

STATE OF NEW YORK

10290

IN ASSEMBLY

February 20, 2026

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

AN ACT to amend the social services law and the public health law, in relation to permitting individuals receiving hospice services to enroll in managed long term care plans and ensuring coordinated service delivery

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

1 Section 1. Subparagraph (xix) of paragraph (e) of subdivision 3 of
2 section 364-j of the social services law, as amended by section 38 of
3 part A of chapter 56 of the laws of 2013, is amended to read as follows:

4 (xix) individuals receiving hospice services at time of enrollment;
5 provided, however, that this clause shall not be construed to require an
6 individual enrolled in a managed long term care plan or another care
7 coordination model, who subsequently elects hospice, to disenroll from
8 such program, and an individual who elects the hospice benefit under the
9 Medicare or Medicaid program shall not, solely by reason of such
10 election, be deemed ineligible for enrollment in a managed long term
11 care plan, and the commissioner shall issue guidance to managed long
12 term care plans, local social services districts, and hospice programs
13 regarding enrollment procedures, continuity of care, and coordination
14 expectations for such individuals;

15 § 2. Clause 8 of subparagraph v of paragraph (b) of subdivision 7 of
16 section 4403-f of the public health law, as amended by section 48 of
17 part A of chapter 56 of the laws of 2013, is amended to read as follows:

18 (8) a person receiving hospice services at time of enrollment;
19 provided, however, that this clause shall not be construed to require an
20 individual enrolled in a managed long term care plan or another care
21 coordination model, who subsequently elects hospice, to disenroll from
22 such program, and an individual who elects the hospice benefit under the
23 Medicare or Medicaid program shall not, solely by reason of such
24 election, be deemed ineligible for enrollment in a managed long term
25 care plan, and the commissioner shall issue guidance to managed long
26 term care plans, local social services districts, and hospice programs

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

LBD14723-01-6

1 regarding enrollment procedures, continuity of care, and coordination
2 expectations for such individuals;

3 § 3. Section 4403-f of the public health law is amended by adding a
4 new subdivision 12-a to read as follows:

5 12-a. (a) The department shall establish standards to promote coordi-
6 nation of care for individuals enrolled in managed long term care plans
7 who are also receiving hospice services.

8 (b) Such standards may include, but need not be limited to:

9 (i) shared or coordinated care planning;

10 (ii) interdisciplinary communication protocols;

11 (iii) clarification of responsibilities for personal care, transporta-
12 tion, and other community-based services; and

13 (iv) procedures to minimize delays or disruptions in service delivery.

14 (c) Managed long term care plans and hospice programs shall exchange
15 information necessary to ensure continuity of care, consistent with
16 applicable state and federal privacy laws.

17 (d) The department may promulgate regulations and issue guidance
18 necessary to implement this subdivision.

19 § 4. To the extent necessary to implement the provisions of this act,
20 the department of health shall seek any federal approvals required under
21 the Medicaid program.

22 § 5. This act shall take effect on the one hundredth day after it
23 shall have become a law; provided, however, that the amendments to
24 subdivision 3 of section 364-j of the social services law made by
25 section one of this act shall not affect the repeal of such section and
26 shall be deemed repealed therewith; provided, further, that the amend-
27 ments to section 4403-f of the public health law made by sections two
28 and three of this act shall not affect the repeal of such section and
29 shall be deemed repealed therewith. Effective immediately, the addition,
30 amendment and/or repeal of any rule or regulation necessary for the
31 implementation of this act on its effective date are authorized to be
32 made and completed on or before such effective date.