

STATE OF NEW YORK

10850

IN ASSEMBLY

April 6, 2026

Introduced by M. of A. PRETLOW -- (at request of the Governor) -- read once and referred to the Committee on Ways and Means

AN ACT making appropriations for the support of government; to amend chapter 98 of the laws of 2026, relating to making appropriations for the support of government, in relation thereto; and providing for the repeal of such provisions upon expiration thereof

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

1 Section 1. Legislative intent. The legislature hereby finds and
2 declares that the enactment of these appropriations provides sufficient
3 authority to the comptroller for the purpose of making payments for the
4 purposes described herein until such time as appropriation bills submitted by the governor pursuant to article VII of the state constitution
5 for the support of government for the state fiscal year beginning April
6 1, 2026 are enacted.

8 § 2. Section 2 of chapter 98 of the laws of 2026, relating to making
9 appropriations for the support of government, is amended to read as
10 follows:

11 § 2. The amounts specified in this section, or so much thereof as
12 shall be sufficient to accomplish the purposes designated, is hereby
13 appropriated and authorized to be paid as hereinafter provided, to the
14 public officers and for the purpose specified, which amount shall be
15 available for the state fiscal year beginning April 1, 2026.

ALL STATE DEPARTMENTS AND AGENCIES

17 For the purpose of making payments for
18 personal service, including liabilities
19 incurred prior to April 1, 2026, on the
20 payrolls scheduled to be paid during the
21 period April 1 through April [7] 14, 2026
22 to state officers and employees of the
23 executive branch, including the governor,
24 lieutenant governor, comptroller, and

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

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attorney general, and to employees of the legislature. This appropriation also includes payments for services performed by mentally ill or developmentally disabled persons who are employed in state-operated special employment, work-for-pay or sheltered workshop programs . [~~247,904,000~~] 545,352,000

§ 3. Section 3 of chapter 98 of the laws of 2026, relating to making appropriations for the support of government, is amended to read as follows:

§ 3. The amount specified in this section, or so much thereof as shall be sufficient to accomplish the purpose designated, is hereby appropriated and authorized to be paid as hereinafter provided, to the public officers and for the purpose specified, which amount shall be available for the state fiscal year beginning April 1, 2026.

ALL STATE DEPARTMENTS AND AGENCIES

For the payment of state operations non personal service liabilities to the executive branch, including the comptroller, and the attorney general, and legislature, incurred in the ordinary course of business, during the period April 1 through April [~~7~~] 14, 2026, pursuant to existing state law and for purposes for which the legislature authorized the expenditure of moneys during the 2025-2026 state fiscal year; provided, however, that nothing contained herein shall be deemed to limit or restrict the power or authority of state departments or agencies to conduct their activities or operations in accordance with existing law, and further provided that nothing contained herein shall be deemed to supersede, nullify or modify the provisions of section 40 of the state finance law prescribing when appropriations made for the 2025-2026 state fiscal year shall have ceased to have force and effect [~~10,000,000~~] 22,000,000

§ 4. Section 4 of chapter 98 of the laws of 2026, relating to making appropriations for the support of government, is amended to read as follows:

§ 4. The amounts specified in this section, or so much thereof as shall be sufficient to accomplish the purposes designated, is hereby appropriated and authorized to be paid as hereinafter provided, to the public officers and for the purposes specified, which amount shall be available for the state fiscal year beginning April 1, 2026.

1 MISCELLANEOUS -- ALL STATE DEPARTMENTS AND AGENCIES

2 GENERAL STATE CHARGES

3 STATE OPERATIONS

4 GENERAL STATE CHARGES [~~22,525,000~~] 57,685,000

5 -----

6 General Fund

7 State Purposes Account - 10050

8 For employee fringe benefits according to
 9 the following project schedule including
 10 those benefits which are related to
 11 employees paid from funds, accounts, or
 12 programs where the division of the budget
 13 has issued waivers [~~22,525,000~~] 57,685,000

