillators: Public access providers.

44 1. [~~Definitions.~~] As used in this section, unless the context clearly
45 requires otherwise, the following terms shall have the following mean-
46 ings:

47 (a) "Automated external defibrillator" means a medical device,
48 approved by the United States food and drug administration, that[~~+~~(i)]
49 is capable with or without intervention by an operator of: recognizing
50 the presence or absence, in a patient, of ventricular fibrillation and
51 rapid ventricular tachycardia; [~~(ii) is capable of~~] determining[~~, with-~~
52 ~~out intervention by an operator,~~] whether defibrillation should be
53 performed on the patient; [~~(iii)~~] upon determining that defibrillation
54 should be performed, automatically [~~charges and requests delivery of an~~

1 ~~electrical impulse to the patient's heart]~~ charging; and [~~(iv) then,~~
2 ~~upon action by an operator, delivers]~~ delivering an appropriate elec-
3 trical impulse to the patient's heart to perform defibrillation.

4 (b) [~~"Emergency health care provider" means (i) a physician with know-~~
5 ~~ledge and experience in the delivery of emergency cardiac care, (ii) a~~
6 ~~physician assistant or nurse practitioner with knowledge and experience~~
7 ~~in the delivery of emergency cardiac care, and who is acting within his~~
8 ~~or her scope of practice, or (iii) a hospital licensed under article~~
9 ~~twenty-eight of this chapter that provides emergency cardiac care.~~

10 (c) "Public access defibrillation provider" means a person, firm,
11 organization or other entity possessing or operating an automated
12 external defibrillator pursuant to [~~a collaborative agreement under]~~
13 this section.

14 [~~(d) "Nationally recognized organization" means a national organiza-~~
15 ~~tion approved by the department for the purpose of training people in~~
16 ~~use of an automated external defibrillator.]~~

17 2. [~~Collaborative agreement.~~] A person, firm, organization or other
18 entity may purchase, acquire, possess and operate an automated external
19 defibrillator pursuant to [~~a collaborative agreement with an emergency~~
20 ~~health care provider]~~ this section. [~~The collaborative agreement shall~~
21 ~~include a written agreement and written practice protocols, and policies~~
22 ~~and procedures that shall assure compliance with this section. The~~
23 ~~public access defibrillation provider shall file a copy of the collabo-~~
24 ~~rative agreement with the department and with the appropriate regional~~
25 ~~council prior to operating the]~~ Operation of an automated external defi-
26 brillator under this section shall be authorized in accordance with
27 regulations promulgated by the department.

28 3. [~~Possession and operation of automated external defibrillator.~~
29 ~~Possession and operation of an automated external defibrillator by a]~~ A
30 public access defibrillation provider in possession of an automated
31 external defibrillator shall comply with the following requirements, in
32 a manner prescribed by the department:

33 (a) [~~No person may operate an automated external defibrillator unless~~
34 ~~the person has successfully completed a training course in the operation~~
35 ~~of an automated external defibrillator approved by a nationally recog-~~
36 ~~nized organization or the state emergency medical services council.~~
37 ~~However, this section shall not prohibit operation of an automated~~
38 ~~external defibrillator, (i) by a health care practitioner licensed or~~
39 ~~certified under title VIII of the education law or a person certified~~
40 ~~under this article acting within his or her lawful scope of practice,~~
41 ~~(ii) by a person acting pursuant to a lawful prescription, or (iii) by a~~
42 ~~person who operates the automated external defibrillator other than as~~
43 ~~part of or incidental to his or her employment or regular duties, who is~~
44 ~~acting in good faith, with reasonable care, and without expectation of~~
45 ~~monetary compensation, to provide first aid that includes operation of~~
46 ~~an automated external defibrillator, nor shall this section limit any~~
47 ~~good samaritan protections provided in section three thousand-a of this~~
48 ~~article]~~ The public access defibrillation provider shall provide train-
49 ing in the use of an automated external defibrillator and cardiopulmo-
50 nary resuscitation consistent with standards approved by the department,
51 including but not limited to programs developed or authorized by the
52 department or determined by the department to be consistent with
53 accepted standards of practice. At least one individual associated with
54 the public access defibrillation provider shall be designated to receive
55 such training and to be familiar with the operation and routine mainte-
56 nance of the automated external defibrillator.

1 (b) The public access defibrillation provider shall cause the auto-
2 mated external defibrillator to be maintained and tested according to
3 applicable standards of the manufacturer and any appropriate government
4 agency.

5 (c) ~~(i) The public access defibrillation provider shall [notify the~~
6 ~~regional council of]~~ register the existence, location and type of any
7 automated external defibrillator it possesses with the department.

8 (ii) The department shall establish and maintain an electronic data-
9 base, accessible to the public, containing information collected under
10 this paragraph. The database shall include the location and type of each
11 automated external defibrillator reported to the department.

12 (d) Every use of an automated external defibrillator on a patient
13 shall be immediately reported to the appropriate local emergency medical
14 services system~~[, emergency communications center or emergency vehicle~~
15 ~~dispatch center as appropriate and promptly reported to the emergency~~
16 ~~health care provider]~~ or public safety answering point.

17 (e) The ~~[emergency health care]~~ public access defibrillator provider
18 shall ~~[participate in the regional quality improvement program pursuant~~
19 ~~to subdivision one of section three thousand four-a of this article]~~
20 report data related to the use of automated external defibrillators to
21 the department. When available, the department shall incorporate data
22 related to patient health outcomes, response times, whether a bystander
23 administered CPR or used an automated external defibrillator, and any
24 other information deemed appropriate by the commissioner into statewide
25 or regional quality improvement and cardiac arrest surveillance
26 programs, including participation in nationally recognized registries,
27 as determined by the department. Confidential patient information shall
28 be deidentified prior to incorporation.

29 (f) The public access defibrillation provider shall post a sign or
30 notice at the main entrance to the facility or building in which the
31 automated external defibrillator is stored, indicating the location
32 where any such automated external defibrillator is stored or maintained
33 in such building or facility on a regular basis.

34 4. ~~[Application of other laws. (a)]~~ Operation of an automated external
35 defibrillator pursuant to this section shall be considered first aid or
36 emergency treatment for the purpose of any statute relating to liabil-
37 ity~~[-~~

38 ~~(b) Operation of an automated external defibrillator pursuant to this~~
39 ~~section]~~ and shall not constitute the unlawful practice of a profession
40 under title VIII of the education law.

41 5. Any manufacturer, distributor, retailer, or reseller that sells or
42 otherwise transfers an automated external defibrillator for use in this
43 state shall, at the time of sale or transfer, provide the purchaser with
44 written or electronic notice of applicable requirements under this
45 section, including registration, maintenance, and reporting obligations,
46 in a form prescribed by the department.

47 § 2. Subdivision 2 of section 3000-a of the public health law, as
48 amended by chapter 502 of the laws of 2025, is amended to read as
49 follows:

50 2. (i) Any person or entity that purchases, operates, facilitates
51 implementation or makes available resuscitation equipment that facili-
52 tates first aid, an automated external defibrillator or an epinephrine
53 device as required by or pursuant to law or local law, or that conducts
54 training under section three thousand-c of this article, or (ii) ~~[an~~
55 ~~emergency health care provider under a collaborative agreement pursuant~~
56 ~~to section three thousand-b of this article with respect to an automated~~

1 ~~external defibrillator, or (iii)]~~ a health care practitioner that
2 prescribes, dispenses or provides an epinephrine device under section
3 three thousand-c of this article, shall not be liable for damages arising
4 either from the use of that equipment by a person who voluntarily
5 and without expectation of monetary compensation renders first aid or
6 emergency treatment at the scene of an accident or medical emergency, or
7 from the use of defectively manufactured equipment; provided that this
8 subdivision shall not limit the person's or entity's, the emergency
9 health care provider's, or other health care practitioner's liability
10 for their own negligence, gross negligence or intentional misconduct.

11 § 2-a. Section 3000-f of the public health law, as added by chapter
12 681 of the laws of 2023, paragraph (d) of subdivision 1 and subdivision
13 2 as amended by chapter 9 of the laws of 2024, is amended to read as
14 follows:

15 § 3000-f. Automated external defibrillator; camps and youth sports
16 programs. 1. ~~Definitions.~~ As used in this section, unless the context
17 clearly requires otherwise, the following terms have the following mean-
18 ings:

19 (a) "Automated external defibrillator" [~~means a medical device,~~
20 ~~approved by the United States food and drug administration, that: (i) is~~
21 ~~capable of recognizing the presence or absence in a patient of ventricu-~~
22 ~~lar fibrillation and rapid ventricular tachycardia; (ii) is capable of~~
23 ~~determining, without intervention by an operator, whether defibrillation~~
24 ~~should be performed on a patient; (iii) upon determining that defibril-~~
25 ~~lation should be performed, automatically charges and requests delivery~~
26 ~~of an electrical impulse to a patient's heart; and (iv) then, upon~~
27 ~~action by an operator, delivers an appropriate electrical impulse to a~~
28 ~~patient's heart to perform defibrillation]~~ shall have the meaning set
29 forth in section three thousand-b of this article.

30 (b) [~~"Training course" means a course approved by a nationally recog-~~
31 ~~nized organization or the state emergency medical services council in~~
32 ~~the operation of automated external defibrillators.~~

33 (c) [~~"Nationally recognized organization" means a national organization~~
34 ~~approved by the department for the purpose of training people in use of~~
35 ~~an automated external defibrillator.~~

36 (d) "Camp" means a children's overnight camp, summer day camp, or
37 traveling summer day camp, as such terms are defined in section thirteen
38 hundred ninety-two of this chapter, that is subject to regulation by the
39 department.

40 (e) (c) "Youth sports program" means any league or recreation
41 program organized to provide group athletic activity to individuals
42 under seventeen years old or programs providing athletic activity for
43 high school students regardless of the age of the participants of such
44 programs. Public school athletic programs subject to the requirements of
45 section nine hundred seventeen of the education law shall not be subject
46 to the requirements of this section.

47 2. Within one hundred eighty days of the effective date of this
48 section, each camp, and each youth sports program that either hosts or
49 participates in games, matches, tournaments, leagues, or similar activ-
50 ities in which at least five teams are participating, shall establish an
51 automated external defibrillator implementation plan describing how the
52 camp or program will:

53 (a) make available an automated external defibrillator or describe
54 reasonable access to an automated external defibrillator at every camp,
55 game and practice; and

1 (b) use best efforts to ensure that there is at least one employee,
2 volunteer, coach, umpire or other qualified adult who is present at each
3 such camp, game and practice who has successfully completed a training
4 course consistent with the standards approved by the department under
5 the authority of section 3000-b of this article, within the preceding
6 twenty-four months of each such camp session, game and practice, and is
7 familiar with the operation and routine maintenance of the automated
8 external defibrillator.

9 (c) Each camp and youth sports program shall maintain records that
10 such camp or youth sports program possesses at least one automated
11 external defibrillator.

12 (d) Implementation plans shall include an equipment checklist and
13 cardiac emergency protocol for when cardiac emergency incidents occur.

14 (e) Implementation plans can include automated external defibrillator
15 access provided by athletic facilities, playing fields or site for games
16 or practices where the operator of the facility provides automated
17 external defibrillator access at their location.

18 3. Implementation of automated external defibrillator plans shall be
19 done in accordance with the requirements and protections of section
20 3000-b of this article, including requirements as to maintenance, test-
21 ing, and reporting usage and use-related data.

22 § 2-b. Subdivision 3 of section 917 of the education law, as amended
23 by chapter 61 of the laws of 2002, is amended to read as follows:

24 3. Public school facilities and staff pursuant to subdivisions one and
25 two of this section shall be deemed a "public access defibrillation
26 provider" as defined in paragraph ~~[(e)]~~ (b) of subdivision one of
27 section three thousand-b of the public health law and shall be subject
28 to the requirements and limitations of such section.

29 § 2-c. Subdivisions 3, 4 and 5 of section 917-a of the education law,
30 as added by chapter 422 of the laws of 2025, are amended to read as
31 follows:

32 3. No person may operate an AED in a nonpublic school facility unless
33 the person has successfully completed a training course in the operation
34 of an AED ~~[approved by a nationally-recognized organization as defined~~
35 ~~in paragraph (d) of subdivision one of]~~ consistent with the standards
36 approved by the department of health under section three thousand-b of
37 the public health law or the state emergency medical services council.
38 However, this section shall not prohibit operation of an AED:

39 (a) by a health care practitioner licensed or certified under title
40 eight of this chapter or a person certified under article thirty of the
41 public health law acting within their lawful scope of practice;

42 (b) by a person acting pursuant to a lawful prescription; or

43 (c) by a person who operates the AED other than as part of or inci-
44 dental to their employment or regular duties, who is acting in good
45 faith, with reasonable care, and without expectation of monetary compen-
46 sation, to provide first aid that includes operation of an AED; nor
47 shall this section limit any good samaritan protections provided in
48 section three thousand-a of the public health law.

49 4. Every use of an AED on a patient in a nonpublic school shall be
50 immediately reported to the appropriate local emergency medical services
51 system ~~[, emergency communications center or emergency vehicle dispatch~~
52 ~~center, as appropriate]~~ or public safety answering point.

53 5. Nonpublic schools shall ~~[notify the appropriate regional emergency~~
54 ~~services council of]~~ register the existence, location and type of any
55 AED they possess with the department of health.

1 § 3. This act shall take effect June 1, 2026; provided, however the
2 amendments to section 917-a of the education law made by section two-c
3 of this act shall take effect on the same date and in the same manner as
4 chapter 422 of the laws of 2025, takes effect. Effective immediately,
5 the addition, amendment, and/or repeal of any rule or regulation neces-
6 sary for the implementation of this act on its effective date are
7 authorized to be made and completed on or before such effective date.

8 PART H

9 Intentionally Omitted

10 PART I

11 Section 1. Section 5 of chapter 517 of the laws of 2016, amending the
12 public health law relating to payments from the New York state medical
13 indemnity fund, as amended by section 1 of part MM of chapter 57 of the
14 laws of 2025, is amended to read as follows:

15 § 5. This act shall take effect on the forty-fifth day after it shall
16 have become a law, provided that the amendments to subdivision 4 of
17 section 2999-j of the public health law made by section two of this act
18 shall take effect on June 30, 2017 and shall expire and be deemed
19 repealed June 1, [~~2026~~] 2027.

20 § 2. This act shall take effect immediately.

21 PART J

22 Section 1. Subdivisions 2 and 8 of section 2999-ii of the public
23 health law, subdivision 2 as added by section 1 of part X of chapter 57
24 of the laws of 2023 and subdivision 8 as amended by chapter 598 of the
25 laws of 2025, are amended to read as follows:

26 2. "Controlling person" means a person, officer, program administra-
27 tor, or director whose responsibilities include the direction of the
28 management or policies of a temporary health care services agency.
29 "Controlling person" also means [~~an individual~~] a person who[~~r~~] directly
30 owns at least ten percent voting interest in a corporation, partnership,
31 or other business entity that is a controlling person.

32 8. "Temporary health care services agency" or "agency" means a person,
33 firm, corporation, partnership, association or other entity in the busi-
34 ness of providing or procuring temporary employment or engaging individ-
35 uals to provide health care services for health care entities, or of
36 enabling health care entities, directly or indirectly, to engage indi-
37 viduals to perform health care services. Temporary health care services
38 agency shall include a nurses' registry licensed under article eleven of
39 the general business law and entities that utilize apps or other tech-
40 nology-based solutions to provide, procure or enable health care enti-
41 ties to engage individuals to perform health care services, including
42 vendor management systems and subcontracting arrangements with other
43 agencies that result in the engagement of individuals. Temporary health
44 care services agency shall not include: (a) an individual who only
45 engages in providing the individual's own services on a temporary basis
46 to health care entities; or (b) a home care agency licensed under arti-
47 cle thirty-six of this chapter.

48 § 2. Subdivision 3 of section 2999-jj of the public health law, as
49 added by section 1 of part X of chapter 57 of the laws of 2023 and para-

1 graph (a) as amended by chapter 598 of the laws of 2025, is amended to
2 read as follows:

3 3. As a condition of registration, a temporary health care services
4 agency:

5 (a) Shall document that each individual engaged to provide health care
6 services to health care entities currently meets the minimum licensing,
7 training, and continuing education standards for the position in which
8 the [~~health care personnel~~] individual will be working.

9 (b) Shall comply with all pertinent requirements and qualifications
10 for personnel employed in health care entities.

11 (c) Shall not restrict in any manner the employment opportunities of
12 [~~its health care personnel~~] individuals it connects with health care
13 entities to provide health care services.

14 (d) Shall not require the payment of liquidated damages, employment
15 fees, or other compensation should the [~~health care personnel~~] individ-
16 uals it connects with health care entities to provide health care
17 services be hired as a permanent employee, contractor, or contingent
18 worker of a health care entity in any contract with any [~~health care~~
19 ~~personnel~~] individual engaged to provide health care services or health
20 care entity or otherwise.

21 (e) Shall not require the payment of fees or other compensation from
22 the individual engaged to provide health care services for placement or
23 connection with a health care entity.

24 (f) Shall retain all records related to [~~health care personnel~~] indi-
25 viduals engaged to provide health care services for six [~~calendar~~] years
26 and make them available to the department upon request.

27 [~~(f)~~] (g) Shall comply with any requests made by the department to
28 examine the books and records of the agency, subpoena witnesses and
29 documents and make such other investigation as is necessary in the event
30 that the department has reason to believe that the books or records do
31 not accurately reflect the financial condition or financial transactions
32 of the agency.

33 [~~(g)~~] (h) Shall comply with any additional requirements the department
34 may deem necessary.

35 § 3. Subdivisions 2 and 3 of section 2999-kk of the public health law,
36 subdivision 2 as added by section 1 of part X of chapter 57 of the laws
37 of 2023, paragraphs (a), (b), (f) and (h) of subdivision 2 and subdivi-
38 sion 3 as amended by chapter 598 of the laws of 2025, are amended to
39 read as follows:

40 2. A temporary health care services agency shall maintain, and require
41 subcontracting arrangements with other agencies to maintain, a written
42 agreement or contract with each health care entity, which shall include,
43 at a minimum:

44 (a) The required minimum licensing, training, and continuing education
45 requirements for each individual engaged in a health care position.

46 (b) Any requirement for minimum advance notice in order to ensure
47 prompt arrival of individuals engaged to provide health care services.

48 (c) The maximum rates that can be billed or charged by the temporary
49 health care services agency pursuant to section twenty-nine hundred
50 ninety-nine-mm of this article and any applicable regulations.

51 (d) The rates to be charged by the temporary health care services
52 agency.

53 (e) Procedures for the investigation and resolution of complaints
54 about the performance of [~~temporary health care services agency person-~~
55 ~~nel~~] individuals engaged to provide health care services.

1 (f) Procedures for notice from health care entities of failure of
2 individuals engaged to provide health care services to report to an
3 agreed upon scheduled shift.

4 (g) Procedures for notice of actual or suspected abuse, theft, tamper-
5 ing or other diversion of controlled substances by ~~[medical personnel]~~
6 individuals engaged to provide health care services.

7 (h) The types and qualifications of individuals engaged to provide
8 health care services available through the temporary health care
9 services agency.

10 3. A temporary health care services agency shall ~~[submit to the~~
11 ~~department]~~ retain for six years and make available to the department
12 upon request copies of all contracts between the agency or a third party
13 with whom the agency is subcontracting and a health care entity to which
14 it assigns or otherwise connects individuals engaged to provide health
15 care services, and copies of all invoices to health care entities
16 ~~[personnel]~~. Executed contracts ~~[must be sent to the department within~~
17 ~~five business days of their effective date and]~~ submitted upon request
18 to the department are not subject to disclosure under article six of
19 the public officers law.

20 § 4. Section 2999-ll of the public health law, as added by section 1
21 of part X of chapter 57 of the laws of 2023, is amended to read as
22 follows:

23 § 2999-ll. Violations; penalties. In addition to other remedies avail-
24 able by law, violations of the provisions of this article and any regu-
25 lations promulgated thereunder shall be subject to penalties and fines
26 pursuant to section twelve of this chapter; provided, however, that each
27 violation committed by ~~[any health care personnel of]~~ a temporary health
28 care services agency shall be considered a separate violation.

