

STATE OF NEW YORK

1021

2025-2026 Regular Sessions

IN ASSEMBLY

(Prefiled)

January 8, 2025

Introduced by M. of A. McDONALD -- read once and referred to the Committee on Health

AN ACT to amend the social services law, in relation to when services for traumatic brain injuries granted pursuant to a waiver by the federal social security act shall begin

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

1 Section 1. Paragraph (d-2) of subdivision 3 of section 364-j of the
2 social services law, as amended by a chapter of the laws of 2024 amend-
3 ing the social services law relating to the provision of services to
4 certain persons suffering from traumatic brain injuries or qualifying
5 for nursing home diversion and transition services, as proposed in
6 legislative bills numbers S. 2867 and A. 7369, is amended to read as
7 follows:

8 (d-2) Services provided pursuant to [~~waivers~~] a waiver, granted pursu-
9 ant to subsection (c) of section 1915 of the federal social security
10 act, to persons suffering from traumatic brain injuries [~~or qualifying~~
11 ~~for nursing home diversion and transition services~~], shall not be
12 provided to medical assistance recipients through managed care programs
13 established pursuant to this section[~~7~~]. Services provided pursuant to a
14 waiver, [~~further that the commissioner of health is hereby directed to~~
15 ~~take any action required, including but not limited to filing waivers~~
16 ~~and waiver extensions as necessary with the federal government, to~~
17 ~~continue the provision of such services~~] granted pursuant to subsection
18 (c) of section 1915 of the federal social security act, to persons qual-
19 ifying for nursing home diversion and transition services, shall not be
20 provided to medical assistance recipients through managed care programs
21 until at least January first, two thousand twenty-seven.

22 § 2. This act shall take effect on the same date and in the same
23 manner as a chapter of the laws of 2024 amending the social services law

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

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1 relating to the provision of services to certain persons suffering from
2 traumatic brain injuries or qualifying for nursing home diversion and
3 transition services, as proposed in legislative bills numbers S. 2867
4 and A. 7369, takes effect.