14 Project Schedule

15 PROJECT AMOUNT

16 -----

17 For the state's contribution
 18 to the social security
 19 contribution fund
 20 [~~21,500,000~~] 55,000,000

21 For the payment of the metro-
 22 politan commuter transporta-
 23 tion mobility tax pursuant
 24 to article 23 of the tax
 25 law, as added by chapter 25
 26 of the laws of 2009, on
 27 behalf of the state employ-
 28 ees employed in the metro-
 29 politan commuter transporta-
 30 tion district [~~675,000~~] 2,335,000

31 For the state's share of
 32 contributions to the volun-
 33 tary defined contribution
 34 plan made on behalf of
 35 eligible employees pursuant
 36 to chapter 18 of the laws of
 37 2012 who elect to partic-
 38 ipate in such plan and who
 39 are not otherwise eligible
 40 to participate in the SUNY
 41 optional retirement program 350,000

42 -----

43 Project schedule total ...
 44 [~~22,525,000~~] 57,685,000

45 -----

46 § 5. The amounts specified in this section, or so much thereof as
 47 shall be sufficient to accomplish the purposes designated, is hereby
 48 appropriated and authorized to be paid as hereinafter provided, to the

1 public officers and for the purposes specified, which amount shall be
2 available for the state fiscal year beginning April 1, 2026.

3 JUDICIARY

4 For the purpose of making payments for
5 personal service, including liabilities
6 incurred prior to April 1, 2026, on the
7 payrolls scheduled to be paid during the
8 period April 1 through April 14, 2026 to
9 officers and employees of the judiciary 85,000,000

10 For the payment of state operations nonper-
11 sonal service liabilities, the sum of
12 thirteen million dollars (\$13,000,000), or
13 so much thereof as shall be sufficient to
14 accomplish the purpose designated, is
15 hereby appropriated to the judiciary out
16 of any moneys in the general fund or other
17 funds to the credit of the state purposes
18 account not otherwise appropriated. The
19 comptroller is hereby authorized and
20 directed to utilize this appropriation for
21 the purpose of making payments for nonper-
22 sonal service liabilities incurred by the
23 judiciary from April 1 through April 14,
24 2026 13,000,000

25 For the payment of aid to localities liabil-
26 ities, the sum of eleven million dollars
27 (\$11,000,000), or so much thereof as shall
28 be sufficient to accomplish the purpose
29 designated, is hereby appropriated to the
30 judiciary out of any moneys in the general
31 fund or other funds to the credit of the
32 state purposes account not otherwise
33 appropriated. The comptroller is hereby
34 authorized and directed to utilize this
35 appropriation for the purpose of making
36 payments for aid to localities liabilities
37 incurred by the judiciary from April 1
38 through April 14, 2026 11,000,000

39 For the payment of employee fringe benefit
40 programs including, but not limited to,
41 the judiciary's contributions to the
42 health insurance fund, the employees'
43 retirement system pension accumulation
44 fund, the social security contribution
45 fund, employee benefit fund programs, the
46 dental insurance plan, the vision care
47 plan, the unemployment insurance fund, and
48 for workers' compensation benefits, the
49 sum of sixty-two million two hundred fifty
50 thousand dollars (\$62,250,000), or so much
51 thereof as shall be sufficient to accom-
52 plish the purpose designated, is hereby
53 appropriated to the judiciary out of any
54 moneys in the general fund or other funds

1 to the credit of the state purposes
 2 account not otherwise appropriated. The
 3 comptroller is hereby authorized and
 4 directed to utilize this appropriation for
 5 the purpose of making payments for employ-
 6 ee fringe benefit liabilities incurred by
 7 the judiciary from April 1 through April
 8 14, 2026 62,250,000
 9 -----

10 § 6. Section 5 of chapter 98 of the laws of 2026, relating to making
 11 appropriations for the support of government, is amended to read as
 12 follows:

13 § 5. The amounts specified in this section, or so much thereof as
 14 shall be sufficient to accomplish the purposes designated, is hereby
 15 appropriated and authorized to be paid as hereinafter provided, to the
 16 public officers and for the purposes specified, which amount shall be
 17 available for the state fiscal year beginning April 1, 2026.