29 § 5. Section 2999-mm of the public health law, as added by section 1
30 of part X of chapter 57 of the laws of 2023, is amended to read as
31 follows:

32 § 2999-mm. Rates for temporary health care services; reports. 1. A
33 temporary health care services agency shall report quarterly to the
34 department a full disclosure of charges and compensation, including a
35 schedule of all hourly bill rates per category of ~~[health care person-~~
36 ~~nel]~~ individuals engaged to provide health care services, a full
37 description of administrative charges, and a schedule of rates of all
38 compensation per category of ~~[health care personnel]~~ individuals engaged
39 to provide health care services including, but not limited to:

40 ~~[1-]~~ (a) hourly regular pay rate, shift differential, weekend differ-
41 ential, hazard pay, charge nurse add-on, overtime, holiday pay, travel
42 or mileage pay, and any health or other fringe benefits provided;

43 ~~[2-]~~ (b) the percentage of health care entity dollars that the agency
44 expended on ~~[temporary personnel wages and benefits]~~ compensation,
45 including, as applicable, benefits, to individuals engaged to provide
46 health care services compared to the temporary health care services
47 agency's profits and other administrative costs;

48 ~~[3-]~~ (c) a list of the states and zip codes of ~~[their health care~~
49 ~~personnels¹]~~ the primary residences of individuals engaged to provide
50 health care services;

51 ~~[4-]~~ (d) the names of all health care entities they or a third party
52 with whom the agency is subcontracting have contracted within New York
53 state;

54 ~~[5-]~~ (e) the number of ~~[health care personnel of]~~ individuals engaged
55 to provide health care services by the temporary health care services
56 agency working at each entity; and

1 ~~6.~~ (f) any other information prescribed by the commissioner.

2 2. The commissioner is hereby authorized to promulgate regulations to
3 establish, monitor, and enforce a limitation on the amount that tempo-
4 rary health care services agencies or certain types or classes of such
5 agencies may retain as profit from providing, procuring, or enabling
6 health care entities to engage an individual to provide health care
7 services, which for the purposes of this section shall be referred to as
8 the "agency rate." In setting one or more agency rates, which can be
9 expressed as a percentage or in another manner as determined by the
10 department, the department shall take into consideration factors includ-
11 ing but not limited to the ability to maintain sufficient staffing of
12 the health care workforce, whether on a contract or permanent basis and
13 across the range of needed professional titles and roles, in all
14 geographic areas across the state. The department shall also engage in a
15 periodic reassessment of any agency rates to ensure that they reflect
16 current conditions and remain effective.

17 3. The commissioner shall publish guidelines establishing the forms
18 and procedures for verification of compliance with an agency rate. In
19 addition, a temporary health care services agency shall retain for six
20 years and make available to the department upon request copies of all
21 contracts, invoices, records, payroll information, and other documents
22 necessary to determine compliance with the agency rate. The department
23 is authorized to conduct audits of temporary health care services agen-
24 cies as well as targeted investigations based on complaints or atypical
25 reporting patterns.

26 4. Nothing in this article shall displace any generally applicable law
27 relevant to temporary health care services agencies, including but not
28 limited to sections three hundred forty-nine and three hundred ninety-
29 six-r of the general business law.

30 § 6. This act shall take effect one year after it shall have become a
31 law. Effective immediately, the addition, amendment and/or repeal of any
32 rule or regulation necessary for the implementation of this act on its
33 effective date are authorized to be made and completed on or before such
34 effective date.

35 PART K

36 Intentionally Omitted

37 PART L

38 Section 1. Subparagraph (iv) of paragraph (b) of subdivision 2-b of
39 section 2808 of the public health law, as amended by section 2 of part E
40 of chapter 57 of the laws of 2024, is amended to read as follows:

41 (iv) The capital cost component of rates on and after January first,
42 two thousand nine shall: (A) fully reflect the cost of local property
43 taxes and payments made in lieu of local property taxes, as reported in
44 each facility's cost report submitted for the year two years prior to
45 the rate year; (B) provided, however, notwithstanding any inconsistent
46 provision of this article, commencing April first, two thousand twenty
47 for rates of payment for patients eligible for payments made by state
48 governmental agencies, the capital cost component determined in accord-
49 ance with this subparagraph and inclusive of any shared savings for
50 eligible facilities that elect to refinance their mortgage loans pursu-
51 ant to paragraph (d) of subdivision two-a of this section, shall be

1 reduced by the commissioner by five percent; and (C) provided, however,
2 notwithstanding any inconsistent provision of this article, commencing
3 April first, two thousand twenty-four and ending March thirty-first, two
4 thousand twenty-six for rates of payment for patients eligible for
5 payments made by state governmental agencies, the capital cost component
6 determined in accordance with this subparagraph and inclusive of any
7 shared savings for eligible facilities that elect to refinance their
8 mortgage loans pursuant to paragraph (d) of subdivision two-a of this
9 section, shall be reduced by the commissioner by an additional ten
10 percent, provided, however, that such reduction shall not apply to rates
11 of payment for patients in pediatric residential health care facilities
12 as defined in paragraph (c) of subdivision two of section twenty-eight
13 hundred eight-e of this article.

14 § 2. This act shall take effect immediately and shall be deemed to
15 have been in full force and effect on and after April 1, 2026.

16

PART M

17 Section 1. Subparagraphs (iii) and (iv) of paragraph (d) of subdivi-
18 sion 1 of section 367-a of the social services law, subparagraph (iii)
19 as amended by section 31 of part B of chapter 57 of the laws of 2015 and
20 subparagraph (iv) as added by section 16 of part B of chapter 59 of the
21 laws of 2016, are amended to read as follows:

22 (iii) With respect to items and services provided to eligible persons
23 who are also beneficiaries under part B of title XVIII of the federal
24 social security act and items and services provided to qualified medi-
25 care beneficiaries under part B of title XVIII of the federal social
26 security act, the amount payable for services covered under this title
27 shall be the amount of any co-insurance liability of such eligible
28 persons pursuant to federal law were they not eligible for medical
29 assistance or were they not qualified medicare beneficiaries with
30 respect to such benefits under such part B, but shall not exceed the
31 amount that otherwise would be made under this title if provided to an
32 eligible person other than a person who is also a beneficiary under part
33 B or is a qualified medicare beneficiary minus the amount payable under
34 part B; provided, however, amounts payable under this title for items
35 and services provided to eligible persons who are also beneficiaries
36 under part B or to qualified medicare beneficiaries by an ambulance
37 service under the authority of an operating certificate issued pursuant
38 to article thirty of the public health law, [~~a psychologist licensed~~
39 ~~under article one hundred fifty three of the education law,~~] or a facil-
40 ity under the authority of an operating certificate issued pursuant to
41 article sixteen, thirty-one or thirty-two of the mental hygiene law and
42 with respect to outpatient hospital and clinic items and services
43 provided by a facility under the authority of an operating certificate
44 issued pursuant to article twenty-eight of the public health law, shall
45 not be less than the amount of any co-insurance liability of such eligi-
46 ble persons or such qualified medicare beneficiaries, or for which such
47 eligible persons or such qualified medicare beneficiaries would be
48 liable under federal law were they not eligible for medical assistance
49 or were they not qualified medicare beneficiaries with respect to such
50 benefits under part B.

51 (iv) If a health plan participating in part C of title XVIII of the
52 federal social security act pays for items and services provided to
53 eligible persons who are also beneficiaries under part B of title XVIII
54 of the federal social security act or to qualified medicare benefi-

aries, the amount payable for services under this title shall be [~~eight-
y-five percent of~~] the amount of any co-insurance liability of such
eligible persons pursuant to federal law if they were not eligible for
medical assistance or were not qualified medicare beneficiaries with
respect to such benefits under such part B [~~, provided, however, amounts
payable under this title for items and services provided to eligible
persons who are also beneficiaries under part B or to qualified medicare
beneficiaries by an ambulance service under the authority of an operat-
ing certificate issued pursuant to article thirty of the public health
law, or a psychologist licensed under article one hundred fifty-three of
the education law, shall not be less than the amount of any co-insurance
liability of such eligible persons or such qualified medicare benefi-
ciaries, or for which such eligible persons or such qualified medicare
beneficiaries would be liable under federal law were they not eligible
for medical assistance or were they not qualified medicare beneficiaries
with respect to such benefits under part B~~], but shall not exceed
the amount that otherwise would be made under this title if provided to
an eligible person other than a person who is also a beneficiary under
part B or is a qualified medicare beneficiary minus the amount payable
under part B; provided, however, amounts payable under this title for
items and services provided to eligible persons who are also benefi-
ciaries under part B or to qualified medicare beneficiaries by an ambu-
lance service under the authority of an operating certificate issued
pursuant to article thirty of the public health law shall not be less
than the amount of any coinsurance liability of such eligible persons or
such qualified medicare beneficiaries, or for which such eligible
persons or such qualified medicare beneficiaries would be liable under
federal law were they not eligible for medical assistance or were they
not qualified medicare beneficiaries with respect to such benefits under
part B.

§ 2. Paragraph (c) of subdivision 1 of section 369-gg of the social
services law is REPEALED.

§ 3. Subdivision 1 of section 369-gg of the social services law is
amended by adding a new paragraph (c) to read as follows:

(c) "Health care services" means (i) the services and supplies as
defined by the commissioner in consultation with the superintendent of
financial services, and shall be consistent with and subject to the
essential health benefits as defined by the commissioner in accordance
with the provisions of the patient protection and affordable care act
(P.L. 111-148) and consistent with the benefits provided by the refer-
ence plan selected by the commissioner for the purposes of defining such
benefits, and shall include coverage of and access to the services of
any national cancer institute-designated cancer center licensed by the
department of health within the service area of the approved organiza-
tion that is willing to agree to provide cancer-related inpatient,
outpatient and medical services to all enrollees in approved organiza-
tions' plans in such cancer center's service area under the prevailing
terms and conditions that the approved organization requires of other
similar providers to be included in the approved organization's network,
provided that such terms shall include reimbursement of such center at
no less than the fee-for-service medicaid payment rate and methodology
applicable to the center's inpatient and outpatient services; and (ii)
dental and vision services as defined by the commissioner;

§ 3-a. Paragraph (c) of subdivision 1 of section 369-gg of the social
services law, as added by section three of this act, is amended to read
as follows:

1 (c) "Health care services" means (i) the services and supplies as
2 defined by the commissioner in consultation with the superintendent of
3 financial services, and shall be consistent with and subject to the
4 essential health benefits as defined by the commissioner in accordance
5 with the provisions of the patient protection and affordable care act
6 (P.L. 111-148) and consistent with the benefits provided by the refer-
7 ence plan selected by the commissioner for the purposes of defining such
8 benefits, and shall include coverage of and access to the services of
9 any national cancer institute-designated cancer center licensed by the
10 department of health within the service area of the approved organiza-
11 tion that is willing to agree to provide cancer-related inpatient,
12 outpatient and medical services to all enrollees in approved organiza-
13 tions' plans in such cancer center's service area under the prevailing
14 terms and conditions that the approved organization requires of other
15 similar providers to be included in the approved organization's network,
16 provided that such terms shall include reimbursement of such center at
17 no less than the fee-for-service medicaid payment rate and methodology
18 applicable to the center's inpatient and outpatient services; ~~[and]~~ (ii)
19 dental and vision services as defined by the commissioner; and (iii) as
20 defined by the commissioner and subject to federal approval, certain
21 services and supports provided to enrollees eligible pursuant to subpar-
22 agraph one of paragraph (g) of subdivision one of section three hundred
23 sixty-six of this article who have functional limitations and/or chronic
24 illnesses that have the primary purpose of supporting the ability of the
25 enrollee to live or work in the setting of their choice, which may
26 include the individual's home, a worksite, or a provider-owned or
27 controlled residential setting;

28 § 4. Subdivision 4 of section 364-i of the social services law is
29 REPEALED and subdivisions 5, 6, 7 and 8 are renumbered subdivisions 4,
30 5, 6 and 7.

31 § 5. Subparagraphs 2 and 3 of paragraph (b) of subdivision 1 of
32 section 366 of the social services law, as added by section 1 of part D
33 of chapter 56 of the laws of 2013, are amended to read as follows:

34 (2) A pregnant ~~[woman]~~ person or an infant younger than one year of
35 age is eligible for standard coverage if ~~[his or her]~~ their MAGI house-
36 hold income does not exceed the MAGI-equivalent of two hundred percent
37 of the federal poverty line for the applicable family size, which shall
38 be calculated in accordance with guidance issued by the secretary of the
39 United States department of health and human services~~[, or an infant~~
40 ~~younger than one year of age who meets the presumptive eligibility~~
41 ~~requirements of subdivision four of section three hundred sixty four i~~
42 ~~of this title]~~.

43 (3) A child who is at least one year of age but younger than nineteen
44 years of age is eligible for standard coverage if ~~[his or her]~~ such
45 child's MAGI household income does not exceed the MAGI-equivalent of one
46 hundred thirty-three percent of the federal poverty line for the appli-
47 cable family size, which shall be calculated in accordance with guidance
48 issued by the Secretary of the United States department of health and
49 human services~~[, or a child who is at least one year of age but younger~~
50 ~~than nineteen years of age who meets the presumptive eligibility~~
51 ~~requirements of subdivision four of section three hundred sixty four i~~
52 ~~of this title]~~.

53 § 6. Subparagraphs 7 and 8 of paragraph (c) of subdivision 1 of
54 section 366 of the social services law, as added by section 1 of part D
55 of chapter 56 of the laws of 2013, are amended to read as follows:

1 (7) An individual receiving treatment for breast or cervical cancer
2 who meets the eligibility requirements of paragraph (d) of subdivision
3 four of this section or the presumptive eligibility requirements of
4 subdivision [~~five~~] four of section three hundred sixty-four-i of this
5 title.

6 (8) An individual receiving treatment for colon or prostate cancer who
7 meets the eligibility requirements of paragraph (e) of subdivision four
8 of this section or the presumptive eligibility requirements of subdivi-
9 sion [~~five~~] four of section three hundred sixty-four-i of this title.

10 § 7. Clause (iii) of subparagraph 4 of paragraph (d) of subdivision 4
11 of section 366 of the social services law, as added by section 2 of part
12 D of chapter 56 of the laws of 2013, is amended to read as follows:

13 (iii) An individual shall be eligible for presumptive eligibility for
14 medical assistance under this paragraph in accordance with subdivision
15 [~~five~~] four of section three hundred sixty-four-i of this title.

16 § 8. Subparagraph 3 of paragraph (e) of subdivision 4 of section 366
17 of the social services law, as added by section 2 of part D of chapter
18 56 of the laws of 2013, is amended to read as follows:

19 (3) An individual shall be eligible for presumptive eligibility for
20 medical assistance under this paragraph in accordance with subdivision
21 [~~five~~] four of section three hundred sixty-four-i of this title.

22 § 9. Subdivision 6 of section 365-a of the social services law, as
23 amended by chapter 484 of the laws of 2009, is amended to read as
24 follows:

25 6. Any inconsistent provision of law notwithstanding, medical assist-
26 ance shall also include payment for medical care, services or supplies
27 furnished to eligible pregnant [~~women~~] persons pursuant to [~~paragraph~~
28 ~~(e) of subdivision four of~~] section three hundred sixty-six and subdivi-
29 sion [~~six~~] five of section three hundred sixty-four-i of this title, to
30 the extent that and for so long as federal financial participation is
31 available therefor; provided, however, that nothing in this section
32 shall be deemed to affect payment for such medical care, services or
33 supplies if federal financial participation is not available for such
34 care, services and supplies solely by reason of the immigration status
35 of the otherwise eligible pregnant [~~woman~~] person.

36 § 10. Paragraph (mm) of subdivision 2 of section 365-a of the social
37 services law, as amended by chapter 29 of the laws of 2024, is amended
38 to read as follows:

39 (mm) (i) biomarker precision medical testing for the purposes of diag-
40 nosis, treatment, or appropriate management of, or ongoing monitoring to
41 guide treatment decisions for, a recipient's disease or condition when
42 one or more of the following recognizes the efficacy and appropriateness
43 of biomarker precision medical testing for diagnosis, treatment, appro-
44 priate management, or guiding treatment decisions for a recipient's
45 disease or condition:

46 (1) labeled indications for a test approved or cleared by the federal
47 food and drug administration or indicated tests for a food and drug
48 administration approved drug;

49 (2) centers for medicare and medicaid services national coverage
50 determinations or medicare administrative contractor local coverage
51 determinations; or

52 (3) nationally recognized clinical practice guidelines[~~, or~~
53 ~~(4) peer reviewed literature and peer reviewed scientific studies~~
54 ~~published in or accepted for publication by medical journals that meet~~
55 ~~nationally recognized requirements for scientific manuscripts and that~~

~~1 submit most of their published articles for review by experts who are
2 not part of the editorial staff].~~

3 (ii) As used in this paragraph, the following terms shall have the
4 following meanings:

5 (1) "Biomarker" means a characteristic that is measured as an indica-
6 tor of normal biological processes, pathogenic processes, or responses
7 to an exposure or intervention, including therapeutic interventions.

8 (2) "Biomarker precision medical testing" means the analysis of a
9 patient's tissue, blood, or other biospecimen for the presence of a
10 biomarker. Biomarker testing includes but is not limited to single-ana-
11 lyte tests and multi-plex panel tests performed at a participating
12 in-network laboratory facility that is either CLIA certified or CLIA
13 waived by the federal food and drug administration.

14 (3) "Nationally recognized clinical practice guidelines" means
15 evidence-based clinical practice guidelines informed by a systematic
16 review of evidence and an assessment of the benefits, and risks of
17 alternative care options intended to optimize patient care developed by
18 independent organizations or medical professional societies utilizing a
19 transparent methodology and reporting structure and with a conflict of
20 interest policy.

21 (iii) Coverage of biomarker precision medical testing provided under
22 this paragraph shall not require a deviation from the review for stand-
23 ard coverage or any existing process used to determine medical necessi-
24 ty.

25 § 11. Subparagraph 3 of paragraph (b) of subdivision 4 of section 366
26 of the social services law, as amended by section 1 of part M of chapter
27 57 of the laws of 2024, is amended to read as follows:

28 (3) [~~(A)~~] A child [~~between~~] under the [~~ages~~] age of [~~six and~~] nineteen
29 who is determined eligible for medical assistance under the provisions
30 of this section, shall, consistent with applicable federal requirements,
31 remain eligible for such assistance until the earlier of:

32 (A) the last day of the month which is twelve months following the
33 determination or renewal of eligibility for such assistance; or

34 (B) the last day of the month in which the child reaches the age of
35 nineteen.

36 [~~(B) A child under the age of six who is determined eligible for~~
37 ~~medical assistance under the provisions of this section, shall, consist-~~
38 ~~ent with applicable federal requirements, remain continuously eligible~~
39 ~~for medical assistance coverage until the later of:~~

40 ~~(i) the last day of the twelfth month following the determination or~~
41 ~~renewal of eligibility for such assistance; or~~

42 ~~(ii) the last day of the month in which the child reaches the age of~~
43 ~~six.]~~

44 § 12. Paragraph (e) of subdivision 6 of section 2510 of the public
45 health law is REPEALED.

46 § 13. This act shall take effect immediately and shall be deemed to
47 have been in full force and effect on and after April 1, 2026; provided,
48 however:

49 a. section one of this act shall take effect April 1, 2027;

50 b. section three-a of this act shall take effect January 1, 2031; and

51 c. sections eleven and twelve of this act shall take effect July 1,
52 2026.

53 PART N

54 Intentionally Omitted

1

PART O

2 Section 1. Section 1-c of part I of chapter 57 of the laws of 2022
3 providing a one percent across the board payment increase to all quali-
4 fying fee-for-service Medicaid rates, as added by section 5 of part F of
5 chapter 57 of the laws of 2025, is amended to read as follows:

6 § 1-c. [~~Notwithstanding any provision of law to the contrary, for the~~
7 ~~period April 1, 2025 through March 31, 2026 Medicaid payments made for~~
8 ~~clinic service provided by federally qualified health centers and diag-~~
9 ~~nostic and treatment centers licensed pursuant to article 28 of the~~
10 ~~public health law shall be increased by an aggregate amount of up to~~
11 ~~\$40,000,000 in addition to any applicable increase contained in section~~
12 ~~one of this act subject to the approval of the commissioner of health~~
13 ~~and the director of the budget.~~] Notwithstanding any provision of law to
14 the contrary, for the [~~period~~] state fiscal years beginning April 1,
15 2026, and thereafter, Medicaid payments made for clinic service provided
16 by federally qualified health centers [~~and diagnostic and treatment~~
17 ~~centers licensed pursuant to article twenty-eight of the public health~~
18 ~~law~~] shall be increased by an aggregate amount of up to [~~\$20,000,000~~
19 \$80,000,000] in addition to any applicable increase contained in section
20 one of this act subject to the approval of the commissioner of health
21 and the director of the budget. Such rate increases shall be subject to
22 federal financial participation and the provisions established under
23 section one-f of this act.