18 DEPARTMENT OF HEALTH

19 AID TO LOCALITIES

20 CENTER FOR COMMUNITY HEALTH PROGRAM [~~6,420,000~~] 20,910,000
 21 -----

22 General Fund

23 Local Assistance Account - 10000

24 For services and expenses related to the
 25 Indian health program pursuant to a plan
 26 prepared by the commissioner of health and
 27 approved by the director of the budget.
 28 The moneys hereby appropriated shall be
 29 for payment of financial assistance here-
 30 tofore accrued or hereafter to accrue
 31 (26840) 7,000,000
 32 -----

33 Special Revenue Funds - Federal

34 Federal USDA-Food and Nutrition Services Fund

35 Federal Food and Nutrition Services Account - 25022

36 For various federal food and nutritional
 37 services. The moneys hereby appropriated
 38 shall be available for payment of finan-
 39 cial assistance heretofore accrued (26986)

40 [~~6,420,000~~] 13,910,000
 41 -----

42 MEDICAL ASSISTANCE PROGRAM [~~600,031,000~~] 2,569,881,000
 43 -----

44 General Fund

45 Local Assistance Account - 10000

1 For the medical assistance program, includ-
2 ing administrative expenses, for local
3 social services districts, and for medical
4 care rates for authorized child care agen-
5 cies.

6 Notwithstanding section 40 of the state
7 finance law or any provision of law to the
8 contrary, subject to federal approval,
9 department of health state funds medicaid
10 spending, excluding payments for medical
11 services provided at state facilities
12 operated by the office of mental health,
13 the office for people with developmental
14 disabilities and the office of addiction
15 services and supports and further exclud-
16 ing any payments which are not appropri-
17 ated within the department of health, in
18 the aggregate, for the period April 1,
19 2026 through March 31, 2027, shall not
20 exceed \$36,099,200,000 except as provided
21 below provided, however, such aggregate
22 limits may be adjusted by the director of
23 the budget to account for any changes in
24 the New York state federal medical assist-
25 ance percentage amount established pursu-
26 ant to the federal social security act,
27 increases in provider revenues, reductions
28 in local social services district payments
29 for medical assistance administration,
30 minimum wage increases, and beginning
31 April 1, 2012 the operational costs of the
32 New York state medical indemnity fund,
33 pursuant to chapter 59 of the laws of
34 2011, and state costs or savings from the
35 essential plan program. Such projections
36 may be adjusted by the director of the
37 budget to account for increased or expe-
38 dited department of health state funds
39 medicaid expenditures as a result of a
40 natural or other type of disaster, includ-
41 ing a governmental declaration of emergen-
42 cy.

43 The director of the budget, in consultation
44 with the commissioner of health, shall
45 assess on a quarterly basis known and
46 projected medicaid expenditures by catego-
47 ry of service and by geographic region, as
48 defined by the commissioner, incurred both
49 prior to and subsequent to such assessment
50 for each such period, and if the director
51 of the budget determines that such expend-
52 itures are expected to cause medicaid
53 spending for such period to exceed the
54 aggregate limit specified herein for such
55 period, the state medicaid director, in
56 consultation with the director of the

1 budget and the commissioner of health,
2 shall develop a medicaid savings allo-
3 cation adjustment to limit such spending
4 to the aggregate limit specified herein
5 for such period.

6 Such medicaid savings allocation adjustment
7 shall be designed, to reduce the expendi-
8 tures authorized by the appropriations
9 herein in compliance with the following
10 guidelines: (1) reductions shall be made
11 in compliance with applicable federal law,
12 including the provisions of the Patient
13 Protection and Affordable Care Act, Public
14 Law No. 111-148, and the Health Care and
15 Education Reconciliation Act of 2010,
16 Public Law No. 111-152 (collectively
17 "Affordable Care Act") and any subsequent
18 amendments thereto or regulations promul-
19 gated thereunder; (2) reductions shall be
20 made in a manner that complies with the
21 state medicaid plan approved by the feder-
22 al centers for medicare and medicaid
23 services, provided, however, that the
24 commissioner of health is authorized to
25 submit any state plan amendment or seek
26 other federal approval, including waiver
27 authority, to implement the provisions of
28 the medicaid savings allocation adjustment
29 that meets the other criteria set forth
30 herein; (3) reductions shall be made in a
31 manner that maximizes federal financial
32 participation, to the extent practicable,
33 including any federal financial partic-
34 ipation that is available or is reasonably
35 expected to become available, in the
36 discretion of the commissioner, under the
37 Affordable Care Act; (4) reductions shall
38 be made uniformly among categories of
39 services and geographic regions of the
40 state, to the extent practicable, and
41 shall be made uniformly within a category
42 of service, to the extent practicable,
43 except where the commissioner determines
44 that there are sufficient grounds for
45 non-uniformity, including but not limited
46 to: the extent to which specific catego-
47 ries of services contributed to department
48 of health medicaid state funds spending in
49 excess of the limits specified herein; the
50 need to maintain safety net services in
51 underserved communities; or the potential
52 benefits of pursuing innovative payment
53 models contemplated by the Affordable Care
54 Act, in which case such grounds shall be
55 set forth in the medicaid savings allo-
56 cation adjustment; and (5) reductions

1 shall be made in a manner that does not
2 unnecessarily create administrative
3 burdens to medicaid applicants and recipi-
4 ents or providers.

5 The commissioner shall seek the input of the
6 legislature, as well as organizations
7 representing health care providers,
8 consumers, businesses, workers, health
9 insurers, and others with relevant exper-
10 tise, in developing such medicaid savings
11 allocation adjustment, to the extent that
12 all or part of such adjustment, in the
13 discretion of the commissioner, is likely
14 to have a material impact on the overall
15 medicaid program, particular categories of
16 service or particular geographic regions
17 of the state.

18 (a) The commissioner shall post the medicaid
19 savings allocation adjustment on the
20 department of health's website and shall
21 provide written copies of such adjustment
22 to the chairs of the senate finance and
23 the assembly ways and means committees at
24 least 30 days before the date on which
25 implementation is expected to begin.

26 (b) The commissioner may revise the medicaid
27 savings allocation adjustment subsequent
28 to the provisions of notice and prior to
29 implementation but needs to provide a new
30 notice pursuant to subparagraph (i) of
31 this paragraph only if the commissioner
32 determines, in his or her discretion, that
33 such revisions materially alter the
34 adjustment.

35 Notwithstanding the provisions of paragraphs
36 (a) and (b) of this subdivision, the
37 commissioner need not seek the input
38 described in paragraph (a) of this subdivi-
39 sion or provide notice pursuant to para-
40 graph (b) of this subdivision if, in the
41 discretion of the commissioner, expedited
42 development and implementation of a medi-
43 caid savings allocation adjustment is
44 necessary due to a public health emergen-
45 cy.

46 For purposes of this section, a public
47 health emergency is defined as: (i) a
48 disaster, natural or otherwise, that
49 significantly increases the immediate need
50 for health care personnel in an area of
51 the state; (ii) an event or condition that
52 creates a widespread risk of exposure to a
53 serious communicable disease, or the
54 potential for such widespread risk of
55 exposure; or (iii) any other event or
56 condition determined by the commissioner

1 to constitute an imminent threat to public
2 health.

3 Nothing in this paragraph shall be deemed to
4 prevent all or part of such medicaid
5 savings allocation adjustment from taking
6 effect retroactively to the extent permit-
7 ted by the federal centers for medicare
8 and medicaid services.

9 In accordance with the medicaid savings
10 allocation adjustment, the commissioner of
11 the department of health shall reduce
12 department of health state funds medicaid
13 spending by the amount of the projected
14 overspending through, actions including,
15 but not limited to modifying or suspending
16 reimbursement methods, including but not
17 limited to all fees, premium levels and
18 rates of payment, notwithstanding any
19 provision of law that sets a specific
20 amount or methodology for any such
21 payments or rates of payment; modifying or
22 discontinuing medicaid program benefits;
23 seeking all necessary federal approvals,
24 including, but not limited to waivers,
25 waiver amendments; and suspending time
26 frames for notice, approval or certif-
27 ication of rate requirements, notwith-
28 standing any provision of law, rule or
29 regulation to the contrary, including but
30 not limited to sections 2807 and 3614 of
31 the public health law, section 18 of chap-
32 ter 2 of the laws of 1988, and 18 NYCRR
33 505.14(h).