24 § 2. Section 1-e of part I of chapter 57 of the laws of 2022 providing
25 a one percent across the board payment increase to all qualifying fee-
26 for-service Medicaid rates, as amended by section 7 of part F of chapter
27 57 of the laws of 2025, is amended to read as follows:

28 § 1-e. Such increases as added by [~~the~~] part NN of chapter 57 of the
29 laws of 2024 [~~that added this section~~], part F of chapter 57 of the laws
30 of 2025, or the chapter of the laws of 2026 that added section one-g to
31 this act may take the form of increased rates of payment in Medicaid
32 fee-for-service and/or Medicaid managed care, lump sum payments, or
33 state directed payments under 42 CFR 438.6(c). Such rate increases shall
34 be subject to federal financial participation and the provisions estab-
35 lished under section one-f of this act.

36 § 3. Section 1-f of part I of chapter 57 of the laws of 2022 providing
37 a one percent across the board payment increase to all qualifying fee-
38 for-service Medicaid rates, as added by section 7 of part F of chapter
39 57 of the laws of 2025, is amended and a new section 1-g is added to
40 read as follows:

41 § 1-f. Such increases as added by [~~the~~] part F of chapter 57 of the
42 laws of 2025 [~~that added this section~~] and the chapter of the laws of
43 2026 that added section one-g to this act shall be contingent upon the
44 availability of funds within the healthcare stability fund established
45 by section 99-ss of the state finance law, as added by section 2 of part
46 II of chapter 57 of the laws of 2024 and later renumbered and amended by
47 section 2 of part F of chapter 57 of the laws of 2025. Upon a determi-
48 nation by the director of the budget that the balance of such fund is
49 projected to be insufficient to support the continuation of such
50 increases, the commissioner of health, subject to the approval of the
51 director of the budget, shall take steps necessary to suspend or termi-
52 nate such increases, until a determination is made that there are suffi-
53 cient balances to support these increases.

54 § 1-g. Notwithstanding any provision of law to the contrary, for state
55 fiscal years beginning April 1, 2026 and thereafter, Medicaid payments

1 made for hospital services shall be increased by an aggregate amount of
2 up to \$706,000,000, nursing home services shall be increased by an
3 aggregate amount of up to \$480,000,000, and assisted living program
4 services shall be increased by an aggregate amount of up to \$20,000,000
5 in addition to the increase contained in section one, one-a, one-b and
6 one-c of this act, subject to the approval of the commissioner of health
7 and the director of the budget. Such rate increases shall be subject to
8 federal financial participation and the provisions established under
9 section one-f of this act.

10 § 4. Paragraph (c) of subdivision 8 of section 2807-c of the public
11 health law, as amended by section 1 of part D of chapter 57 of the laws
12 of 2024, is amended to read as follows:

13 (c) (i) In order to reconcile capital related inpatient expenses
14 included in rates of payment based on a budget to actual expenses and
15 statistics for the rate period for a general hospital, rates of payment
16 for a general hospital shall be adjusted to reflect the dollar value of
17 the difference between capital related inpatient expenses included in
18 the computation of rates of payment for a prior rate period based on a
19 budget and actual capital related inpatient expenses for such prior rate
20 period, each as determined in accordance with paragraph (a) of this
21 subdivision, adjusted to reflect increases or decreases in volume of
22 service in such prior rate period compared to statistics applied in
23 determining the capital related inpatient expenses component of rates of
24 payment based on a budget for such prior rate period.

25 (ii) For rates effective April first, two thousand twenty through
26 March thirty-first, two thousand twenty-one, the budgeted capital-relat-
27 ed expenses add-on as described in paragraph (a) of this subdivision,
28 based on a budget submitted in accordance to paragraph (a) of this
29 subdivision, shall be reduced by five percent relative to the rate in
30 effect on such date; and the actual capital expenses add-on as described
31 in paragraph (a) of this subdivision, based on actual expenses and
32 statistics through appropriate audit procedures in accordance with para-
33 graph (a) of this subdivision shall be reduced by five percent relative
34 to the rate in effect on such date.

35 (iii) For rates effective April first, two thousand twenty-one through
36 September thirtieth, two thousand twenty-four, the budgeted capital-re-
37 lated expenses add-on as described in paragraph (a) of this subdivision,
38 based on a budget submitted in accordance to paragraph (a) of this
39 subdivision, shall be reduced by ten percent relative to the rate in
40 effect on such date; and the actual capital expenses add-on as described
41 in paragraph (a) of this subdivision, based on actual expenses and
42 statistics through appropriate audit procedures in accordance with para-
43 graph (a) of this subdivision shall be reduced by ten percent relative
44 to the rate in effect on such date.

45 (iv) For rates effective [~~on and after~~] October first, two thousand
46 twenty-four through March thirty-first, two thousand twenty-six, the
47 budgeted capital-related expenses add-on as described in paragraph (a)
48 of this subdivision, based on a budget submitted in accordance with
49 paragraph (a) of this subdivision, shall be reduced by twenty percent
50 relative to the rate in effect on such date; and the actual capital
51 expenses add-on as described in paragraph (a) of this subdivision shall
52 be reduced by twenty percent relative to the rate in effect on such
53 date.

54 (v) For rates effective on and after April first, two thousand twen-
55 ty-six, the budgeted capital-related expenses add-on as described in
56 paragraph (a) of this subdivision, based on a budget submitted in

1 accordance with paragraph (a) of this subdivision, shall be reduced by
2 ten percent relative to the rate in effect on such date; and the actual
3 capital expenses add-on as described in paragraph (a) of this subdivi-
4 sion shall be reduced by ten percent relative to the rate in effect on
5 such date. Such rate adjustments shall be subject to federal financial
6 participation.

7 (vi) For any rate year, all reconciliation add-on amounts calculated
8 for the period of April first, two thousand twenty through September
9 thirtieth, two thousand twenty-four shall be reduced by ten percent, and
10 all reconciliation recoupment amounts calculated for the period of April
11 first, two thousand twenty through September thirtieth, two thousand
12 twenty-four shall increase by ten percent.

13 (vii) For any rate year, all reconciliation add-on amounts calculated
14 [~~on and after~~ for the period October first, two thousand twenty-four
15 through March thirty-first, two thousand twenty-six shall be reduced by
16 twenty percent, and all reconciliation recoupment amounts calculated [~~on~~
17 ~~or after~~ for the period October first, two thousand twenty-four through
18 March thirty-first, two thousand twenty-six, shall increase by twenty
19 percent. Such rate adjustments shall be subject to federal financial
20 participation.

21 (viii) For any rate year, all reconciliation add-on amounts calculated
22 on and after April first, two thousand twenty-six shall be reduced by
23 ten percent, and all reconciliation recoupment amounts calculated on or
24 after April first, two thousand twenty-six shall increase by ten
25 percent. Such rate adjustments shall be subject to federal financial
26 participation.

27 (ix) Notwithstanding any inconsistent provision of subparagraph (i) of
28 paragraph (e) of subdivision nine of this section, capital related inpa-
29 tient expenses of a general hospital included in the computation of
30 rates of payment based on a budget shall not be included in the computa-
31 tion of a volume adjustment made in accordance with such subparagraph.
32 Adjustments to rates of payment for a general hospital made pursuant to
33 this paragraph shall be made in accordance with paragraph (c) of subdivi-
34 sion eleven of this section. Such adjustments shall not be carried
35 forward except for such volume adjustment as may be authorized in
36 accordance with subparagraph (i) of paragraph (e) of subdivision nine of
37 this section for such general hospital.

38 § 5. This act shall take effect immediately.

39 PART P

40 Section 1. 1. Subject to available appropriations and approval of the
41 director of the budget, the commissioners of the office of mental
42 health, office for people with developmental disabilities, office of
43 addiction services and supports, office of temporary and disability
44 assistance, office of children and family services, and the director of
45 the state office for the aging (hereinafter "the commissioners") shall
46 establish a state fiscal year 2026-2027 targeted inflationary increase,
47 effective April 1, 2026, for projecting for the effects of inflation
48 upon rates of payments, contracts, or any other form of reimbursement
49 for the programs and services listed in subdivision four of this
50 section. The targeted inflationary increase established herein shall be
51 applied to the appropriate portion of reimbursable costs or contract
52 amounts. Where appropriate, transfers to the department of health (DOH)
53 shall be made as reimbursement for the state and/or local share of
54 medical assistance.

1 2. Notwithstanding any inconsistent provision of law, subject to the
2 approval of the director of the budget and available appropriations
3 therefor, for the period of April 1, 2026 through March 31, 2027, the
4 commissioners shall provide funding to support a two and seven-tenths
5 percent (2.7%) targeted inflationary increase under this section for all
6 eligible programs and services as determined pursuant to subdivision
7 four of this section.

8 3. Notwithstanding any inconsistent provision of law, and as approved
9 by the director of the budget, the 2.7 percent targeted inflationary
10 increase established herein shall be inclusive of all other inflationary
11 increases, cost of living type increases, inflation factors, or trend
12 factors that are newly applied effective April 1, 2026. Except for the
13 2.7 percent targeted inflationary increase established herein, for the
14 period commencing on April 1, 2026 and ending March 31, 2027 the commis-
15 sioners shall not apply any other new targeted inflationary increases or
16 cost of living adjustments for the purpose of establishing rates of
17 payments, contracts or any other form of reimbursement. The phrase "all
18 other inflationary increases, cost of living type increases, inflation
19 factors, or trend factors" as defined in this subdivision shall not
20 include payments made pursuant to the American Rescue Plan Act or other
21 federal relief programs related to the Coronavirus Disease 2019 (COVID-
22 19) pandemic public health emergency. This subdivision shall not prevent
23 the office of children and family services from applying additional
24 trend factors or staff retention factors to eligible programs and
25 services under paragraph (v) of subdivision four of this section.

26 4. Eligible programs and services. (i) Programs and services funded,
27 licensed, or certified by the office of mental health (OMH) eligible for
28 the targeted inflationary increase established herein, pending federal
29 approval where applicable, include: office of mental health licensed
30 outpatient programs, pursuant to parts 587 and 599 of title 14 CRR-NY of
31 the office of mental health regulations including clinic (mental health
32 outpatient treatment and rehabilitative services programs), continuing
33 day treatment, day treatment, intensive outpatient programs and partial
34 hospitalization; outreach; crisis residence; crisis stabilization,
35 crisis/respite beds; mobile crisis, part 590 comprehensive psychiatric
36 emergency program services; crisis intervention; home based crisis
37 intervention; family care; residential program services, excluding prop-
38 erty costs, for supported single room occupancy and community residence
39 single room occupancy; supported housing programs/services excluding
40 rent; treatment congregate; supported congregate; community residence -
41 children and youth; treatment/apartment; supported apartment; on-site
42 rehabilitation; employment programs; recreation; respite care; transpor-
43 tation; psychosocial club; assertive community treatment; case manage-
44 ment; care coordination, including health home plus services; local
45 government unit administration; monitoring and evaluation; children and
46 youth vocational services; single point of access; school-based mental
47 health program; family support children and youth; advocacy/support
48 services; drop in centers; recovery centers; transition management
49 services; bridger; home and community based waiver services; behavioral
50 health waiver services authorized pursuant to the section 1115 MRT waiv-
51 er; self-help programs; consumer service dollars; conference of local
52 mental hygiene directors; multicultural initiative; ongoing integrated
53 supported employment services; supported education; mentally
54 ill/chemical abuse (MICA) network; personalized recovery oriented
55 services; children and family treatment and support services; residen-
56 tial treatment facilities operating pursuant to part 584 of title

1 14-NYCRR; geriatric demonstration programs; community-based mental
2 health family treatment and support; coordinated children's service
3 initiative; homeless services; and promise zones.

4 (ii) Programs and services funded, licensed, or certified by the
5 office for people with developmental disabilities (OPWDD) eligible for
6 the targeted inflationary increase established herein, pending federal
7 approval where applicable, include: local/unified services; chapter 620
8 services; voluntary operated community residential services; article 16
9 clinics; day treatment services; family support services; 100% day
10 training; epilepsy services; traumatic brain injury services; hepatitis
11 B services; independent practitioner services for individuals with
12 intellectual and/or developmental disabilities; crisis services for
13 individuals with intellectual and/or developmental disabilities; family
14 care residential habilitation; supervised residential habilitation;
15 supportive residential habilitation; respite; day habilitation; prevoca-
16 tional services; supported employment; community habilitation; interme-
17 diate care facility day and residential services; specialty hospital;
18 pathways to employment; intensive behavioral services; community transi-
19 tion services; family education and training; fiscal intermediary;
20 support broker; and personal resource accounts.

21 (iii) Programs and services funded, licensed, or certified by the
22 office of addiction services and supports (OASAS) eligible for the
23 targeted inflationary increase established herein, pending federal
24 approval where applicable, include: medically supervised withdrawal
25 services - residential; medically supervised withdrawal services -
26 outpatient; medically managed detoxification; inpatient rehabilitation
27 services; outpatient opioid treatment; residential opioid treatment;
28 residential opioid treatment to abstinence; problem gambling treatment;
29 medically supervised outpatient; outpatient rehabilitation; specialized
30 services substance abuse programs; home and community based waiver
31 services pursuant to subdivision 9 of section 366 of the social services
32 law; children and family treatment and support services; continuum of
33 care rental assistance case management; supported housing services,
34 excluding rent, for the following programs: NY/NY III post-treatment
35 housing, NY/NY III housing for persons at risk for homelessness, and
36 permanent supported housing; youth clubhouse; recovery community
37 centers; recovery community organizing initiative; residential rehabili-
38 tation services for youth (RRSY); intensive residential; community resi-
39 dential; supportive living; residential services; job placement initi-
40 ative; case management; family support navigator; local government unit
41 administration; peer engagement; vocational rehabilitation; HIV early
42 intervention services; dual diagnosis coordinator; problem gambling
43 resource centers; problem gambling prevention; prevention resource
44 centers; primary prevention services; other prevention services; compre-
45 hensive outpatient clinic; jail-based supports; and regional addiction
46 resource centers.

47 (iv) Programs and services funded, licensed, or certified by the
48 office of temporary and disability assistance (OTDA) eligible for the
49 targeted inflationary increase established herein, pending federal
50 approval where applicable, include: the nutrition outreach and education
51 program (NOEP).

52 (v) Programs and services funded, licensed, or certified by the office
53 of children and family services (OCFS) eligible for the targeted infla-
54 tionary increase established herein, pending federal approval where
55 applicable, include: programs for which the office of children and fami-
56 ly services establishes maximum state aid rates pursuant to section

1 398-a of the social services law and section 4003 of the education law;
2 emergency foster homes; foster family boarding homes and therapeutic
3 foster homes; supervised settings as defined by subdivision 22 of
4 section 371 of the social services law; adoptive parents receiving
5 adoption subsidy pursuant to section 453 of the social services law; and
6 congregate and scattered supportive housing programs and supportive
7 services provided under the NY/NY III supportive housing agreement to
8 young adults leaving or having recently left foster care.

9 (vi) Programs and services funded, licensed, or certified by the state
10 office for the aging (SOFA) eligible for the targeted inflationary
11 increase established herein, pending federal approval where applicable,
12 include: community services for the elderly; expanded in-home services
13 for the elderly; and the wellness in nutrition program.

14 5. Each local government unit or direct contract provider receiving
15 funding for the targeted inflationary increase established herein shall
16 submit a written certification, in such form and at such time as each
17 commissioner shall prescribe, attesting how such funding will be or was
18 used to first promote the recruitment and retention of support staff,
19 direct care staff, clinical staff, non-executive administrative staff,
20 or respond to other critical non-personal service costs prior to
21 supporting any salary increases or other compensation for executive
22 level job titles.

23 6. Notwithstanding any inconsistent provision of law to the contrary,
24 agency commissioners shall be authorized to recoup funding from a local
25 governmental unit or direct contract provider for the targeted infla-
26 tionary increase established herein determined to have been used in a
27 manner inconsistent with the appropriation, or any other provision of
28 this section. Such agency commissioners shall be authorized to employ
29 any legal mechanism to recoup such funds, including an offset of other
30 funds that are owed to such local governmental unit or direct contract
31 provider.

32 § 2. This act shall take effect immediately and shall be deemed to
33 have been in full force and effect on and after April 1, 2026.

34 PART Q

35 Intentionally Omitted

36 PART R

37 Section 1. Subsection (c) of section 309 of the insurance law, as
38 added by chapter 41 of the laws of 2014, is amended to read as follows:

39 (c) As part of an examination, the superintendent shall review deter-
40 minations of coverage for [~~substance-use-disorder-treatment~~] substance-
41 related and addictive disorder services and shall ensure that such
42 determinations are issued in compliance with sections three thousand two
43 hundred sixteen, three thousand two hundred twenty-one, four thousand
44 three hundred three, and title one of article forty-nine of this chap-
45 ter.

46 § 2. Section 343 of the insurance law, as added by chapter 207 of the
47 laws of 2019, is amended to read as follows:

48 § 343. Mental health and [~~substance-use~~] substance-related and addic-
49 tive disorder services parity report. (a) Beginning July first, two
50 thousand nineteen and every two years thereafter, each insurer providing
51 managed care products, individual comprehensive accident and health

1 insurance or group or blanket comprehensive accident and health insur-
2 ance, each corporation organized pursuant to article forty-three of this
3 chapter providing comprehensive health insurance and each entity
4 licensed pursuant to article forty-four of the public health law provid-
5 ing comprehensive health service plans shall submit to the superinten-
6 dent, in a form and manner prescribed by the superintendent, a report
7 detailing the entity's compliance with federal and state mental health
8 and [~~substance-use~~] substance-related and addictive disorder services
9 parity laws based on the entity's record during the preceding two calen-
10 dar years. The superintendent shall publish on the department's website
11 on or before October first, two thousand nineteen, and every two years
12 thereafter, the reports submitted pursuant to this section.

13 (b) Each person required to submit a report under this section shall
14 include in the report the following information:

15 (1) Rates of utilization review for mental health and [~~substance-use~~]
16 substance-related and addictive disorder claims as compared to medical
17 and surgical claims, including rates of approval and denial, categorized
18 by benefits provided under the following classifications: inpatient
19 in-network, inpatient out-of-network, outpatient in-network, outpatient
20 out-of-network, emergency care, and prescription drugs;

21 (2) The number of prior or concurrent authorization requests for
22 mental health services and for [~~substance-use~~] substance-related and
23 addictive disorder services and the number of denials for such requests,
24 compared with the number of prior or concurrent authorization requests
25 for medical and surgical services and the number of denials for such
26 requests, categorized by the same classifications identified in para-
27 graph one of this subsection;

28 (3) The rates of appeals of adverse determinations, including the
29 rates of adverse determinations upheld and overturned, for mental health
30 claims and [~~substance-use~~] substance-related and addictive disorder
31 claims compared with the rates of appeals of adverse determinations,
32 including the rates of adverse determinations upheld and overturned, for
33 medical and surgical claims;

34 (4) The percentage of claims paid for in-network mental health
35 services and for [~~substance-use~~] substance-related and addictive disor-
36 der services compared with the percentage of claims paid for in-network
37 medical and surgical services and the percentage of claims paid for
38 out-of-network mental health services and [~~substance-use~~] substance-re-
39 lated and addictive disorder services compared with the percentage of
40 claims paid for out-of-network medical and surgical services;

41 (5) The number of behavioral health advocates, pursuant to an agree-
42 ment with the office of the attorney general if applicable, or staff
43 available to assist policyholders with mental health benefits and
44 [~~substance-use~~] substance-related and addictive disorder benefits;

45 (6) A comparison of the cost sharing requirements including but not
46 limited to co-pays and coinsurance, and the benefit limitations includ-
47 ing limitations on the scope and duration of coverage, for medical and
48 surgical services, and mental health services and [~~substance-use~~]
49 substance-related and addictive disorder services for coverage in the
50 individual, small group, and large group markets, provided that the
51 comparison captures at least seventy-five percent of a company's enrol-
52 lees in each market;

53 (7) The number by type of providers licensed to practice in this state
54 that provide services for the treatment and diagnosis of [~~substance-use~~]
55 substance-related and addictive disorder who are in-network, and the
56 number by type of providers licensed to practice in this state that

1 provide services for the diagnosis and treatment of mental, nervous or
2 emotional disorders and ailments, however defined in a company's policy,
3 who are in-network;

4 (8) The percentage of providers of services for the treatment and
5 diagnosis of [~~substance-use~~] substance-related and addictive disorder
6 who remained participating providers, and the percentage of providers of
7 services for the diagnosis and treatment of mental, nervous or emotional
8 disorders and ailments, however defined in a company's policy, who
9 remained participating providers; and

10 (9) Any other data, information, or metric the superintendent deems
11 necessary or useful to measure compliance with mental health and
12 [~~substance-use~~] substance-related and addictive disorder parity includ-
13 ing, but not limited to an evaluation and assessment of: (i) the adequa-
14 cy of the company's in-network mental health services and [~~substance~~
15 ~~use~~] substance-related and addictive disorder provider panels pursuant
16 to provisions of the insurance law and public health law; and (ii) the
17 company's reimbursement for in-network and out-of-network mental health
18 services and [~~substance-use~~] substance-related and addictive disorder
19 services as compared to the reimbursement for in-network and out-of-net-
20 work medical and surgical services.