34 The department of health shall prepare a
35 quarterly report that sets forth: (a)
36 known and projected department of health
37 medicaid expenditures as described in
38 subdivision (1) of this section, and
39 factors that could result in medicaid
40 disbursements for the relevant state
41 fiscal year to exceed the projected
42 department of health state funds disburse-
43 ments in the enacted budget financial plan
44 pursuant to subdivision 3 of section 23 of
45 the state finance law, including spending
46 increases or decreases due to: enrollment
47 fluctuations, rate changes, utilization
48 changes, MRT investments, and shift of
49 beneficiaries to managed care; and vari-
50 ations in offline medicaid payments; and
51 (b) the actions taken to implement any
52 medicaid savings allocation adjustment
53 implemented pursuant to subdivision (4) of
54 this section, including information
55 concerning the impact of such actions on
56 each category of service and each

1 geographic region of the state. Each such
2 quarterly report shall be provided to the
3 chairs of the senate finance and the
4 assembly ways and means committees and
5 shall be posted on the department of
6 health's website in a timely manner.

7 The money hereby appropriated is to be
8 available for payment of aid heretofore
9 accrued or hereafter accrued to munici-
10 palities, and to providers of medical
11 services pursuant to section 367-b of the
12 social services law, and for payment of
13 state aid to municipalities and to provid-
14 ers of family care where payment systems
15 through the fiscal intermediaries are not
16 operational.

17 Notwithstanding any inconsistent provision
18 of law to the contrary, funds may be used
19 by the department for outside legal
20 assistance on issues involving the federal
21 government, the conduct of preadmission
22 screening and annual resident reviews
23 required by the state's medicaid program,
24 computer matching with insurance carriers
25 to insure that medicaid is the payer of
26 last resort and activities related to the
27 management of the pharmacy benefit avail-
28 able under the medicaid program.

29 Notwithstanding any inconsistent provision
30 of law, in lieu of payments authorized by
31 the social services law, or payments of
32 federal funds otherwise due to the local
33 social services districts for programs
34 provided under the federal social security
35 act or the federal food stamp act, funds
36 herein appropriated, in amounts certified
37 by the state commissioner of temporary and
38 disability assistance or the state commis-
39 sioner of health as due from local social
40 services districts each month as their
41 share of payments made pursuant to section
42 367-b of the social services law may be
43 set aside by the state comptroller in an
44 interest-bearing account in order to
45 ensure the orderly and prompt payment of
46 providers under section 367-b of the
47 social services law pursuant to an esti-
48 mate provided by the commissioner of
49 health of each local social services
50 district's share of payments made pursuant
51 to section 367-b of the social services
52 law.

53 Notwithstanding any inconsistent provision
54 of law, funding made available by these
55 appropriations shall support direct salary
56 costs and related fringe benefits within

1 the medical assistance program associated
2 with any minimum wage increase that takes
3 effect during the timeframe of these
4 appropriations, pursuant to section 652 of
5 the labor law. Each eligible organization
6 in receipt of funding made available by
7 these appropriations may be required to
8 submit written certification, in such form
9 and at such time the commissioner may
10 prescribe, attesting to the total amount
11 of funds used by the eligible organiza-
12 tion, how such funding will be or was used
13 for purposes eligible under these appro-
14 priations and any other reporting deemed
15 necessary by the commissioner. The amounts
16 appropriated herein may include advances
17 to organizations authorized to receive
18 such funds to accomplish this purpose.

19 Notwithstanding any other provision of law,
20 the money hereby appropriated may be
21 increased or decreased by interchange or
22 transfer, with any appropriation of the
23 department of health and the office of
24 medicaid inspector general and may be
25 increased or decreased by transfer or
26 suballocation between these appropriated
27 amounts and appropriations of the depart-
28 ment of health state purpose account, the
29 office of mental health, office for people
30 with developmental disabilities, the
31 office of addiction services and supports,
32 the department of family assistance office
33 of temporary and disability assistance,
34 the department of corrections and communi-
35 ty supervision, the office of information
36 technology services, the state university
37 of New York, and office of children and
38 family services, the office of medicaid
39 inspector general, the state education
40 department, and the state office for the
41 aging with the approval of the director of
42 the budget, who shall file such approval
43 with the department of audit and control
44 and copies thereof with the chairman of
45 the senate finance committee and the
46 chairman of the assembly ways and means
47 committee.