21 § 3. Section 344 of the insurance law, as added by section 1 of part
22 QQQ of chapter 58 of the laws of 2020, is amended to read as follows:

23 § 344. Mental health and [~~substance-use~~] substance-related and addic-
24 tive disorder parity compliance programs. Penalties collected for
25 violations of section three thousand two hundred sixteen, three thousand
26 two hundred twenty-one and four thousand three hundred three of this
27 chapter related to mental health and [~~substance-use~~] substance-related
28 and addictive disorder parity compliance shall be deposited in a fund
29 established pursuant to section ninety-nine-hh of the state finance law.

30 § 4. Paragraph 30 of subsection (i) of section 3216 of the insurance
31 law, as amended by section 5 of subpart A of part BB of chapter 57 of
32 the laws of 2019, is amended to read as follows:

33 (30)(A) Every policy that provides hospital, major medical or similar
34 comprehensive coverage shall provide inpatient coverage for the diagno-
35 sis and treatment of [~~substance-use~~] substance-related and addictive
36 disorder, including detoxification and rehabilitation services. Such
37 inpatient coverage shall include unlimited medically necessary treatment
38 for [~~substance-use~~] substance-related and addictive disorder treatment
39 services provided in residential settings. Further, such inpatient
40 coverage shall not apply financial requirements or treatment limita-
41 tions, including utilization review requirements, to inpatient
42 [~~substance-use~~] substance-related and addictive disorder benefits that
43 are more restrictive than the predominant financial requirements and
44 treatment limitations applied to substantially all medical and surgical
45 benefits covered by the policy.

46 (B) Coverage provided under this paragraph may be limited to facili-
47 ties in New York state that are licensed, certified or otherwise author-
48 ized by the office of [~~alcoholism and substance abuse services~~]
49 addiction services and supports and, in other states, to those which are
50 accredited by the joint commission as alcoholism, addiction, substance
51 abuse, or chemical dependence treatment programs and are similarly
52 licensed, certified or otherwise authorized in the state in which the
53 facility is located.

54 (C) Coverage provided under this paragraph may be subject to annual
55 deductibles and co-insurance as deemed appropriate by the superintendent

1 and that are consistent with those imposed on other benefits within a
2 given policy.

3 (D) This subparagraph shall apply to facilities in this state that are
4 licensed, certified or otherwise authorized by the office of [~~alcoholism
5 and substance abuse services~~] addiction services and supports that are
6 participating in the insurer's provider network. Coverage provided under
7 this paragraph shall not be subject to preauthorization. Coverage
8 provided under this paragraph shall also not be subject to concurrent
9 utilization review during the first twenty-eight days of the inpatient
10 admission provided that the facility notifies the insurer of both the
11 admission and the initial treatment plan within two business days of the
12 admission. The facility shall perform daily clinical review of the
13 patient, including periodic consultation with the insurer at or just
14 prior to the fourteenth day of treatment to ensure that the facility is
15 using the evidence-based and peer reviewed clinical review tool utilized
16 by the insurer which is designated by the office of [~~alcoholism and
17 substance abuse services~~] addiction services and supports and appropri-
18 ate to the age of the patient, to ensure that the inpatient treatment is
19 medically necessary for the patient. Prior to discharge, the facility
20 shall provide the patient and the insurer with a written discharge plan
21 which shall describe arrangements for additional services needed follow-
22 ing discharge from the inpatient facility as determined using the
23 evidence-based and peer-reviewed clinical review tool utilized by the
24 insurer which is designated by the office of [~~alcoholism and substance
25 abuse services~~] addiction services and supports. Prior to discharge,
26 the facility shall indicate to the insurer whether services included in
27 the discharge plan are secured or determined to be reasonably available.
28 Any utilization review of treatment provided under this subparagraph may
29 include a review of all services provided during such inpatient treat-
30 ment, including all services provided during the first twenty-eight days
31 of such inpatient treatment. Provided, however, the insurer shall only
32 deny coverage for any portion of the initial twenty-eight day inpatient
33 treatment on the basis that such treatment was not medically necessary
34 if such inpatient treatment was contrary to the evidence-based and peer
35 reviewed clinical review tool utilized by the insurer which is desig-
36 nated by the office of [~~alcoholism and substance abuse services~~]
37 addiction services and supports. An insured shall not have any finan-
38 cial obligation to the facility for any treatment under this subpara-
39 graph other than any copayment, coinsurance, or deductible otherwise
40 required under the policy.

41 (E) An insurer shall make available to any insured, prospective
42 insured, or in-network provider, upon request, the criteria for medical
43 necessity determinations under the policy with respect to inpatient
44 [~~substance use~~] substance-related and addictive disorder benefits.

45 (F) For purposes of this paragraph:

46 (i) "financial requirement" means deductible, copayments, coinsurance
47 and out-of-pocket expenses;

48 (ii) "predominant" means that a financial requirement or treatment
49 limitation is the most common or frequent of such type of limit or
50 requirement;

51 (iii) "treatment limitation" means limits on the frequency of treat-
52 ment, number of visits, days of coverage, or other similar limits on the
53 scope or duration of treatment and includes nonquantitative treatment
54 limitations such as: medical management standards limiting or excluding
55 benefits based on medical necessity, or based on whether the treatment
56 is experimental or investigational; formulary design for prescription

1 drugs; network tier design; standards for provider admission to partic-
2 ipate in a network, including reimbursement rates; methods for determin-
3 ing usual, customary, and reasonable charges; fail-first or step therapy
4 protocols; exclusions based on failure to complete a course of treat-
5 ment; and restrictions based on geographic location, facility type,
6 provider specialty, and other criteria that limit the scope or duration
7 of benefits for services provided under the policy; and

8 (iv) "~~substance-use~~ substance-related and addictive disorder" shall
9 have the meaning set forth in the most recent edition of the diagnostic
10 and statistical manual of mental disorders or the most recent edition of
11 another generally recognized independent standard of current medical
12 practice, such as the international classification of diseases.

13 (G) An insurer shall provide coverage under this paragraph, at a mini-
14 mum, consistent with the federal Paul Wellstone and Pete Domenici Mental
15 Health Parity and Addiction Equity Act of 2008 (29 U.S.C. § 1185a).

16 § 5. Paragraph 31 of subsection (i) of section 3216 of the insurance
17 law, as amended by section 6 of subpart A of part BB of chapter 57 of
18 the laws of 2019, subparagraph (B) as amended by section 10 and subpara-
19 graph (I) as added by section 11 of part AA of chapter 57 of the laws of
20 2021, and subparagraph (J) as amended by chapter 75 of the laws of 2026,
21 is amended to read as follows:

22 (31) (A) Every policy that provides medical, major medical or similar
23 comprehensive-type coverage shall provide outpatient coverage for the
24 diagnosis and treatment of ~~substance-use~~ substance-related and addic-
25 tive disorder, including detoxification and rehabilitation services.
26 Such coverage shall not apply financial requirements or treatment limi-
27 tations to outpatient ~~substance-use~~ substance-related and addictive
28 disorder benefits that are more restrictive than the predominant finan-
29 cial requirements and treatment limitations applied to substantially all
30 medical and surgical benefits covered by the policy.

31 (B) Coverage under this paragraph may be limited to facilities in this
32 state that are licensed, certified or otherwise authorized by the office
33 of addiction services and supports to provide outpatient ~~substance-use~~
34 substance-related and addictive disorder services and crisis stabiliza-
35 tion centers licensed pursuant to section 36.01 of the mental hygiene
36 law, and, in other states, to those which are accredited by the joint
37 commission as alcoholism, addiction or chemical dependence substance
38 abuse treatment programs and are similarly licensed, certified, or
39 otherwise authorized in the state in which the facility is located.

40 (C) Coverage provided under this paragraph may be subject to annual
41 deductibles and co-insurance as deemed appropriate by the superintendent
42 and that are consistent with those imposed on other benefits within a
43 given policy.

44 (D) A policy providing coverage for ~~substance-use~~ substance-related
45 and addictive disorder services pursuant to this paragraph shall provide
46 up to twenty outpatient visits per policy or calendar year to an indi-
47 vidual who identifies ~~him or herself~~ themselves as a family member of
48 a person suffering from ~~substance-use~~ substance-related and addictive
49 disorder and who seeks treatment as a family member who is otherwise
50 covered by the applicable policy pursuant to this paragraph. The cover-
51 age required by this paragraph shall include treatment as a family
52 member pursuant to such family member's own policy provided such family
53 member:

54 (i) does not exceed the allowable number of family visits provided by
55 the applicable policy pursuant to this paragraph; and

1 (ii) is otherwise entitled to coverage pursuant to this paragraph and
2 such family member's applicable policy.

3 (E) This subparagraph shall apply to facilities in this state that are
4 licensed, certified or otherwise authorized by the office of [~~alcoholism~~
5 ~~and substance abuse services~~] addiction services and supports for the
6 provision of outpatient, intensive outpatient, outpatient rehabilitation
7 and opioid treatment that are participating in the insurer's provider
8 network. Coverage provided under this paragraph shall not be subject to
9 preauthorization. Coverage provided under this paragraph shall not be
10 subject to concurrent review for the first four weeks of continuous
11 treatment, not to exceed twenty-eight visits, provided the facility
12 notifies the insurer of both the start of treatment and the initial
13 treatment plan within two business days. The facility shall perform
14 clinical assessment of the patient at each visit, including periodic
15 consultation with the insurer at or just prior to the fourteenth day of
16 treatment to ensure that the facility is using the evidence-based and
17 peer reviewed clinical review tool utilized by the insurer which is
18 designated by the office of [~~alcoholism and substance abuse services~~]
19 addiction services and supports and appropriate to the age of the
20 patient, to ensure that the outpatient treatment is medically necessary
21 for the patient. Any utilization review of the treatment provided under
22 this subparagraph may include a review of all services provided during
23 such outpatient treatment, including all services provided during the
24 first four weeks of continuous treatment, not to exceed twenty-eight
25 visits, of such outpatient treatment. Provided, however, the insurer
26 shall only deny coverage for any portion of the initial four weeks of
27 continuous treatment, not to exceed twenty-eight visits, for outpatient
28 treatment on the basis that such treatment was not medically necessary
29 if such outpatient treatment was contrary to the evidence-based and peer
30 reviewed clinical review tool utilized by the insurer which is desig-
31 nated by the office of [~~alcoholism and substance abuse services~~]
32 addiction services and supports. An insured shall not have any finan-
33 cial obligation to the facility for any treatment under this subpara-
34 graph other than any copayment, coinsurance, or deductible otherwise
35 required under the policy.

36 (F) The criteria for medical necessity determinations under the policy
37 with respect to outpatient [~~substance use~~] substance-related and addic-
38 tive disorder benefits shall be made available by the insurer to any
39 insured, prospective insured, or in-network provider upon request.

40 (G) For purposes of this paragraph:

41 (i) "financial requirement" means deductible, copayments, coinsurance
42 and out-of-pocket expenses;

43 (ii) "predominant" means that a financial requirement or treatment
44 limitation is the most common or frequent of such type of limit or
45 requirement;

46 (iii) "treatment limitation" means limits on the frequency of treat-
47 ment, number of visits, days of coverage, or other similar limits on the
48 scope or duration of treatment and includes nonquantitative treatment
49 limitations such as: medical management standards limiting or excluding
50 benefits based on medical necessity, or based on whether the treatment
51 is experimental or investigational; formulary design for prescription
52 drugs; network tier design; standards for provider admission to partic-
53 ipate in a network, including reimbursement rates; methods for determin-
54 ing usual, customary, and reasonable charges; fail-first or step therapy
55 protocols; exclusions based on failure to complete a course of treat-
56 ment; and restrictions based on geographic location, facility type,

1 provider specialty, and other criteria that limit the scope or duration
2 of benefits for services provided under the policy; and

3 (iv) [~~"substance-use~~] "substance-related and addictive disorder" shall
4 have the meaning set forth in the most recent edition of the diagnostic
5 and statistical manual of mental disorders or the most recent edition of
6 another generally recognized independent standard of current medical
7 practice such as the international classification of diseases.

8 (H) An insurer shall provide coverage under this paragraph, at a mini-
9 mum, consistent with the federal Paul Wellstone and Pete Domenici Mental
10 Health Parity and Addiction Equity Act of 2008 (29 U.S.C. § 1185a).

11 (I) This subparagraph shall apply to crisis stabilization centers in
12 this state that are licensed pursuant to section 36.01 of the mental
13 hygiene law and participate in the insurer's provider network. Benefits
14 for care in a crisis stabilization center shall not be subject to preau-
15 thorization. All treatment provided under this subparagraph may be
16 reviewed retrospectively. Where care is denied retrospectively, an
17 insured shall not have any financial obligation to the facility for any
18 treatment under this subparagraph other than any copayment, coinsurance,
19 or deductible otherwise required under the policy.

20 (J) (i) This clause shall apply to facilities in this state that are
21 licensed, certified, or otherwise authorized by the office of addiction
22 services and supports for the provision of outpatient, intensive outpa-
23 tient, outpatient rehabilitation and opioid treatment that are partic-
24 ipating in the insurer's provider network. Reimbursement for covered
25 outpatient treatment provided by such facilities shall be at rates nego-
26 tiated between the insurer and the participating facility, provided that
27 such rates are not less than the rates that would be paid for such
28 treatment pursuant to the medical assistance program under title eleven
29 of article five of the social services law. For the purposes of this
30 clause, the rates that would be paid for such treatment pursuant to the
31 medical assistance program under title eleven of article five of the
32 social services law shall be the rates with an effective date of April
33 first of the preceding year, which shall be established prior to October
34 first of the preceding calendar year.

35 (ii) The office of addiction services and supports shall publish
36 information adequate to calculate the rates that would be paid for such
37 treatment pursuant to the medical assistance program under title eleven
38 of article five of the social services law. Such information shall be
39 provided in a form and manner to be determined by the commissioner of
40 addiction services and supports. Nothing in this clause shall be
41 construed to relieve an insurer of the obligation to reimburse at no
42 less than the applicable minimum rate set forth in clause (i) of this
43 subparagraph. Prior to the submission of premium rate filings and appli-
44 cations, the superintendent shall provide insurers with guidance on
45 factors to consider in calculating the impact of rate changes for the
46 purposes of submitting premium rate filings and applications to the
47 superintendent for the subsequent policy year. To the extent that the
48 rates with an effective date of April first differ from the estimated
49 rates incorporated in premium rate filings and applications, insurers
50 may account for such differences in future premium rate filings and
51 applications submitted to the superintendent for approval.

52 § 6. Paragraph 31-a of subsection (i) of section 3216 of the insurance
53 law, as added by chapter 748 of the laws of 2019, and subparagraph (A)
54 as amended by section 1 of subpart E of part II of chapter 57 of the
55 laws of 2023, is amended to read as follows:

1 (31-a) (A) No policy that provides medical, major medical or similar
2 comprehensive-type coverage and provides coverage for prescription drugs
3 for medication for the treatment of a [~~substance-use~~] substance-related
4 and addictive disorder shall require prior authorization for an initial
5 or renewal prescription for the detoxification or maintenance treatment
6 of a [~~substance-use~~] substance-related and addictive disorder, including
7 all buprenorphine products, methadone, long acting injectable naltrex-
8 one, or medication for opioid overdose reversal prescribed or dispensed
9 to an insured covered under the policy, including federal food and drug
10 administration-approved over-the-counter opioid overdose reversal medi-
11 cation as prescribed, dispensed or as otherwise authorized under state
12 or federal law, except where otherwise prohibited by law.

13 (B) Coverage provided under this paragraph may be subject to copay-
14 ments, coinsurance, and annual deductibles that are consistent with
15 those imposed on other benefits within the policy.

16 § 7. Paragraph 17 of subsection (a) of section 3217-a of the insurance
17 law, as amended by section 2 of subpart B of part AA of chapter 57 of
18 the laws of 2022, is amended to read as follows:

19 (17) where applicable, a listing by specialty, which may be in a sepa-
20 rate document that is updated annually, of the name, address, telephone
21 number, and digital contact information of all participating providers,
22 including facilities, and: (A) whether the provider is accepting new
23 patients; (B) in the case of mental health or [~~substance-use~~]
24 substance-related and addictive disorder services providers, any affil-
25 iations with participating facilities certified or authorized by the
26 office of mental health or the office of addiction services and
27 supports, and any restrictions regarding the availability of the indi-
28 vidual provider's services; and (C) in the case of physicians, board
29 certification, languages spoken and any affiliations with participating
30 hospitals. The listing shall also be posted on the insurer's website and
31 the insurer shall update the website within fifteen days of the addition
32 or termination of a provider from the insurer's network or a change in a
33 physician's hospital affiliation;

34 § 8. Subsection (m) of section 3217-b of the insurance law, as added
35 by section 3 of subpart B of part AA of chapter 57 of the laws of 2022,
36 is amended to read as follows:

37 (m) A contract between an insurer and a health care provider shall
38 include a provision that requires the health care provider to have in
39 place business processes to ensure the timely provision of provider
40 directory information to the insurer. A health care provider shall
41 submit such provider directory information to an insurer, at a minimum,
42 when a provider begins or terminates a network agreement with an insur-
43 er, when there are material changes to the content of the provider
44 directory information of the health care provider, and at any other
45 time, including upon the insurer's request, as the health care provider
46 determines to be appropriate. For purposes of this subsection, "provider
47 directory information" shall include the name, address, specialty, tele-
48 phone number, and digital contact information of such health care
49 provider; whether the provider is accepting new patients; for mental
50 health and [~~substance-use~~] substance-related and addictive disorder
51 services providers, any affiliations with participating facilities
52 certified or authorized by the office of mental health or the office of
53 addiction services and supports, and any restrictions regarding the
54 availability of the individual provider's services; and in the case of
55 physicians, board certification, languages spoken, and any affiliations
56 with participating hospitals.

1 § 9. Subparagraphs (A), (B), (D), (E) and (F) of paragraph 6 of
2 subsection (l) of section 3221 of the insurance law, subparagraphs (A),
3 (B), and (D) as amended and subparagraphs (E) and (F) as added by
4 section 15 of subpart A of part BB of chapter 57 of the laws of 2019,
5 are amended to read as follows:

6 (A) Every policy that provides hospital, major medical or similar
7 comprehensive coverage shall provide inpatient coverage for the diagno-
8 sis and treatment of [~~substance-use~~] substance-related and addictive
9 disorder, including detoxification and rehabilitation services. Such
10 inpatient coverage shall include unlimited medically necessary treatment
11 for [~~substance-use~~] substance-related and addictive disorder treatment
12 services provided in residential settings. Further, such inpatient
13 coverage shall not apply financial requirements or treatment limita-
14 tions, including utilization review requirements, to inpatient
15 [~~substance-use~~] substance-related and addictive disorder benefits that
16 are more restrictive than the predominant financial requirements and
17 treatment limitations applied to substantially all medical and surgical
18 benefits covered by the policy.

19 (B) Coverage provided under this paragraph may be limited to facili-
20 ties in New York state that are licensed, certified or otherwise author-
21 ized by the office of [~~alcoholism and substance abuse services~~]
22 addiction services and supports and, in other states, to those which are
23 accredited by the joint commission as alcoholism, addiction, substance
24 abuse or chemical dependence treatment programs and are similarly
25 licensed, certified, or otherwise authorized in the state in which the
26 facility is located.

27 (D) This subparagraph shall apply to facilities in this state that are
28 licensed, certified or otherwise authorized by the office of [~~alcoholism~~
29 ~~and substance abuse services~~] addiction services and supports that are
30 participating in the insurer's provider network. Coverage provided under
31 this paragraph shall not be subject to preauthorization. Coverage
32 provided under this paragraph shall also not be subject to concurrent
33 utilization review during the first twenty-eight days of the inpatient
34 admission provided that the facility notifies the insurer of both the
35 admission and the initial treatment plan within two business days of the
36 admission. The facility shall perform daily clinical review of the
37 patient, including periodic consultation with the insurer at or just
38 prior to the fourteenth day of treatment to ensure that the facility is
39 using the evidence-based and peer reviewed clinical review tool utilized
40 by the insurer which is designated by the office of [~~alcoholism and~~
41 ~~substance abuse services~~] addiction services and supports and appropri-
42 ate to the age of the patient, to ensure that the inpatient treatment is
43 medically necessary for the patient. Prior to discharge, the facility
44 shall provide the patient and the insurer with a written discharge plan
45 which shall describe arrangements for additional services needed follow-
46 ing discharge from the inpatient facility as determined using the
47 evidence-based and peer-reviewed clinical review tool utilized by the
48 insurer which is designated by the office of [~~alcoholism and substance~~
49 ~~abuse services~~] addiction services and supports. Prior to discharge,
50 the facility shall indicate to the insurer whether services included in
51 the discharge plan are secured or determined to be reasonably available.
52 Any utilization review of treatment provided under this subparagraph may
53 include a review of all services provided during such inpatient treat-
54 ment, including all services provided during the first twenty-eight days
55 of such inpatient treatment. Provided, however, the insurer shall only
56 deny coverage for any portion of the initial twenty-eight day inpatient

1 treatment on the basis that such treatment was not medically necessary
2 if such inpatient treatment was contrary to the evidence-based and peer
3 reviewed clinical review tool utilized by the insurer which is desig-
4 nated by the office of [~~alcoholism and substance abuse services~~]
5 addiction services and supports. An insured shall not have any finan-
6 cial obligation to the facility for any treatment under this subpara-
7 graph other than any copayment, coinsurance, or deductible otherwise
8 required under the policy.

9 (E) The criteria for medical necessity determinations under the policy
10 with respect to inpatient [~~substance-use~~] substance-related and addic-
11 tive disorder benefits shall be made available by the insurer to any
12 insured, prospective insured, or in-network provider upon request.

13 (F) For purposes of this paragraph:

14 (i) "financial requirement" means deductible, copayments, coinsurance
15 and out-of-pocket expenses;

16 (ii) "predominant" means that a financial requirement or treatment
17 limitation is the most common or frequent of such type of limit or
18 requirement;

19 (iii) "treatment limitation" means limits on the frequency of treat-
20 ment, number of visits, days of coverage, or other similar limits on the
21 scope or duration of treatment and includes nonquantitative treatment
22 limitations such as: medical management standards limiting or excluding
23 benefits based on medical necessity, or based on whether the treatment
24 is experimental or investigational; formulary design for prescription
25 drugs; network tier design; standards for provider admission to partic-
26 ipate in a network, including reimbursement rates; methods for determin-
27 ing usual, customary, and reasonable charges; fail-first or step therapy
28 protocols; exclusions based on failure to complete a course of treat-
29 ment; and restrictions based on geographic location, facility type,
30 provider specialty, and other criteria that limit the scope or duration
31 of benefits for services provided under the policy; and

32 (iv) [~~"substance-use~~] "substance-related and addictive disorder" shall
33 have the meaning set forth in the most recent edition of the diagnostic
34 and statistical manual of mental disorders or the most recent edition of
35 another generally recognized independent standard of current medical
36 practice such as the international classification of diseases.

37 § 10. Paragraph 7 of subsection (1) of section 3221 of the insurance
38 law, as amended by chapter 41 of the laws of 2014, subparagraph (A) as
39 amended and subparagraph (C-1) as added by section 16 and subparagraph
40 (E) as amended, and subparagraphs (F), (G), and (H) as added by section
41 17 of subpart A of part BB of chapter 57 of the laws of 2019, subpara-
42 graph (B) as amended by section 16 and subparagraph (I) as added by
43 section 17 of part AA of chapter 57 of the laws of 2021, and subpara-
44 graph (J) as amended by chapter 75 of the laws of 2026, is amended to
45 read as follows:

46 (7) (A) Every policy that provides medical, major medical or similar
47 comprehensive-type coverage shall provide outpatient coverage for the
48 diagnosis and treatment of [~~substance-use~~] substance-related and addic-
49 tive disorder, including detoxification and rehabilitation services.
50 Such coverage shall not apply financial requirements or treatment limi-
51 tations to outpatient [~~substance-use~~] substance-related and addictive
52 disorder benefits that are more restrictive than the predominant finan-
53 cial requirements and treatment limitations applied to substantially all
54 medical and surgical benefits covered by the policy.

55 (B) Coverage under this paragraph may be limited to facilities in this
56 state that are licensed, certified or otherwise authorized by the office

1 of addiction services and supports to provide outpatient [~~substance use~~
2 substance-related and addictive disorder services and crisis stabiliza-
3 tion centers licensed pursuant to section 36.01 of the mental hygiene
4 law, and, in other states, to those which are accredited by the joint
5 commission as alcoholism, addiction or chemical dependence treatment
6 programs and similarly licensed, certified or otherwise authorized in
7 the state in which the facility is located.

8 (C) Coverage provided under this paragraph may be subject to annual
9 deductibles and co-insurance as deemed appropriate by the superintendent
10 and that are consistent with those imposed on other benefits within a
11 given policy.

12 (C-1) A large group policy that provides coverage under this paragraph
13 shall not impose copayments or coinsurance for outpatient [~~substance~~
14 use] substance-related and addictive disorder services that exceeds the
15 copayment or coinsurance imposed for a primary care office visit.
16 Provided that no greater than one such copayment may be imposed for all
17 services provided in a single day by a facility licensed, certified or
18 otherwise authorized by the office of [~~alcoholism and substance abuse~~
19 services] addiction services and supports to provide outpatient
20 [~~substance use~~] substance-related and addictive disorder services.

21 (D) A policy providing coverage for [~~substance use~~] substance-related
22 and addictive disorder services pursuant to this paragraph shall provide
23 up to twenty outpatient visits per policy or calendar year to an indi-
24 vidual who identifies [~~him or herself~~] themselves as a family member of
25 a person suffering from [~~substance use~~] a substance-related and addic-
26 tive disorder and who seeks treatment as a family member who is other-
27 wise covered by the applicable policy pursuant to this paragraph. The
28 coverage required by this paragraph shall include treatment as a family
29 member pursuant to such family member's own policy provided such family
30 member:

31 (i) does not exceed the allowable number of family visits provided by
32 the applicable policy pursuant to this paragraph; and

33 (ii) is otherwise entitled to coverage pursuant to this paragraph and
34 such family member's applicable policy.

35 (E) This subparagraph shall apply to facilities in this state that are
36 licensed, certified or otherwise authorized by the office of [~~alcoholism~~
37 and substance abuse services] addiction services and supports for the
38 provision of outpatient, intensive outpatient, outpatient rehabilitation
39 and opioid treatment that are participating in the insurer's provider
40 network. Coverage provided under this paragraph shall not be subject to
41 preauthorization. Coverage provided under this paragraph shall not be
42 subject to concurrent review for the first four weeks of continuous
43 treatment, not to exceed twenty-eight visits, provided the facility
44 notifies the insurer of both the start of treatment and the initial
45 treatment plan within two business days. The facility shall perform
46 clinical assessment of the patient at each visit, including periodic
47 consultation with the insurer at or just prior to the fourteenth day of
48 treatment to ensure that the facility is using the evidence-based and
49 peer reviewed clinical review tool utilized by the insurer which is
50 designated by the office of [~~alcoholism and substance abuse services~~]
51 addiction services and supports and appropriate to the age of the
52 patient, to ensure that the outpatient treatment is medically necessary
53 for the patient. Any utilization review of the treatment provided under
54 this subparagraph may include a review of all services provided during
55 such outpatient treatment, including all services provided during the
56 first four weeks of continuous treatment, not to exceed twenty-eight

1 visits, of such outpatient treatment. Provided, however, the insurer
2 shall only deny coverage for any portion of the initial four weeks of
3 continuous treatment, not to exceed twenty-eight visits, for outpatient
4 treatment on the basis that such treatment was not medically necessary
5 if such outpatient treatment was contrary to the evidence-based and peer
6 reviewed clinical review tool utilized by the insurer which is design-
7 nated by the office of [~~alcoholism and substance abuse services~~]
8 addiction services and supports. An insured shall not have any finan-
9 cial obligation to the facility for any treatment under this subpara-
10 graph other than any copayment, coinsurance, or deductible otherwise
11 required under the policy.

12 (F) The criteria for medical necessity determinations under the policy
13 with respect to outpatient [~~substance use~~] substance-related and addic-
14 tive disorder benefits shall be made available by the insurer to any
15 insured, prospective insured, or in-network provider upon request.

16 (G) For purposes of this paragraph:

17 (i) "financial requirement" means deductible, copayments, coinsurance
18 and out-of-pocket expenses;

19 (ii) "predominant" means that a financial requirement or treatment
20 limitation is the most common or frequent of such type of limit or
21 requirement;

22 (iii) "treatment limitation" means limits on the frequency of treat-
23 ment, number of visits, days of coverage, or other similar limits on the
24 scope or duration of treatment and includes nonquantitative treatment
25 limitations such as: medical management standards limiting or excluding
26 benefits based on medical necessity, or based on whether the treatment
27 is experimental or investigational; formulary design for prescription
28 drugs; network tier design; standards for provider admission to partic-
29 ipate in a network, including reimbursement rates; methods for determin-
30 ing usual, customary, and reasonable charges; fail-first or step therapy
31 protocols; exclusions based on failure to complete a course of treat-
32 ment; and restrictions based on geographic location, facility type,
33 provider specialty, and other criteria that limit the scope or duration
34 of benefits for services provided under the policy; and

35 (iv) [~~"substance use~~] "substance-related and addictive disorder" shall
36 have the meaning set forth in the most recent edition of the diagnostic
37 and statistical manual of mental disorders or the most recent edition of
38 another generally recognized independent standard of current medical
39 practice such as the international classification of diseases.

40 (H) An insurer shall provide coverage under this paragraph, at a mini-
41 mum, consistent with the federal Paul Wellstone and Pete Domenici Mental
42 Health Parity and Addiction Equity Act of 2008 (29 U.S.C. § 1185a).

43 (I) This subparagraph shall apply to crisis stabilization centers in
44 this state that are licensed pursuant to section 36.01 of the mental
45 hygiene law and participate in the insurer's provider network. Benefits
46 for care in a crisis stabilization center shall not be subject to preau-
47 thorization. All treatment provided under this subparagraph may be
48 reviewed retrospectively. Where care is denied retrospectively, an
49 insured shall not have any financial obligation to the facility for any
50 treatment under this subparagraph other than any copayment, coinsurance,
51 or deductible otherwise required under the policy.

52 (J) (i) This clause shall apply to facilities in this state that are
53 licensed, certified, or otherwise authorized by the office of addiction
54 services and supports for the provision of outpatient, intensive outpa-
55 tient, outpatient rehabilitation and opioid treatment that are partic-
56 ipating in the insurer's provider network. Reimbursement for covered

1 outpatient treatment provided by such facilities shall be at rates nego-
2 tiated between the insurer and the participating facility, provided that
3 such rates are not less than the rates that would be paid for such
4 treatment pursuant to the medical assistance program under title eleven
5 of article five of the social services law. For the purposes of this
6 clause, the rates that would be paid for such treatment pursuant to the
7 medical assistance program under title eleven of article five of the
8 social services law shall be the rates with an effective date of April
9 first of the preceding year, which shall be established prior to October
10 first of the preceding calendar year.

11 (ii) The office of addiction services and supports shall publish
12 information adequate to calculate the rates that would be paid for such
13 treatment pursuant to the medical assistance program under title eleven
14 of article five of the social services law. Such information shall be
15 provided in a form and manner to be determined by the commissioner of
16 addiction services and supports. Nothing in this clause shall be
17 construed to relieve an insurer of the obligation to reimburse at no
18 less than the applicable minimum rate set forth in clause (i) of this
19 subparagraph. Prior to the submission of premium rate filings and appli-
20 cations, the superintendent shall provide insurers with guidance on
21 factors to consider in calculating the impact of rate changes for the
22 purposes of submitting premium rate filings and applications to the
23 superintendent for the subsequent policy year. To the extent that the
24 rates with an effective date of April first differ from the estimated
25 rates incorporated in premium rate filings and applications, insurers
26 may account for such differences in future premium rate filings and
27 applications submitted to the superintendent for approval.

28 § 11. Subparagraph (A) of paragraph 7-a of subsection (1) of section
29 3221 of the insurance law, as amended by section 2 of subpart E of part
30 II of chapter 57 of the laws of 2023, is amended to read as follows:

31 (A) No policy that provides medical, major medical or similar compre-
32 hensive-type small group coverage and provides coverage for prescription
33 drugs for medication for the treatment of a [~~substance-use~~] substance-
34 related and addictive disorder shall require prior authorization for an
35 initial or renewal prescription for the detoxification or maintenance
36 treatment of a [~~substance-use~~] substance-related and addictive disorder,
37 including all buprenorphine products, methadone, long acting injectable
38 naltrexone, or medication for opioid overdose reversal prescribed or
39 dispensed to an insured covered under the policy, including federal food
40 and drug administration-approved over-the-counter opioid overdose
41 reversal medication as prescribed, dispensed or as otherwise authorized
42 under state or federal law, except where otherwise prohibited by law.
43 Every policy that provides medical, major medical or similar compre-
44 hensive-type large group coverage shall provide coverage for prescription
45 drugs for medication for the treatment of a [~~substance-use~~] substance-
46 related and addictive disorder and shall not require prior authorization
47 for an initial or renewal prescription for the detoxification or mainte-
48 nance treatment of a [~~substance-use~~] substance-related and addictive
49 disorder, including all buprenorphine products, methadone, long acting
50 injectable naltrexone, or medication for opioid overdose reversal
51 prescribed or dispensed to an insured covered under the policy, includ-
52 ing federal food and drug administration-approved over-the-counter
53 opioid overdose reversal medication as prescribed, dispensed or as
54 otherwise authorized under state or federal law, except where otherwise
55 prohibited by law.

1 § 12. Subsection (a) of section 3241 of the insurance law, as amended
2 by section 1 of subpart F of part II of chapter 57 of the laws of 2023,
3 is amended to read as follows:

4 (a) (1) An insurer, a corporation organized pursuant to article
5 forty-three of this chapter, a municipal cooperative health benefit plan
6 certified pursuant to article forty-seven of this chapter, or a student
7 health plan established or maintained pursuant to section one thousand
8 one hundred twenty-four of this chapter, that issues a health insurance
9 policy or contract with a network of health care providers shall ensure
10 that the network is adequate to meet the health, substance-related and
11 addictive disorder and mental health needs of insureds and provide an
12 appropriate choice of providers sufficient to render the services
13 covered under the policy or contract. The superintendent shall review
14 the network of health care providers for adequacy at the time of the
15 superintendent's initial approval of a health insurance policy or
16 contract; at least every three years thereafter; and upon application
17 for expansion of any service area associated with the policy or contract
18 in conformance with the standards set forth in subdivision five of
19 section four thousand four hundred three of the public health law. The
20 superintendent shall determine standards for network adequacy for mental
21 health and [~~substance-use~~] substance-related and addictive disorder
22 treatment services, including sub-acute care in a residential facility,
23 assertive community treatment services, critical time intervention
24 services and mobile crisis intervention services, in consultation with
25 the commissioner of the office of mental health and the commissioner of
26 the office of addiction services and supports. To the extent that the
27 network has been determined by the commissioner of health to meet the
28 standards set forth in subdivision five of section four thousand four
29 hundred three of the public health law, such network shall be deemed
30 adequate by the superintendent.

31 (2) The superintendent, in consultation with the commissioner of
32 health, the commissioner of the office of mental health, and the commis-
33 sioner of the office of addiction services and supports, shall propose
34 regulations setting forth standards for network adequacy for mental
35 health and [~~substance-use~~] substance-related and addictive disorder
36 treatment services, including sub-acute care in a residential facility,
37 assertive community treatment services, critical time intervention
38 services and mobile crisis intervention services, by December thirty-
39 first, two thousand twenty-three.

40 § 13. Subsection (k) of section 4303 of the insurance law, as amended
41 by section 26 of subpart A of part BB of chapter 57 of the laws of 2019,
42 is amended to read as follows:

43 (k)(1) Every contract that provides hospital, major medical or similar
44 comprehensive coverage shall provide inpatient coverage for the diagno-
45 sis and treatment of [~~substance-use~~] substance-related and addictive
46 disorder, including detoxification and rehabilitation services. Such
47 inpatient coverage shall include unlimited medically necessary treatment
48 for [~~substance-use~~] substance-related and addictive disorder treatment
49 services provided in residential settings. Further, such inpatient
50 coverage shall not apply financial requirements or treatment limita-
51 tions, including utilization review requirements, to inpatient
52 [~~substance-use~~] substance-related and addictive disorder benefits that
53 are more restrictive than the predominant financial requirements and
54 treatment limitations applied to substantially all medical and surgical
55 benefits covered by the contract.

1 (2) Coverage provided under this subsection may be limited to facili-
2 ties in New York state that are licensed, certified or otherwise author-
3 ized by the office of [~~alcoholism and substance abuse services~~]
4 addiction services and supports and, in other states, to those which are
5 accredited by the joint commission as alcoholism, addiction, substance
6 abuse, or chemical dependence treatment programs and are similarly
7 licensed, certified or otherwise authorized in the state in which the
8 facility is located.

9 (3) Coverage provided under this subsection may be subject to annual
10 deductibles and co-insurance as deemed appropriate by the superintendent
11 and that are consistent with those imposed on other benefits within a
12 given contract.

13 (4) This paragraph shall apply to facilities in this state that are
14 licensed, certified or otherwise authorized by the office of [~~alcoholism
15 and substance abuse services~~] addiction services and supports that are
16 participating in the corporation's provider network. Coverage provided
17 under this subsection shall not be subject to preauthorization. Coverage
18 provided under this subsection shall also not be subject to concurrent
19 utilization review during the first twenty-eight days of the inpatient
20 admission provided that the facility notifies the corporation of both
21 the admission and the initial treatment plan within two business days of
22 the admission. The facility shall perform daily clinical review of the
23 patient, including periodic consultation with the corporation at or just
24 prior to the fourteenth day of treatment to ensure that the facility is
25 using the evidence-based and peer reviewed clinical review tool utilized
26 by the corporation which is designated by the office of [~~alcoholism and
27 substance abuse services~~] addiction services and supports and appropri-
28 ate to the age of the patient, to ensure that the inpatient treatment is
29 medically necessary for the patient. Prior to discharge, the facility
30 shall provide the patient and the corporation with a written discharge
31 plan which shall describe arrangements for additional services needed
32 following discharge from the inpatient facility as determined using the
33 evidence-based and peer-reviewed clinical review tool utilized by the
34 corporation which is designated by the office of [~~alcoholism and
35 substance abuse services~~] addiction services and supports. Prior to
36 discharge, the facility shall indicate to the corporation whether
37 services included in the discharge plan are secured or determined to be
38 reasonably available. Any utilization review of treatment provided
39 under this paragraph may include a review of all services provided
40 during such inpatient treatment, including all services provided during
41 the first twenty-eight days of such inpatient treatment. Provided,
42 however, the corporation shall only deny coverage for any portion of the
43 initial twenty-eight day inpatient treatment on the basis that such
44 treatment was not medically necessary if such inpatient treatment was
45 contrary to the evidence-based and peer reviewed clinical review tool
46 utilized by the corporation which is designated by the office of [~~aleo-
47 holism and substance abuse services~~] addiction services and supports.
48 An insured shall not have any financial obligation to the facility for
49 any treatment under this paragraph other than any copayment, coinsu-
50 rance, or deductible otherwise required under the contract.

51 (5) The criteria for medical necessity determinations under the
52 contract with respect to inpatient [~~substance use~~] substance-related and
53 addictive disorder benefits shall be made available by the corporation
54 to any insured, prospective insured or in-network provider upon request.

55 (6) For purposes of this subsection:

1 (A) "financial requirement" means deductible, copayments, coinsurance
2 and out-of-pocket expenses;

3 (B) "predominant" means that a financial requirement or treatment
4 limitation is the most common or frequent of such type of limit or
5 requirement;

6 (C) "treatment limitation" means limits on the frequency of treatment,
7 number of visits, days of coverage, or other similar limits on the scope
8 or duration of treatment and includes nonquantitative treatment limita-
9 tions such as: medical management standards limiting or excluding bene-
10 fits based on medical necessity, or based on whether the treatment is
11 experimental or investigational; formulary design for prescription
12 drugs; network tier design; standards for provider admission to partic-
13 ipate in a network, including reimbursement rates; methods for determin-
14 ing usual, customary, and reasonable charges; fail-first or step therapy
15 protocols; exclusions based on failure to complete a course of treat-
16 ment; and restrictions based on geographic location, facility type,
17 provider specialty, and other criteria that limit the scope or duration
18 of benefits for services provided under the contract; and

19 (D) [~~substance-use~~] "substance-related and addictive disorder" shall
20 have the meaning set forth in the most recent edition of the diagnostic
21 and statistical manual of mental disorders or the most recent edition of
22 another generally recognized independent standard of current medical
23 practice such as the international classification of diseases.