48 Notwithstanding any inconsistent provision
49 of law to the contrary, the moneys hereby
50 appropriated may be used for payments to
51 the centers for medicaid and medicare
52 services for obligations incurred related
53 to the pharmaceutical costs of dually
54 eligible medicare/medicaid beneficiaries
55 participating in the medicare drug benefit
56 authorized by P.L. 108-173.

1 Notwithstanding any inconsistent provision
2 of law, the moneys hereby appropriated
3 shall not be used for any existing rates,
4 fees, fee schedule, or procedures which
5 may affect the cost of care and services
6 provided by personal care providers, case
7 managers, health maintenance organiza-
8 tions, out of state medical facilities
9 which provide care and services to resi-
10 dents of the state, providers of transpor-
11 tation services, that are altered,
12 amended, adjusted or otherwise changed by
13 a local social services district unless
14 previously approved by the department of
15 health and the director of the budget.

16 Notwithstanding any inconsistent provision
17 of law to the contrary, funds shall be
18 made available to the commissioner of the
19 office of mental health or the commission-
20 er of the office of addiction services and
21 supports, in consultation with the commis-
22 sioner of health and approved by the
23 director of the budget, and consistent
24 with appropriations made therefor, to
25 implement allocation adjustment developed
26 by each such commissioner which shall
27 describe mental health or substance use
28 disorder services that should be developed
29 to meet service needs resulting from the
30 reduction of inpatient behavioral health
31 services provided under the medicaid
32 program, by programs licensed pursuant to
33 article 31 or 32 of the mental hygiene
34 law. Such programs may include programs
35 that are licensed pursuant to both article
36 31 of the mental hygiene law and article
37 28 of the public health law, or certified
38 under both article 32 of the mental
39 hygiene law and article 28 of the public
40 health law.

41 Notwithstanding any inconsistent provision
42 of law, the moneys hereby appropriated may
43 be available for payments associated with
44 the resolution by settlement agreement or
45 judgment of rate appeals and/or litigation
46 where the department of health is a party.

47 For services and expenses of the medical
48 assistance program including hospital
49 inpatient services and general hospitals
50 that are safety-net providers that evince
51 severe financial distress, pursuant to
52 criteria determined by the commissioner,
53 shall be eligible for awards for amounts
54 appropriated herein, to enable such
55 providers to maintain operations and vital
56 services while establishing long term

1 solutions to achieve sustainable health
2 services.
3 Notwithstanding any inconsistent provisions
4 of law, no expenditures shall be used for
5 the medical assistance program for any
6 expenses not explicitly authorized in law
7 without the approval of the director of
8 the budget.
9 Notwithstanding any provision of law to the
10 contrary, the portion of this appropri-
11 ation covering fiscal year 2026-27 shall
12 supersede and replace any duplicative (i)
13 reappropriation for this item covering
14 fiscal year 2026-27, and (ii) appropri-
15 ation for this item covering fiscal year
16 2026-27 set forth in chapter 53 of the
17 laws of 2025 (26947) [~~24,238,000~~] 48,476,000
18 For services and expenses of the medical
19 assistance program including hospital
20 outpatient and emergency room services.
21 Notwithstanding any provision of law to the
22 contrary, the portion of this appropri-
23 ation covering fiscal year 2026-27 shall
24 supersede and replace any duplicative (i)
25 reappropriation for this item covering
26 fiscal year 2026-27, and (ii) appropri-
27 ation for this item covering fiscal year
28 2026-27 set forth in chapter 53 of the
29 laws of 2025 (26948) [~~7,249,000~~] 14,498,000
30 For services and expenses of the medical
31 assistance program including clinic
32 services.
33 Notwithstanding any provision of law to the
34 contrary, the portion of this appropri-
35 ation covering fiscal year 2026-27 shall
36 supersede and replace any duplicative (i)
37 reappropriation for this item covering
38 fiscal year 2026-27, and (ii) appropri-
39 ation for this item covering fiscal year
40 2026-27 set forth in chapter 53 of the
41 laws of 2025 (26949) [~~14,198,000~~] 28,396,000
42 For services and expenses of the medical
43 assistance program including nursing home
44 services.
45 Notwithstanding any provision of law to the
46 contrary, the portion of this appropri-
47 ation covering fiscal year 2026-27 shall
48 supersede and replace any duplicative (i)
49 reappropriation for this item covering
50 fiscal year 2026-27, and (ii) appropri-
51 ation for this item covering fiscal year
52 2026-27 set forth in chapter 53 of the
53 laws of 2025 (26950) [~~35,685,000~~] 71,370,000
54 For services and expenses of the medical
55 assistance program including other long
56 term care services.