24 (7) A corporation shall provide coverage under this subsection, at a
25 minimum, consistent with the federal Paul Wellstone and Pete Domenici
26 Mental Health Parity and Addiction Equity Act of 2008 (29 U.S.C. §
27 1185a).

28 § 14. Subsection (1) of section 4303 of the insurance law, as amended
29 by chapter 41 of the laws of 2014, paragraph 1 as amended and paragraph
30 3-a as added by section 27, paragraph 5 as amended and paragraphs 6, 7
31 and 8 as added by section 28 of subpart A of part BB of chapter 57 of
32 the laws of 2019, paragraph 2 as amended by section 20 and paragraph 9
33 as added by section 21 of part AA of chapter 57 of the laws of 2021, and
34 paragraph 10 as amended by chapter 75 of the laws of 2026, is amended to
35 read as follows:

36 (1) (1) Every contract that provides medical, major medical or similar
37 comprehensive-type coverage shall provide outpatient coverage for the
38 diagnosis and treatment of [~~substance-use~~] substance-related and addic-
39 tive disorder, including detoxification and rehabilitation services.
40 Such coverage shall not apply financial requirements or treatment limi-
41 tations to outpatient [~~substance-use~~] substance-related and addictive
42 disorder benefits that are more restrictive than the predominant finan-
43 cial requirements and treatment limitations applied to substantially all
44 medical and surgical benefits covered by the contract.

45 (2) Coverage under this subsection may be limited to facilities in
46 this state that are licensed, certified or otherwise authorized by the
47 office of addiction services and supports to provide outpatient
48 [~~substance-use~~] substance-related and addictive disorder services and
49 crisis stabilization centers licensed pursuant to section 36.01 of the
50 mental hygiene law, and, in other states, to those which are accredited
51 by the joint commission as alcoholism, addiction or chemical dependence
52 substance abuse treatment programs and are similarly licensed, certified
53 or otherwise authorized in the state in which the facility is located.

54 (3) Coverage provided under this subsection may be subject to annual
55 deductibles and co-insurance as deemed appropriate by the superintendent

1 and that are consistent with those imposed on other benefits within a
2 given contract.

3 (3-a) A contract that provides large group coverage under this
4 subsection shall not impose copayments or coinsurance for outpatient
5 [~~substance-use~~] substance-related and addictive disorder services that
6 exceed the copayment or coinsurance imposed for a primary care office
7 visit. Provided that no greater than one such copayment may be imposed
8 for all services provided in a single day by a facility licensed, certi-
9 fied or otherwise authorized by the office of [~~alcoholism and substance~~
10 ~~abuse services~~] addiction services and supports to provide outpatient
11 [~~substance-use~~] substance-related and addictive disorder services.

12 (4) A contract providing coverage for [~~substance-use~~] substance-relat-
13 ed and addictive disorder services pursuant to this subsection shall
14 provide up to twenty outpatient visits per contract or calendar year to
15 an individual who identifies [~~him or herself~~] themselves as a family
16 member of a person suffering from [~~substance-use~~] substance-related and
17 addictive disorder and who seeks treatment as a family member who is
18 otherwise covered by the applicable contract pursuant to this
19 subsection. The coverage required by this subsection shall include
20 treatment as a family member pursuant to such family member's own
21 contract provided such family member:

22 (A) does not exceed the allowable number of family visits provided by
23 the applicable contract pursuant to this subsection; and

24 (B) is otherwise entitled to coverage pursuant to this subsection and
25 such family member's applicable contract.

26 (5) This paragraph shall apply to facilities in this state that are
27 licensed, certified or otherwise authorized by the office of [~~alcoholism~~
28 ~~and substance abuse services~~] addiction services and supports for the
29 provision of outpatient, intensive outpatient, outpatient rehabilitation
30 and opioid treatment that are participating in the corporation's provid-
31 er network. Coverage provided under this subsection shall not be subject
32 to preauthorization. Coverage provided under this subsection shall not
33 be subject to concurrent review for the first four weeks of continuous
34 treatment, not to exceed twenty-eight visits, provided the facility
35 notifies the corporation of both the start of treatment and the initial
36 treatment plan within two business days. The facility shall perform
37 clinical assessment of the patient at each visit, including periodic
38 consultation with the corporation at or just prior to the fourteenth day
39 of treatment to ensure that the facility is using the evidence-based and
40 peer reviewed clinical review tool utilized by the corporation which is
41 designated by the office of [~~alcoholism and substance abuse services~~]
42 addiction services and supports and appropriate to the age of the
43 patient, to ensure that the outpatient treatment is medically necessary
44 for the patient. Any utilization review of the treatment provided under
45 this paragraph may include a review of all services provided during such
46 outpatient treatment, including all services provided during the first
47 four weeks of continuous treatment, not to exceed twenty-eight visits,
48 of such outpatient treatment. Provided, however, the corporation shall
49 only deny coverage for any portion of the initial four weeks of contin-
50 uous treatment, not to exceed twenty-eight visits, for outpatient treat-
51 ment on the basis that such treatment was not medically necessary if
52 such outpatient treatment was contrary to the evidence-based and peer
53 reviewed clinical review tool utilized by the corporation which is
54 designated by the office of [~~alcoholism and substance abuse services~~]
55 addiction services and supports. A subscriber shall not have any finan-
56 cial obligation to the facility for any treatment under this paragraph

1 other than any copayment, coinsurance, or deductible otherwise required
2 under the contract.

3 (6) The criteria for medical necessity determinations under the
4 contract with respect to outpatient [~~substance-use~~] substance-related
5 and addictive disorder benefits shall be made available by the corpo-
6 ration to any insured, prospective insured, or in-network provider upon
7 request.

8 (7) For purposes of this subsection:

9 (A) "financial requirement" means deductible, copayments, coinsurance
10 and out-of-pocket expenses;

11 (B) "predominant" means that a financial requirement or treatment
12 limitation is the most common or frequent of such type of limit or
13 requirement.

14 (C) "treatment limitation" means limits on the frequency of treatment,
15 number of visits, days of coverage, or other similar limits on the scope
16 or duration of treatment and includes nonquantitative treatment limita-
17 tions such as: medical management standards limiting or excluding bene-
18 fits based on medical necessity, or based on whether the treatment is
19 experimental or investigational; formulary design for prescription
20 drugs; network tier design; standards for provider admission to partic-
21 ipate in a network, including reimbursement rates; methods for determin-
22 ing usual, customary, and reasonable charges; fail-first or step therapy
23 protocols; exclusions based on failure to complete a course of treat-
24 ment; and restrictions based on geographic location, facility type,
25 provider specialty, and other criteria that limit the scope or duration
26 of benefits for services provided under the contract; and

27 (D) [~~substance-use~~] substance-related and addictive disorder" shall
28 have the meaning set forth in the most recent edition of the diagnostic
29 and statistical manual of mental disorders or the most recent edition of
30 another generally recognized independent standard of current medical
31 practice such as the international classification of diseases.

32 (8) A corporation shall provide coverage under this subsection, at a
33 minimum, consistent with the federal Paul Wellstone and Pete Domenici
34 Mental Health Parity and Addiction Equity Act of 2008 (29 U.S.C. §
35 1185a).

36 (9) This paragraph shall apply to crisis stabilization centers in this
37 state that are licensed pursuant to section 36.01 of the mental hygiene
38 law and participate in the corporation's provider network. Benefits for
39 care in a crisis stabilization center shall not be subject to preauthor-
40 ization. All treatment provided under this paragraph may be reviewed
41 retrospectively. Where care is denied retrospectively, an insured shall
42 not have any financial obligation to the facility for any treatment
43 under this paragraph other than any copayment, coinsurance, or deduct-
44 ible otherwise required under the contract.

45 (10) (A) This subparagraph shall apply to facilities in this state
46 that are licensed, certified, or otherwise authorized by the office of
47 addiction services and supports for the provision of outpatient, inten-
48 sive outpatient, outpatient rehabilitation and opioid treatment that are
49 participating in the corporation's provider network. Reimbursement for
50 covered outpatient treatment provided by such facilities shall be at
51 rates negotiated between the corporation and the participating facility,
52 provided that such rates are not less than the rates that would be paid
53 for such treatment pursuant to the medical assistance program under
54 title eleven of article five of the social services law. For the
55 purposes of this subparagraph, the rates that would be paid for such
56 treatment pursuant to the medical assistance program under title eleven

1 of article five of the social services law shall be the rates with an
2 effective date of April first of the preceding year, which shall be
3 established prior to October first of the preceding calendar year.

4 (B) The office of addiction services and supports shall publish infor-
5 mation adequate to calculate the rates that would be paid for such
6 treatment pursuant to the medical assistance program under title eleven
7 of article five of the social services law. Such information shall be
8 provided in a form and manner to be determined by the commissioner of
9 addiction services and supports. Nothing in this subparagraph shall be
10 construed to relieve an insurer of the obligation to reimburse at no
11 less than the applicable minimum rate set forth in subparagraph (A) of
12 this paragraph. Prior to the submission of premium rate filings and
13 applications, the superintendent shall provide corporations with guid-
14 ance on factors to consider in calculating the impact of rate changes
15 for the purposes of submitting premium rate filings and applications to
16 the superintendent for the subsequent policy year. To the extent that
17 the rates with an effective date of April first differ from the esti-
18 mated rates incorporated in premium rate filings and applications,
19 corporations may account for such differences in future premium rate
20 filings and applications submitted to the superintendent for approval.

21 § 15. Paragraph (A) of subsection (1-1) of section 4303 of the insur-
22 ance law, as amended by section 3 of subpart E of part II of chapter 57
23 of the laws of 2023, is amended to read as follows:

24 (A) No contract that provides medical, major medical or similar
25 comprehensive-type individual or small group coverage and provides
26 coverage for prescription drugs for medication for the treatment of a
27 [~~substance-use~~] substance-related and addictive disorder shall require
28 prior authorization for an initial or renewal prescription for the
29 detoxification or maintenance treatment of a [~~substance-use~~] substance-
30 related and addictive disorder, including all buprenorphine products,
31 methadone, long acting injectable naltrexone, or medication for opioid
32 overdose reversal prescribed or dispensed to an insured covered under
33 the contract, including federal food and drug administration-approved
34 over-the-counter opioid overdose reversal medication as prescribed,
35 dispensed or as otherwise authorized under state or federal law, except
36 where otherwise prohibited by law. Every contract that provides medical,
37 major medical, or similar comprehensive-type large group coverage shall
38 provide coverage for prescription drugs for medication for the treatment
39 of a [~~substance-use~~] substance-related and addictive disorder and shall
40 not require prior authorization for an initial or renewal prescription
41 for the detoxification of maintenance treatment of a [~~substance-use~~]
42 substance-related and addictive disorder, including all buprenorphine
43 products, methadone, long acting injectable naltrexone, or medication
44 for opioid overdose reversal prescribed or dispensed to an individual
45 covered under the contract, including federal food and drug administra-
46 tion-approved over-the-counter opioid overdose reversal medication as
47 prescribed, dispensed or as otherwise authorized under state or federal
48 law, except where otherwise prohibited by law.

49 § 16. Subparagraph (E) of paragraph 1 of subsection (a) of section
50 4306-h of the insurance law, as added by section 35 of subpart B of part
51 J of chapter 57 of the laws of 2019, is amended to read as follows:

52 (E) mental health and [~~substance-use~~] substance-related and addictive
53 disorder services, including behavioral health treatment;

54 § 17. Paragraph 17 of subsection (a) of section 4324 of the insurance
55 law, as amended by section 4 of subpart B of part AA of chapter 57 of
56 the laws of 2022, is amended to read as follows:

1 (17) where applicable, a listing by specialty, which may be in a sepa-
2 rate document that is updated annually, of the name, address, telephone
3 number, and digital contact information of all participating providers,
4 including facilities, and: (A) whether the provider is accepting new
5 patients; (B) in the case of mental health or [~~substance—use~~]
6 substance-related and addictive disorder services providers, any affil-
7 iations with participating facilities certified or authorized by the
8 office of mental health or the office of addiction services and
9 supports, and any restrictions regarding the availability of the indi-
10 vidual provider's services; (C) in the case of physicians, board certif-
11 ication, languages spoken and any affiliations with participating hospi-
12 tals. The listing shall also be posted on the corporation's website and
13 the corporation shall update the website within fifteen days of the
14 addition or termination of a provider from the corporation's network or
15 a change in a physician's hospital affiliation;

16 § 18. Subsection (n) of section 4325 of the insurance law, as added by
17 section 5 of subpart B of part AA of chapter 57 of the laws of 2022, is
18 amended to read as follows:

19 (n) A contract between a corporation and a health care provider shall
20 include a provision that requires the health care provider to have in
21 place business processes to ensure the timely provision of provider
22 directory information to the corporation. A health care provider shall
23 submit such provider directory information to a corporation, at a mini-
24 mum, when a provider begins or terminates a network agreement with a
25 corporation, when there are material changes to the content of the
26 provider directory information of the health care provider, and at any
27 other time, including upon the corporation's request, as the health care
28 provider determines to be appropriate. For purposes of this subsection,
29 "provider directory information" shall include the name, address,
30 specialty, telephone number, and digital contact information of such
31 health care provider; whether the provider is accepting new patients;
32 for mental health and [~~substance—use~~] substance-related and addictive
33 disorder services providers, any affiliations with participating facili-
34 ties certified or authorized by the office of mental health or the
35 office of addiction services and supports, and any restrictions regard-
36 ing the availability of the individual provider's services; and in the
37 case of physicians, board certification, languages spoken, and any
38 affiliations with participating hospitals.

39 § 19. Subparagraph (C) of paragraph 1 of subsection (b) of section
40 4900 of the insurance law, as amended by section 2 of part MM of chapter
41 57 of the laws of 2023, is amended to read as follows:

42 (C) for purposes of a determination involving [~~substance—use~~]
43 substance-related and addictive disorder treatment:

44 (i) a physician who possesses a current and valid non-restricted
45 license to practice medicine and who specializes in behavioral health
46 and has experience in the delivery of [~~substance—use~~] substance-related
47 and addictive disorder courses of treatment; or

48 (ii) a health care professional other than a licensed physician who
49 specializes in behavioral health and has experience in the delivery of
50 [~~substance—use~~] substance-related and addictive disorder courses of
51 treatment and, where applicable, possesses a current and valid non-res-
52 tricted license, certificate or registration or, where no provision for
53 a license, certificate or registration exists, is credentialed by the
54 national accrediting body appropriate to the profession; or

55 § 20. Clause (iv) of subparagraph (A) of paragraph 2 of subsection (b)
56 of section 4900 of the insurance law, as separately amended by section 2

1 of part MM of chapter 57 and chapter 170 of the laws of 2023, is amended
2 to read as follows:

3 (iv) for purposes of a determination involving [~~substance-use~~]
4 substance-related and addictive disorder treatment, possesses a current
5 and valid non-restricted license to practice medicine and who special-
6 izes in behavioral health and has experience in the delivery of
7 [~~substance-use~~] substance-related and addictive disorder courses of
8 treatment;

9 § 21. Clause (iv) of subparagraph (B) of paragraph 2 of subsection (b)
10 of section 4900 of the insurance law, as separately amended by section 2
11 of part MM of chapter 57 and chapter 170 of the laws of 2023, is amended
12 to read as follows:

13 (iv) for purposes of a determination involving [~~substance-use~~]
14 substance-related and addictive disorder treatment, specializes in
15 behavioral health and has experience in the delivery of [~~substance-use~~]
16 substance-related and addictive disorder courses of treatment and, where
17 applicable, possesses a current and valid non-restricted license,
18 certificate or registration or, where no provision for a license,
19 certificate or registration exists, is credentialed by the national
20 accrediting body appropriate to the profession;

21 § 22. Paragraph 9 of subsection (a) of section 4902 of the insurance
22 law, as amended by section 37 of subpart A of part BB of chapter 57 of
23 the laws of 2019, is amended to read as follows:

24 (9) When conducting utilization review for purposes of determining
25 health care coverage for [~~substance-use~~] substance-related and addictive
26 disorder treatment, a utilization review agent shall utilize an
27 evidence-based and peer reviewed clinical review tool that is appropri-
28 ate to the age of the patient. When conducting such utilization review
29 for treatment provided in this state, a utilization review agent shall
30 utilize an evidence-based and peer reviewed clinical tool designated by
31 the office of [~~alcoholism and substance abuse services~~] addiction
32 services and supports that is consistent with the treatment service
33 levels within the office of [~~alcoholism and substance abuse services~~]
34 addiction services and supports system. All approved tools shall have
35 inter rater reliability testing completed by December thirty-first, two
36 thousand sixteen.

37 § 23. Paragraph 2 of subsection (b) of section 4903 of the insurance
38 law, as added by chapter 371 of the laws of 2015, is amended to read as
39 follows:

40 (2) With regard to individual or group contracts authorized pursuant
41 to article thirty-two, forty-three or forty-seven of this chapter or
42 article forty-four of the public health law, for utilization and review
43 determinations involving proposed mental health and/or [~~substance-use~~]
44 substance-related and addictive disorder services where the insured or
45 the insured's designee has, in a format prescribed by the superinten-
46 dent, certified in the request that the proposed services are for an
47 individual who will be appearing, or has appeared, before a court of
48 competent jurisdiction and may be subject to a court order requiring
49 such services, the utilization review agent shall make a determination
50 and provide notice of such determination to the insured or the insured's
51 designee by telephone within seventy-two hours of receipt of the
52 request. Written notice of the determination to the insured or insured's
53 designee shall follow within three business days. Where feasible, such
54 telephonic and written notice shall also be provided to the court.

55 § 24. Subsection (c) of section 4903 of the insurance law, as amended
56 by chapter 41 of the laws of 2014, is amended to read as follows:

1 (c) (1) A utilization review agent shall make a determination involv-
2 ing continued or extended health care services, additional services for
3 an insured undergoing a course of continued treatment prescribed by a
4 health care provider, or requests for inpatient [~~substance-use~~]
5 substance-related and addictive disorder treatment, or home health care
6 services following an inpatient hospital admission, and shall provide
7 notice of such determination to the insured or the insured's designee,
8 which may be satisfied by notice to the insured's health care provider,
9 by telephone and in writing within one business day of receipt of the
10 necessary information except, with respect to home health care services
11 following an inpatient hospital admission, within seventy-two hours of
12 receipt of the necessary information when the day subsequent to the
13 request falls on a weekend or holiday and except, with respect to inpa-
14 tient [~~substance-use~~] substance-related and addictive disorder treat-
15 ment, within twenty-four hours of receipt of the request for services
16 when the request is submitted at least twenty-four hours prior to
17 discharge from an inpatient admission. Notification of continued or
18 extended services shall include the number of extended services
19 approved, the new total of approved services, the date of onset of
20 services and the next review date.

21 (2) Provided that a request for home health care services and all
22 necessary information is submitted to the utilization review agent prior
23 to discharge from an inpatient hospital admission pursuant to this
24 subsection, a utilization review agent shall not deny, on the basis of
25 medical necessity or lack of prior authorization, coverage for home
26 health care services while a determination by the utilization review
27 agent is pending.

28 (3) Provided that a request for inpatient treatment for [~~substance~~
29 ~~use~~] substance-related and addictive disorder is submitted to the utili-
30 zation review agent at least twenty-four hours prior to discharge from
31 an inpatient admission pursuant to this subsection, a utilization review
32 agent shall not deny, on the basis of medical necessity or lack of prior
33 authorization, coverage for the inpatient [~~substance-use~~] substance-re-
34 lated and addictive disorder treatment while a determination by the
35 utilization review agent is pending.

36 § 25. Subsection (b) of section 4904 of the insurance law, as amended
37 by chapter 371 of the laws of 2015, is amended to read as follows:

38 (b) A utilization review agent shall establish an expedited appeal
39 process for appeal of an adverse determination involving (1) continued
40 or extended health care services, procedures or treatments or additional
41 services for an insured undergoing a course of continued treatment
42 prescribed by a health care provider or home health care services
43 following discharge from an inpatient hospital admission pursuant to
44 subsection (c) of section four thousand nine hundred three of this
45 title; (2) an adverse determination in which the health care provider
46 believes an immediate appeal is warranted except any retrospective
47 determination; or (3) potential court-ordered mental health and/or
48 [~~substance-use~~] substance-related and addictive disorder services pursu-
49 ant to paragraph two of subsection (b) of section four thousand nine
50 hundred three of this title. Such process shall include mechanisms which
51 facilitate resolution of the appeal including but not limited to the
52 sharing of information from the insured's health care provider and the
53 utilization review agent by telephonic means or by facsimile. The utili-
54 zation review agent shall provide reasonable access to its clinical peer
55 reviewer within one business day of receiving notice of the taking of an
56 expedited appeal. Expedited appeals shall be determined within two

1 business days of receipt of necessary information to conduct such appeal
2 except, with respect to inpatient [~~substance-use~~] substance-related and
3 addictive disorder treatment provided pursuant to paragraph three of
4 subsection (c) of section four thousand nine hundred three of this
5 title, expedited appeals shall be determined within twenty-four hours of
6 receipt of such appeal. Expedited appeals which do not result in a
7 resolution satisfactory to the appealing party may be further appealed
8 through the standard appeal process, or through the external appeal
9 process pursuant to section four thousand nine hundred fourteen of this
10 article as applicable. Provided that the insured or the insured's health
11 care provider files an expedited internal and external appeal within
12 twenty-four hours from receipt of an adverse determination for inpatient
13 [~~substance-use~~] substance-related and addictive disorder treatment for
14 which coverage was provided while the initial utilization review deter-
15 mination was pending pursuant to paragraph three of subsection (c) of
16 section four thousand nine hundred three of this title, a utilization
17 review agent shall not deny on the basis of medical necessity or lack of
18 prior authorization such [~~substance-use~~] substance-related and addictive
19 disorder treatment while a determination by the utilization review agent
20 or external appeal agent is pending.

21 § 26. Subparagraph (iii) of paragraph (a) of subdivision 2 of section
22 4900 of the public health law, as amended by section 1 of part MM of
23 chapter 57 of the laws of 2023, is amended to read as follows:

24 (iii) for purposes of a determination involving [~~substance-use~~]
25 substance-related and addictive disorder treatment:

26 (A) a physician who possesses a current and valid non-restricted
27 license to practice medicine and who specializes in behavioral health
28 and has experience in the delivery of [~~substance-use~~] substance-related
29 and addictive disorder courses of treatment; or

30 (B) a health care professional other than a licensed physician who
31 specializes in behavioral health and has experience in the delivery of
32 [~~substance-use~~] substance-related and addictive disorder courses of
33 treatment and, where applicable, possesses a current and valid non-res-
34 tricted license, certificate or registration or, where no provision for
35 a license, certificate or registration exists, is credentialed by the
36 national accrediting body appropriate to the profession; or

37 § 27. Clause (D) of subparagraph (i) of paragraph (b) of subdivision 2
38 of section 4900 of the public health law, as separately amended by
39 section 1 of part MM of chapter 57 and chapter 170 of the laws of 2023,
40 is amended to read as follows:

41 (D) for purposes of a determination involving [~~substance-use~~]
42 substance-related and addictive disorder treatment, possesses a current
43 and valid non-restricted license to practice medicine and specializes in
44 behavioral health and has experience in the delivery of [~~substance-use~~]
45 substance-related and addictive disorder courses of treatment;

46 § 28. Clause (E) of subparagraph (ii) of paragraph (b) of subdivision
47 2 of section 4900 of the public health law, as separately amended by
48 section 1 of part MM of chapter 57 and chapter 170 of the laws of 2023,
49 is amended to read as follows:

50 (E) for purposes of a determination involving [~~substance-use~~]
51 substance-related and addictive disorder, specializes in behavioral
52 health and has experience in the delivery of [~~substance-use~~] substance-
53 related and addictive disorder courses of treatment and, where applica-
54 ble, possesses a current and valid non-restricted license, certificate
55 or registration or, where no provision for a license, certificate or

1 registration exists, is credentialed by the national accrediting body
2 appropriate to the profession;

3 § 29. Paragraph (i) of subdivision 1 of section 4902 of the public
4 health law, as amended by section 43 of subpart A of part BB of chapter
5 57 of the laws of 2019, is amended to read as follows:

6 (i) When conducting utilization review for purposes of determining
7 health care coverage for [~~substance-use~~] substance-related and addictive
8 disorder treatment, a utilization review agent shall utilize an
9 evidence-based and peer reviewed clinical review tool that is appropri-
10 ate to the age of the patient. When conducting such utilization review
11 for treatment provided in this state, a utilization review agent shall
12 utilize an evidence-based and peer reviewed clinical tool designated by
13 the office of [~~alcoholism and substance abuse services~~] addiction
14 services and supports that is consistent with the treatment service
15 levels within the office of [~~alcoholism and substance abuse services~~]
16 addiction services and supports system. All approved tools shall have
17 inter rater reliability testing completed by December thirty-first, two
18 thousand sixteen.

19 § 30. Paragraph (b) of subdivision 2 of section 4903 of the public
20 health law, as added by chapter 371 of the laws of 2015, is amended to
21 read as follows:

22 (b) With regard to individual or group contracts authorized pursuant
23 to article forty-four of this chapter, for utilization review determi-
24 nations involving proposed mental health and/or [~~substance-use~~]
25 substance-related and addictive disorder services where the enrollee or
26 the enrollee's designee has, in a format prescribed by the superinten-
27 dent of financial services, certified in the request that the proposed
28 services are for an individual who will be appearing, or has appeared,
29 before a court of competent jurisdiction and may be subject to a court
30 order requiring such services, the utilization review agent shall make a
31 determination and provide notice of such determination to the enrollee
32 or the enrollee's designee by telephone within seventy-two hours of
33 receipt of the request. Written notice of the determination to the
34 enrollee or enrollee's designee shall follow within three business days.
35 Where feasible, such telephonic and written notice shall also be
36 provided to the court.

37 § 31. Subdivision 3 of section 4903 of the public health law, as
38 amended by chapter 41 of the laws of 2014, is amended to read as
39 follows:

40 3. (a) A utilization review agent shall make a determination involving
41 continued or extended health care services, additional services for an
42 enrollee undergoing a course of continued treatment prescribed by a
43 health care provider, or requests for inpatient [~~substance-use~~]
44 substance-related and addictive disorder treatment, or home health care
45 services following an inpatient hospital admission, and shall provide
46 notice of such determination to the enrollee or the enrollee's designee,
47 which may be satisfied by notice to the enrollee's health care provider,
48 by telephone and in writing within one business day of receipt of the
49 necessary information except, with respect to home health care services
50 following an inpatient hospital admission, within seventy-two hours of
51 receipt of the necessary information when the day subsequent to the
52 request falls on a weekend or holiday and except, with respect to inpa-
53 tient [~~substance-use~~] substance-related and addictive disorder treat-
54 ment, within twenty-four hours of receipt of the request for services
55 when the request is submitted at least twenty-four hours prior to
56 discharge from an inpatient admission. Notification of continued or

1 extended services shall include the number of extended services
2 approved, the new total of approved services, the date of onset of
3 services and the next review date.

4 (b) Provided that a request for home health care services and all
5 necessary information is submitted to the utilization review agent prior
6 to discharge from an inpatient hospital admission pursuant to this
7 subdivision, a utilization review agent shall not deny, on the basis of
8 medical necessity or lack of prior authorization, coverage for home
9 health care services while a determination by the utilization review
10 agent is pending.

11 (c) Provided that a request for inpatient treatment for [~~substance~~
12 ~~use~~] substance-related and addictive disorder is submitted to the utili-
13 zation review agent at least twenty-four hours prior to discharge from
14 an inpatient admission pursuant to this subdivision, a utilization
15 review agent shall not deny, on the basis of medical necessity or lack
16 of prior authorization, coverage for the inpatient [~~substance—use~~]
17 substance-related and addictive disorder treatment while a determination
18 by the utilization review agent is pending.

19 § 32. Paragraph (c) of subdivision 2 of section 4904 of the public
20 health law, as amended by chapter 371 of the laws of 2015, is amended to
21 read as follows:

22 (c) potential court-ordered mental health and/or [~~substance—use~~]
23 substance-related and addictive disorder services pursuant to paragraph
24 (b) of subdivision two of section forty-nine hundred three of this
25 title. Such process shall include mechanisms which facilitate resolution
26 of the appeal including but not limited to the sharing of information
27 from the enrollee's health care provider and the utilization review
28 agent by telephonic means or by facsimile. The utilization review agent
29 shall provide reasonable access to its clinical peer reviewer within one
30 business day of receiving notice of the taking of an expedited appeal.
31 Expedited appeals shall be determined within two business days of
32 receipt of necessary information to conduct such appeal except, with
33 respect to inpatient [~~substance—use~~] substance-related and addictive
34 disorder treatment provided pursuant to paragraph (c) of subdivision
35 three of section forty-nine hundred three of this title, expedited
36 appeals shall be determined within twenty-four hours of receipt of such
37 appeal. Expedited appeals which do not result in a resolution satisfac-
38 tory to the appealing party may be further appealed through the standard
39 appeal process, or through the external appeal process pursuant to
40 section forty-nine hundred fourteen of this article as applicable.
41 Provided that the enrollee or the enrollee's health care provider files
42 an expedited internal and external appeal within twenty-four hours from
43 receipt of an adverse determination for inpatient [~~substance—use~~]
44 substance-related and addictive disorder treatment for which coverage
45 was provided while the initial utilization review determination was
46 pending pursuant to paragraph (c) of subdivision three of section
47 forty-nine hundred three of this title, a utilization review agent shall
48 not deny on the basis of medical necessity or lack of prior authori-
49 zation such [~~substance—use~~] substance-related and addictive disorder
50 treatment while a determination by the utilization review agent or
51 external appeal agent is pending.

52 § 33. This act shall take effect January 1, 2027 and shall apply to
53 policies issued, renewed or modified on or after such date.

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Intentionally Omitted

PART T

Section 1. Section 5 of part ZZ of chapter 56 of the laws of 2020 amending the tax law and the social services law relating to certain Medicaid management, as amended by section 2 of part D of chapter 57 of the laws of 2024, is amended to read as follows:

§ 5. This act shall take effect immediately [~~and~~]; provided, however, that sections two and three of this act shall be deemed repealed [~~eight years after such effective date~~] March 31, 2026.

§ 2. Subdivision 2 of section 605 of the public health law, as amended by section 2 of part E of chapter 57 of the laws of 2022, is amended to read as follows:

2. State aid reimbursement for public health services provided by a municipality under this title, shall be made if the municipality is providing some or all of the core public health services identified in section six hundred two of this title, pursuant to an approved application for state aid, at a rate of no less than thirty-six per centum[~~, except for the city of New York which shall receive no less than twenty per centum,~~] of the difference between the amount of moneys expended by the municipality for public health services required by section six hundred two of this title during the fiscal year and the base grant provided pursuant to subdivision one of this section. Provided, however, that a municipality's documented fringe benefit costs submitted under an application for state aid and otherwise eligible for reimbursement under this article shall not exceed fifty per centum of the municipality's eligible personnel services. No such reimbursement shall be provided for services that are not eligible for state aid pursuant to this article.

§ 3. Subdivision 1 of section 616 of the public health law, as amended by section 2 of part O of chapter 57 of the laws of 2019, is amended to read as follows:

1. The total amount of state aid provided pursuant to this article shall be limited to the amount of the annual appropriation made by the legislature. In no event, however, shall such state aid be less than an amount to provide the full base grant and, as otherwise provided by subdivision two of section six hundred five of this article, no less than thirty-six per centum[~~, except for the city of New York which shall receive no less than twenty per centum,~~] of the difference between the amount of moneys expended by the municipality for eligible public health services pursuant to an approved application for state aid during the fiscal year and the base grant provided pursuant to subdivision one of section six hundred five of this article.

§ 4. This act shall take effect immediately.

PART U

Section 1. Section 48-a of part A of chapter 56 of the laws of 2013 amending the public health law and other laws relating to general hospital reimbursement for annual rates, as amended by section 1 of part LL of chapter 57 of the laws of 2022, is amended to read as follows:

§ 48-a. 1. Notwithstanding any contrary provision of law, the commissioners of the office of addiction services and supports and the office of mental health are authorized, subject to the approval of the director

1 of the budget, to transfer to the commissioner of health state funds to
2 be utilized as the state share for the purpose of increasing payments
3 under the medicaid program to managed care organizations licensed under
4 article 44 of the public health law or under article 43 of the insurance
5 law. Such managed care organizations shall utilize such funds for the
6 purpose of reimbursing providers licensed pursuant to article 28 of the
7 public health law or article 36, 31 or 32 of the mental hygiene law for
8 ambulatory behavioral health services, as determined by the commissioner
9 of health, in consultation with the commissioner of addiction services
10 and supports and the commissioner of the office of mental health,
11 provided to medicaid enrolled outpatients and for all other behavioral
12 health services except inpatient included in New York state's Medicaid
13 redesign waiver approved by the centers for medicare and Medicaid
14 services (CMS). Such reimbursement shall be in the form of fees for
15 such services which are equivalent to the payments established for such
16 services under the ambulatory patient group (APG) rate-setting methodol-
17 ogy as utilized by the department of health, the office of addiction
18 services and supports, or the office of mental health for rate-setting
19 purposes or any such other fees pursuant to the Medicaid state plan or
20 otherwise approved by CMS in the Medicaid redesign waiver; provided,
21 however, that the increase to such fees that shall result from the
22 provisions of this section shall not, in the aggregate and as determined
23 by the commissioner of health, in consultation with the commissioner of
24 addiction services and supports and the commissioner of the office of
25 mental health, be greater than the increased funds made available pursu-
26 ant to this section. The increase of such ambulatory behavioral health
27 fees to providers available under this section shall be for all rate
28 periods on and after the effective date of section [~~18~~] 1 of part [~~E~~] LL
29 of chapter 57 of the laws of [~~2019~~] 2022 through March 31, [~~2027~~] 2031
30 for patients in the city of New York, for all rate periods on and after
31 the effective date of section [~~18~~] 1 of part [~~E~~] LL of chapter 57 of the
32 laws of [~~2019~~] 2022 through March 31, [~~2027~~] 2031 for patients outside
33 the city of New York, and for all rate periods on and after the effec-
34 tive date of such chapter through March 31, [~~2027~~] 2031 for all services
35 provided to persons under the age of twenty-one; provided, however, the
36 commissioner of health, in consultation with the commissioner of
37 addiction services and supports and the commissioner of mental health,
38 may require, as a condition of approval of such ambulatory behavioral
39 health fees, that aggregate managed care expenditures to eligible
40 providers meet the alternative payment methodology requirements as set
41 forth in attachment I of the New York state medicaid section one thou-
42 sand one hundred fifteen medicaid redesign team waiver as approved by
43 the centers for medicare and medicaid services. The commissioner of
44 health shall, in consultation with the commissioner of addiction
45 services and supports and the commissioner of mental health, waive such
46 conditions if a sufficient number of providers, as determined by the
47 commissioner, suffer a financial hardship as a consequence of such
48 alternative payment methodology requirements, or if [~~he or she~~] such
49 commissioner shall determine that such alternative payment methodologies
50 significantly threaten individuals access to ambulatory behavioral
51 health services. Such waiver may be applied on a provider specific or
52 industry wide basis. Further, such conditions may be waived, as the
53 commissioner determines necessary, to comply with federal rules or regu-
54 lations governing these payment methodologies. Nothing in this section
55 shall prohibit managed care organizations and providers from negotiating
56 different rates and methods of payment during such periods described

1 above, subject to the approval of the department of health. The depart-
2 ment of health shall consult with the office of addiction services and
3 supports and the office of mental health in determining whether such
4 alternative rates shall be approved. The commissioner of health may, in
5 consultation with the commissioner of addiction services and supports
6 and the commissioner of the office of mental health, promulgate regu-
7 lations, including emergency regulations promulgated prior to October 1,
8 2015 to establish rates for ambulatory behavioral health services, as
9 are necessary to implement the provisions of this section. Rates promul-
10 gated under this section shall be included in the report required under
11 section 45-c of part A of this chapter.

12 2. Notwithstanding any contrary provision of law, the fees paid by
13 managed care organizations licensed under article 44 of the public
14 health law or under article 43 of the insurance law, to providers
15 licensed pursuant to article 28 of the public health law or article 36,
16 31 or 32 of the mental hygiene law, for ambulatory behavioral health
17 services provided to patients enrolled in the child health insurance
18 program pursuant to title 1-A of article 25 of the public health law,
19 shall be in the form of fees for such services which are equivalent to
20 the payments established for such services under the ambulatory patient
21 group (APG) rate-setting methodology or any such other fees established
22 pursuant to the Medicaid state plan. The commissioner of health shall
23 consult with the commissioner of addiction services and supports and the
24 commissioner of the office of mental health in determining such services
25 and establishing such fees. Such ambulatory behavioral health fees to
26 providers available under this section shall be for all rate periods on
27 and after the effective date of this chapter through March 31, ~~2027~~
28 2031, provided, however, that managed care organizations and providers
29 may negotiate different rates and methods of payment during such periods
30 described above, subject to the approval of the department of health.
31 The department of health shall consult with the office of addiction
32 services and supports and the office of mental health in determining
33 whether such alternative rates shall be approved. The report required
34 under section 16-a of part C of chapter 60 of the laws of 2014 shall
35 also include the population of patients enrolled in the child health
36 insurance program pursuant to title 1-A of article 25 of the public
37 health law in its examination on the transition of behavioral health
38 services into managed care.

39 § 2. Section 1 of part H of chapter 111 of the laws of 2010 relating
40 to increasing Medicaid payments to providers through managed care organ-
41 izations and providing equivalent fees through an ambulatory patient
42 group methodology, as amended by section 2 of part LL of chapter 57 of
43 the laws of 2022, is amended to read as follows:

44 Section 1. a. Notwithstanding any contrary provision of law, the
45 commissioners of mental health and addiction services and supports are
46 authorized, subject to the approval of the director of the budget, to
47 transfer to the commissioner of health state funds to be utilized as the
48 state share for the purpose of increasing payments under the medicaid
49 program to managed care organizations licensed under article 44 of the
50 public health law or under article 43 of the insurance law. Such managed
51 care organizations shall utilize such funds for the purpose of reimburs-
52 ing providers licensed pursuant to article 28 of the public health law,
53 or pursuant to article 36, 31 or article 32 of the mental hygiene law
54 for ambulatory behavioral health services, as determined by the commis-
55 sioner of health in consultation with the commissioner of mental health
56 and commissioner of addiction services and supports, provided to medi-

1 caid enrolled outpatients and for all other behavioral health services
2 except inpatient included in New York state's Medicaid redesign waiver
3 approved by the centers for medicare and Medicaid services (CMS). Such
4 reimbursement shall be in the form of fees for such services which are
5 equivalent to the payments established for such services under the ambu-
6 latory patient group (APG) rate-setting methodology as utilized by the
7 department of health or by the office of mental health or office of
8 addiction services and supports for rate-setting purposes or any such
9 other fees pursuant to the Medicaid state plan or otherwise approved by
10 CMS in the Medicaid redesign waiver; provided, however, that the
11 increase to such fees that shall result from the provisions of this
12 section shall not, in the aggregate and as determined by the commis-
13 sioner of health in consultation with the commissioners of mental health and
14 addiction services and supports, be greater than the increased funds
15 made available pursuant to this section. The increase of such behavioral
16 health fees to providers available under this section shall be for all
17 rate periods on and after the effective date of section ~~[19]~~ 2 of part
18 ~~[E]~~ LL of chapter 57 of the laws of ~~[2019]~~ 2022 through March 31, ~~[2027]~~
19 2031 for patients in the city of New York, for all rate periods on and
20 after the effective date of section ~~[19]~~ 2 of part ~~[E]~~ LL of chapter 57
21 of the laws of ~~[2019]~~ 2022 through March 31, ~~[2027]~~ 2031 for patients
22 outside the city of New York, and for all rate periods on and after the
23 effective date of section ~~[19]~~ 2 of part ~~[E]~~ LL of chapter 57 of the
24 laws of ~~[2019]~~ 2022 through March 31, ~~[2027]~~ 2031 for all services
25 provided to persons under the age of twenty-one; provided, however, the
26 commissioner of health, in consultation with the commissioner of
27 addiction services and supports and the commissioner of mental health,
28 may require, as a condition of approval of such ambulatory behavioral
29 health fees, that aggregate managed care expenditures to eligible
30 providers meet the alternative payment methodology requirements as set
31 forth in attachment I of the New York state medicaid section one thou-
32 sand one hundred fifteen medicaid redesign team waiver as approved by
33 the centers for medicare and medicaid services. The commissioner of
34 health shall, in consultation with the commissioner of addiction
35 services and supports and the commissioner of mental health, waive such
36 conditions if a sufficient number of providers, as determined by the
37 commissioner, suffer a financial hardship as a consequence of such
38 alternative payment methodology requirements, or if ~~[he or she]~~ such
39 commissioner shall determine that such alternative payment methodologies
40 significantly threaten individuals access to ambulatory behavioral
41 health services. Such waiver may be applied on a provider specific or
42 industry wide basis. Further, such conditions may be waived, as the
43 commissioner determines necessary, to comply with federal rules or regu-
44 lations governing these payment methodologies. Nothing in this section
45 shall prohibit managed care organizations and providers from negotiating
46 different rates and methods of payment during such periods described,
47 subject to the approval of the department of health. The department of
48 health shall consult with the office of addiction services and supports
49 and the office of mental health in determining whether such alternative
50 rates shall be approved. The commissioner of health may, in consultation
51 with the commissioners of mental health and addiction services and
52 supports, promulgate regulations, including emergency regulations
53 promulgated prior to October 1, 2013 that establish rates for behavioral
54 health services, as are necessary to implement the provisions of this
55 section. Rates promulgated under this section shall be included in the

1 report required under section 45-c of part A of chapter 56 of the laws
2 of 2013.