1 Notwithstanding any provision of law to the
2 contrary, the portion of this appropri-
3 ation covering fiscal year 2026-27 shall
4 supersede and replace any duplicative (i)
5 reappropriation for this item covering
6 fiscal year 2026-27, and (ii) appropri-
7 ation for this item covering fiscal year
8 2026-27 set forth in chapter 53 of the
9 laws of 2025 (26951) [~~169,986,000~~] 339,972,000

10 For services and expenses of the medical
11 assistance program including managed care
12 services including regional planning
13 activities of the finger lakes health
14 systems agency, including statewide coor-
15 dination and demonstration of best prac-
16 tices. The department shall make grants
17 within amounts appropriated therefor, to
18 assure high-quality and accessible primary
19 care, to provide technical assistance to
20 support financial and business planning
21 for integrated systems of care, and to
22 assist primary care providers in the
23 adoption, implementation, and meaningful
24 use of electronic health record technolo-
25 gy.

26 Notwithstanding any provision of law to the
27 contrary, the portion of this appropri-
28 ation covering fiscal year 2026-27 shall
29 supersede and replace any duplicative (i)
30 reappropriation for this item covering
31 fiscal year 2026-27, and (ii) appropri-
32 ation for this item covering fiscal year
33 2026-27 set forth in chapter 53 of the
34 laws of 2025 (26952) [~~155,710,000~~] 311,420,000

35 For services and expenses for health homes
36 including grants to health homes.

37 Notwithstanding any provision of law to the
38 contrary, the portion of this appropri-
39 ation covering fiscal year 2026-27 shall
40 supersede and replace any duplicative (i)
41 reappropriation for this item covering
42 fiscal year 2026-27, and (ii) appropri-
43 ation for this item covering fiscal year
44 2026-27 set forth in chapter 53 of the
45 laws of 2025 (29548) [~~3,770,000~~] 7,540,000

46 For services and expenses of the medical
47 assistance program including pharmacy
48 services provided, however, that no funds
49 shall be made available pursuant to this
50 appropriation for any drug not explicitly
51 authorized in any enacted law, rule, or
52 regulation without approval from the
53 director of the budget.

54 Notwithstanding any provision of law to the
55 contrary, the portion of this appropri-
56 ation covering fiscal year 2026-27 shall

1 supersede and replace any duplicative (i)
2 reappropriation for this item covering
3 fiscal year 2026-27, and (ii) appropri-
4 ation for this item covering fiscal year
5 2026-27 set forth in chapter 53 of the
6 laws of 2025 (26953) [~~71,926,000~~] 143,852,000
7 For services and expenses of the medical
8 assistance program including transporta-
9 tion services.
10 Notwithstanding any provision of law to the
11 contrary, the portion of this appropri-
12 ation covering fiscal year 2026-27 shall
13 supersede and replace any duplicative (i)
14 reappropriation for this item covering
15 fiscal year 2026-27, and (ii) appropri-
16 ation for this item covering fiscal year
17 2026-27 set forth in chapter 53 of the
18 laws of 2025 (26954) [~~10,332,000~~] 20,664,000
19 For services and expenses of the medical
20 assistance program including dental
21 services.
22 Notwithstanding any provision of law to the
23 contrary, the portion of this appropri-
24 ation covering fiscal year 2026-27 shall
25 supersede and replace any duplicative (i)
26 reappropriation for this item covering
27 fiscal year 2026-27, and (ii) appropri-
28 ation for this item covering fiscal year
29 2026-27 set forth in chapter 53 of the
30 laws of 2025 (26955) [~~79,000~~] 158,000
31 For services and expenses of the medical
32 assistance program including non-institu-
33 tional and other spending.
34 The money hereby appropriated is available
35 for payment of liabilities heretofore
36 accrued or hereafter accrued.
37 Notwithstanding any inconsistent provision
38 of law, the money hereby appropriated may
39 be available for payments to any county or
40 public school districts associated with
41 additional claims for school supportive
42 health services.
43 Notwithstanding any provision of law to the
44 contrary, the portion of this appropri-
45 ation covering fiscal year 2026-27 shall
46 supersede and replace any duplicative (i)
47 reappropriation for this item covering
48 fiscal year 2026-27, and (ii) appropri-
49 ation for this item covering fiscal year
50 2026-27 set forth in chapter 53 of the
51 laws of 2025 (26956) [~~20,604,000~~] 41,208,000
52 For services and expenses of the medical
53 assistance program including medical
54 services provided at state facilities
55 operated by the office of mental health,
56 the office for people with developmental