3 b. Notwithstanding any contrary provision of law, the fees paid by
4 managed care organizations licensed under article 44 of the public
5 health law or under article 43 of the insurance law, to providers
6 licensed pursuant to article 28 of the public health law or article 36,
7 31 or 32 of the mental hygiene law, for ambulatory behavioral health
8 services provided to patients enrolled in the child health insurance
9 program pursuant to title 1-A of article 25 of the public health law,
10 shall be in the form of fees for such services which are equivalent to
11 the payments established for such services under the ambulatory patient
12 group (APG) rate-setting methodology. The commissioner of health shall
13 consult with the commissioner of addiction services and supports and the
14 commissioner of the office of mental health in determining such services
15 and establishing such fees. Such ambulatory behavioral health fees to
16 providers available under this section shall be for all rate periods on
17 and after the effective date of this chapter through March 31, [2027]
18 2031, provided, however, that managed care organizations and providers
19 may negotiate different rates and methods of payment during such periods
20 described above, subject to the approval of the department of health.
21 The department of health shall consult with the office of addiction
22 services and supports and the office of mental health in determining
23 whether such alternative rates shall be approved. The report required
24 under section 16-a of part C of chapter 60 of the laws of 2014 shall
25 also include the population of patients enrolled in the child health
26 insurance program pursuant to title 1-A of article 25 of the public
27 health law in its examination on the transition of behavioral health
28 services into managed care.

29 § 3. Section 2 of part H of chapter 111 of the laws of 2010 relating
30 to increasing Medicaid payments to providers through managed care organ-
31 izations and providing equivalent fees through an ambulatory patient
32 group methodology, as amended by section 3 of part LL of chapter 57 of
33 the laws of 2022, is amended to read as follows:

34 § 2. This act shall take effect immediately and shall be deemed to
35 have been in full force and effect on and after April 1, 2010, and shall
36 expire on March 31, [2027] 2031.

37 § 4. This act shall take effect immediately; provided, however that
38 the amendments to section 1 of part H of chapter 111 of the laws of 2010
39 relating to increasing Medicaid payments to providers through managed
40 care organizations and providing equivalent fees through an ambulatory
41 patient group methodology, made by section two of this act shall not
42 affect the expiration of such section and shall expire therewith.

43 PART V

44 Section 1. Section 2 of part Q of chapter 59 of the laws of 2016,
45 amending the mental hygiene law relating to the closure or transfer of a
46 state-operated individualized residential alternative, as amended by
47 section 11 of part B of chapter 57 of the laws of 2024, is amended to
48 read as follows:

49 § 2. This act shall take effect immediately and shall expire and be
50 deemed repealed March 31, [2026] 2028.

51 § 2. This act shall take effect immediately.

52 PART W

1 Section 1. Section 3 of chapter 670 of the laws of 2021, requiring the
2 office for people with developmental disabilities to establish the care
3 demonstration program, as amended by section 13 of part B of chapter 57
4 of the laws of 2024, is amended to read as follows:

5 § 3. This act shall take effect immediately and shall expire and be
6 deemed repealed March 31, ~~2026~~ 2028.

7 § 2. This act shall take effect immediately and shall be deemed to
8 have been in full force and effect on and after March 31, 2026.

9 PART X

10 Section 1. Clause (b) of subparagraph 4 of paragraph (g) of subdivi-
11 sion 1 of section 366 of the social services law, as added by section 2
12 of part AAA of chapter 56 of the laws of 2022, is amended to read as
13 follows:

14 (b) individuals eligible for medical assistance pursuant to [~~subpara-~~
15 ~~graph~~] clause (a) of this [~~paragraph~~] subparagraph shall [~~participate in~~
16 ~~and~~] receive the equivalent of the covered benefits available through a
17 managed care provider under section three hundred sixty-four-j of this
18 article that is certified pursuant to section forty-four hundred three
19 of the public health law [~~, provided, however, to the extent that~~]
20 through the fee-for-service program, including any covered benefits
21 available through such managed care providers as of January first, two
22 thousand twenty-three [~~are~~] that were subsequently transitioned to fee-
23 for-service coverage [~~, then such individuals shall continue to be enti-~~
24 ~~tled to these benefits in the fee for service program, rather than~~
25 ~~through a managed care provider~~].

26 § 2. This act shall take effect January 1, 2027.

27 PART Y

28 Section 1. Section 2807-ff of the public health law is amended by
29 adding a new subdivision 1-a to read as follows:

30 1-a. On or after April first, two thousand twenty-six, the commission-
31 er, subject to the approval of the director of the budget, shall apply
32 for an amendment of the MCO provider tax, subject to approval by the
33 centers for Medicare and Medicaid services, to impose an amended MCO
34 provider tax as an assessment upon health plans no sooner than January
35 first, two thousand twenty-seven, as established in paragraph (b) of
36 subdivision four of this section.

37 § 2. Subdivision 4 of section 2807-ff of the public health law, as
38 added by section 1 of part F of chapter 57 of the laws of 2025, is
39 amended to read as follows:

40 4. [~~A~~] (a) Prior to January first, two thousand twenty-seven, a health
41 plan, as defined in subdivision one of this section, shall pay the MCO
42 provider tax for each calendar year as follows:

43 [~~(a)~~] (i) For Medicaid member months below two hundred fifty thousand
44 member months, a health plan shall pay one hundred twenty-six dollars
45 per member month;

46 [~~(b)~~] (ii) For Medicaid member months greater than or equal to two
47 hundred fifty thousand member months but less than five hundred thousand
48 member months, a health plan shall pay eighty-eight dollars per member
49 month;

50 [~~(c)~~] (iii) For Medicaid member months greater than or equal to five
51 hundred thousand member months, a health plan shall pay twenty-five
52 dollars per member month;

1 [~~(d)~~] (iv) For essential plan member months less than two hundred
2 fifty thousand member months, a health plan shall pay thirteen dollars
3 per member month;

4 [~~(e)~~] (v) For essential plan member months greater than or equal to
5 two hundred fifty thousand member months, a health plan shall pay seven
6 dollars per member month;

7 [~~(f)~~] (vi) For non-essential plan non-Medicaid member months, consist-
8 ing of the populations covered by the products described in paragraphs
9 (b), (d), and (e) of subdivision one of this section, less than two
10 hundred fifty thousand member months, a health plan shall pay two
11 dollars per member month; and

12 [~~(g)~~] (vii) For non-essential plan non-Medicaid member months greater
13 than or equal to two hundred fifty thousand member months, a health plan
14 shall pay one dollar and fifty cents per member month.

15 (b) Effective January first, two thousand twenty-seven, subject to any
16 required approvals by the centers for Medicare and Medicaid services, a
17 health plan, as defined in subdivision one of this section, shall pay
18 the MCO provider tax for each calendar year at a rate of 0.35% of the
19 health plan's total premium revenue.

20 § 3. This act shall take effect April 1, 2026; provided, however, if
21 this act shall become a law after such date it shall take effect imme-
22 diately and shall be deemed to have been in full force and effect on and
23 after April 1, 2026.

24 PART Z

25 Section 1. Paragraph (d-3) of subdivision 3 of section 364-j of the
26 social services law, as amended by section 1 of part HH of chapter 57 of
27 the laws of 2025, is amended to read as follows:

28 (d-3) Services provided in school-based health centers shall not be
29 provided to medical assistance recipients through managed care programs
30 established pursuant to this section [~~until at least April first, two~~
31 ~~thousand twenty-six~~].

32 § 2. This act shall take effect immediately; provided, however, that
33 the amendments to section 364-j of the social services law made by
34 section one of this act shall not affect the repeal of such section and
35 shall be deemed repealed therewith.

36 PART AA

37 Section 1. Section 2 of part LL of chapter 57 of the laws of 2024
38 amending the public health law relating to reimbursement rates for
39 medically fragile children and pediatric diagnostic and treatment
40 centers, is amended to read as follows:

41 § 2. This act shall take effect immediately and shall be deemed to
42 have been in full force and effect on and after April 1, 2024; provided,
43 however, that the provisions of this act shall expire and be deemed
44 repealed April 1, [~~2027~~] 2029.

45 § 2. This act shall take effect immediately.

46 PART BB

47 Section 1. Section 602 of the financial services law, as added by
48 section 26 of part H of chapter 60 of the laws of 2014, is amended to
49 read as follows:

1 § 602. Applicability. [~~a~~] This article shall not apply to health
2 care services, including emergency services, where physician fees are
3 subject to schedules or other monetary limitations under any other law,
4 including the workers' compensation law and article fifty-one of the
5 insurance law, and shall not preempt any such law. This article also
6 shall not apply to health care services, including emergency services,
7 subject to medical assistance program coverage provided pursuant to
8 section three hundred sixty-four-j of the social services law.

9 § 2. Subsection (c) of section 603 of the financial services law, as
10 added by section 26 of part H of chapter 60 of the laws of 2014, is
11 amended and two new subsections (j) and (k) are added to read as
12 follows:

13 (c) "Health care plan" means an insurer licensed to write accident and
14 health insurance pursuant to article thirty-two of the insurance law; a
15 corporation organized pursuant to article forty-three of the insurance
16 law; a municipal cooperative health benefit plan certified pursuant to
17 article forty-seven of the insurance law; a health maintenance organiza-
18 tion certified pursuant to article forty-four of the public health law;
19 [~~or~~] a student health plan established or maintained pursuant to section
20 one thousand one hundred twenty-four of the insurance law; or a health
21 benefit plan operated pursuant to article eleven of the civil service
22 law.

23 (j) "Allowed benchmark" means the fiftieth percentile of all allowed
24 amounts for the particular health care service performed by a partic-
25 ipating provider in the same or similar specialty and provided in the
26 same geographical area as reported in a benchmarking database maintained
27 by a nonprofit organization specified by the superintendent. The
28 nonprofit organization shall not be affiliated with an insurer, a corpo-
29 ration subject to article forty-three of the insurance law, a municipal
30 cooperative health benefit plan certified pursuant to article forty-sev-
31 en of the insurance law, or a health maintenance organization certified
32 pursuant to article forty-four of the public health law.

33 (k) "Maximum fee" means the eightieth percentile of all allowed
34 amounts for the particular health care service performed by a partic-
35 ipating provider in the same or similar specialty and provided in the
36 same geographical area as reported in a benchmarking database maintained
37 by a nonprofit organization specified by the superintendent. The nonpro-
38 fit organization shall not be affiliated with an insurer, a corporation
39 subject to article forty-three of the insurance law, a municipal cooper-
40 ative health benefit plan certified pursuant to article forty-seven of
41 the insurance law, or a health maintenance organization certified pursu-
42 ant to article forty-four of the public health law.

43 § 3. Section 604 of the financial services law, as amended by section
44 4 of subpart A of part AA of chapter 57 of the laws of 2022, is amended
45 to read as follows:

46 § 604. Criteria for determining a reasonable fee. (a) In determining
47 the appropriate amount for a health care plan other than a health bene-
48 fit plan operated pursuant to article eleven of the civil service law to
49 pay for a health care service, an independent dispute resolution entity
50 shall consider all relevant factors, including:

51 [~~a~~] (1) whether there is a gross disparity between the fee charged
52 by the provider for services rendered as compared to:

53 [~~1~~] (A) fees paid to the involved provider for the same services
54 rendered by the provider to other patients in health care plans in which
55 the provider is not participating, and

1 [~~(2)~~] (B) in the case of a dispute involving a health care plan, fees
2 paid by the health care plan to reimburse similarly qualified providers
3 for the same services in the same region who are not participating with
4 the health care plan;

5 [~~(b)~~] (2) the level of training, education and experience of the
6 health care professional, and in the case of a hospital, the teaching
7 staff, scope of services and case mix;

8 [~~(e)~~] (3) the provider's usual charge for comparable services with
9 regard to patients in health care plans in which the provider is not
10 participating;

11 [~~(d)~~] (4) the circumstances and complexity of the particular case,
12 including time and place of the service;

13 [~~(e)~~] (5) individual patient characteristics;

14 [~~(f)~~] (6) the median of the rate recognized by the health care plan to
15 reimburse similarly qualified providers for the same or similar services
16 in the same region that are participating with the health care plan; and

17 [~~(g)~~] (7) with regard to physician services, the usual and customary
18 cost of the service.

19 (b) (1) In determining the appropriate amount for a health benefit
20 plan operated pursuant to article eleven of the civil service law to pay
21 for a health care service, an independent dispute resolution entity
22 shall select either the health care plan's payment or the non-participating
23 provider's fee depending on which one is closest to the allowed
24 benchmark, provided, however, that the independent dispute resolution
25 entity may choose the health care plan's payment or the non-participating
26 provider's fee if it is not closest to the allowed benchmark if:

27 (A) the health care plan's payment or the non-participating provider's
28 fee are equally distant from the allowed benchmark; or

29 (B) the independent dispute resolution entity determines that any of
30 the following information submitted by either party clearly demonstrates
31 that the allowed benchmark is not appropriate:

32 (i) the level of training, education and experience of the health care
33 professional, and in the case of a hospital, the teaching staff, scope
34 of services and case mix;

35 (ii) the circumstances and complexity of the particular case, includ-
36 ing time and place of the service; or

37 (iii) individual patient characteristics.

38 (2) If the independent dispute resolution entity selects the health
39 care plan's payment or the non-participating provider's fee that is not
40 closest to the allowed benchmark, such decision shall not be on the
41 basis of:

42 (A) whether there is a gross disparity between the fee charged by the
43 provider for services rendered as compared to:

44 (i) fees paid to the involved provider for the same services rendered
45 by the provider to other patients in health care plans in which the
46 provider is not participating; or

47 (ii) in the case of a dispute involving a health care plan, fees paid
48 by the health care plan to reimburse similarly qualified providers for
49 the same services in the same region who are not participating with the
50 health care plan;

51 (B) the provider's usual charge for comparable services with regard to
52 patients in health care plans in which the provider is not participat-
53 ing; or

54 (C) with regard to physician services, the usual and customary cost of
55 the service.

1 (3) If an independent dispute resolution entity makes a determination
2 pursuant to subparagraph (B) of paragraph one of subsection (b) of this
3 section, its written decision shall include an explanation of the
4 factors in subparagraph (B) of paragraph one of subsection (b) of this
5 section that demonstrated the health care plan's payment or non-participating
6 provider's fee closest to the allowed benchmark was materially
7 different from the appropriate payment for the health care service.

8 (4) If the independent dispute resolution entity determines the non-
9 participating provider's fee is a reasonable fee for the services
10 rendered, in no circumstances shall the amount owed by a health care
11 plan exceed the maximum fee.

12 (5) Notwithstanding the foregoing, disputes involving health care
13 services provided by a physician employed by a general hospital licensed
14 under article twenty-eight of the public health law or such hospital's
15 affiliated medical school, or is part of a group practice that is estab-
16 lished as a captive professional services corporation whose shareholders
17 are employees of such hospital, shall be subject to subsection (a) of
18 this section even if paid for by a health benefit plan operated pursuant
19 to article eleven of the civil service law.

20 (c) No fee for services rendered shall be awarded pursuant to this
21 article:

22 (1) if the health care plan can demonstrate that it has a contract
23 with the provider or a subsidiary or other entity owned or operated by
24 the provider that is in effect at the time the disputed service or
25 services were provided to provide the same service or services at the
26 same location; or

27 (2) if the health care plan can demonstrate that a notice of determi-
28 nation for prior authorization has been issued to the patient's health
29 care provider pursuant to section forty-nine hundred three of the
30 insurance law and section forty-nine hundred three of the public health
31 law identifying the health care service or services in dispute as out-
32 of-network, or, for patients covered by a health care plan not subject
33 to section forty-nine hundred three of the insurance law or section
34 forty-nine hundred three of the public health law, if a notice of deter-
35 mination for prior authorization has been issued to the patient's health
36 care provider that includes all of the disclosures set forth in such
37 laws and that clearly identifies the health care service or services in
38 dispute as out-of-network.

39 § 4. Subsection (b) of section 608 of the financial services law, as
40 added by section 26 of part H of chapter 60 of the laws of 2014, is
41 amended to read as follows:

42 (b) (1) A non-participating provider and a health care plan shall
43 submit full payment for the dispute resolution process upon submission
44 of the dispute resolution application or, if the responding party, when
45 responding to the independent dispute resolution entity's request for
46 eligibility information and supporting documents.

47 (2) An independent dispute resolution entity shall not comingle the
48 payments for the dispute resolution process with any other funds held by
49 the entity and shall hold all payments in a separate account.

50 (3) An independent dispute resolution entity shall issue a refund of
51 the dispute resolution process payment to the prevailing party within
52 thirty days of rendering a determination on the dispute or rejecting the
53 dispute as ineligible.

54 (c) For disputes involving a patient that is not an insured, when the
55 independent dispute resolution entity determines the physician's fee is
56 reasonable, payment for the dispute resolution process shall be the

1 responsibility of the patient unless payment for the dispute resolution
2 process would pose a hardship to the patient. The superintendent shall
3 promulgate a regulation to determine payment for the dispute resolution
4 process in cases of hardship. When the independent dispute resolution
5 entity determines the physician's fee is unreasonable, payment for the
6 dispute resolution process shall be the responsibility of the physician.

7 § 5. Paragraph 3 of subsection (a) of section 605 of the financial
8 services law, as amended by section 5 of subpart A of part AA of chapter
9 57 of the laws of 2022, is amended to read as follows:

10 (3) The independent dispute resolution entity shall make a determi-
11 nation within [~~thirty~~] forty-five business days of receipt of all infor-
12 mation the independent dispute resolution entity determines that it
13 needs to review the dispute [~~for review~~].

14 § 6. Paragraph 5 of subsection (a) of section 607 of the financial
15 services law, as amended by section 8 of subpart A of part AA of chapter
16 57 of the laws of 2022, is amended to read as follows:

17 (5) The independent dispute resolution entity shall make a determi-
18 nation within [~~thirty~~] forty-five business days of receipt of all infor-
19 mation the independent dispute resolution entity determines that it
20 needs to review the dispute [~~for review~~].

21 § 7. The financial services law is amended by adding a new section 609
22 to read as follows:

23 § 609. Reporting on new criteria for determining a reasonable fee.
24 Four years after the effective date of this section the superintendent
25 of the department of financial services shall submit a report to the
26 governor, the speaker of the assembly, the temporary president of the
27 senate, the chair of the assembly insurance committee, and the chair of
28 the senate insurance committee that provides information about disputes
29 involving a health benefit plan operated pursuant to article eleven of
30 the civil service law since the effective date of the chapter of the
31 laws of two thousand twenty-six that added this section and that
32 includes the outcomes of all such disputes in the aggregate and broken
33 down by region and provider specialty.

34 § 8. This act shall take effect immediately and shall apply to
35 disputes submitted on or after such effective date; provided, however,
36 that sections two, three, four, five and six of this act shall take
37 effect on the ninetieth day after it shall have become a law and shall
38 apply to disputes submitted on or after such effective date; and
39 provided further, however, that the amendments to subsection (c) of
40 section 603 of the financial services law made by section two of this
41 act, subsection (b) of section 604 of the financial services law as
42 added by section three of this act, and section seven of this act shall
43 expire five years after it shall have become a law, when upon such date
44 the provisions of such subsections and section shall be deemed repealed.

45 § 2. Severability clause. If any clause, sentence, paragraph, subdivi-
46 sion, section or part of this act shall be adjudged by any court of
47 competent jurisdiction to be invalid, such judgment shall not affect,
48 impair, or invalidate the remainder thereof, but shall be confined in
49 its operation to the clause, sentence, paragraph, subdivision, section
50 or part thereof directly involved in the controversy in which such judg-
51 ment shall have been rendered. It is hereby declared to be the intent of
52 the legislature that this act would have been enacted even if such
53 invalid provisions had not been included herein.

54 § 3. This act shall take effect immediately provided, however, that
55 the applicable effective date of Parts A through BB of this act shall be
56 as specifically set forth in the last section of such Parts.