1 disabilities and the office of addiction
 2 services and supports.
 3 Notwithstanding any provision of law to the
 4 contrary, the portion of this appropri-
 5 ation covering fiscal year 2026-27 shall
 6 supersede and replace any duplicative (i)
 7 reappropriation for this item covering
 8 fiscal year 2026-27, and (ii) appropri-
 9 ation for this item covering fiscal year
 10 2026-27 set forth in chapter 53 of the
 11 laws of 2025 (26961) [~~96,154,000~~] 192,308,000
 12 -----

13 Special Revenue Funds - Federal
 14 Federal Health and Human Services Fund
 15 Medicaid Direct Account - 25106

16 For services and expenses for the medical
 17 assistance program, including administra-
 18 tive expenses for local social services
 19 districts, pursuant to title XIX of the
 20 federal social security act or its succes-
 21 or program.

22 The moneys hereby appropriated are to be
 23 available for payment of aid heretofore
 24 accrued or hereafter accrued to munici-
 25 palities, and to providers of medical
 26 services pursuant to section 367-b of the
 27 social services law, and for payment of
 28 state aid to municipalities and to provid-
 29 ers of family care where payment systems
 30 through the fiscal intermediaries are not
 31 operational.

32 Notwithstanding any inconsistent provision
 33 of law, funding made available by these
 34 appropriations shall support direct salary
 35 costs and related fringe benefits within
 36 the medical assistance program associated
 37 with any minimum wage increase that takes
 38 effect during the timeframe of these
 39 appropriations, pursuant to section 652 of
 40 the labor law. Each eligible organization
 41 in receipt of funding made available by
 42 these appropriations may be required to
 43 submit written certification, in such form
 44 and at such time the commissioner may
 45 prescribe, attesting to the total amount
 46 of funds used by the eligible organiza-
 47 tion, how such funding will be or was used
 48 for purposes eligible under these appro-
 49 priations and any other reporting deemed
 50 necessary by the commissioner. The amounts
 51 appropriated herein may include advances
 52 to organizations authorized to receive
 53 such funds to accomplish this purpose.

1 Notwithstanding any other provision of law,
2 the money hereby appropriated may be
3 increased or decreased by interchange or
4 transfer, with any appropriation of the
5 department of health and the office of
6 medicaid inspector general and may be
7 increased or decreased by transfer or
8 suballocation between these appropriated
9 amounts and appropriations of the office
10 of mental health, office for people with
11 developmental disabilities, the office of
12 addiction services and supports, the
13 department of family assistance office of
14 temporary and disability assistance,
15 office of children and family services,
16 the department of financial services,
17 department of corrections and community
18 supervision, the office of information
19 technology services, the state university
20 of New York, the state education depart-
21 ment, and the state office for the aging
22 with the approval of the director of the
23 budget, who shall file such approval with
24 the department of audit and control and
25 copies thereof with the chairman of the
26 senate finance committee and the chairman
27 of the assembly ways and means committee.

28 Notwithstanding any inconsistent provision
29 of law, in lieu of payments authorized by
30 the social services law, or payments of
31 federal funds otherwise due to the local
32 social services districts for programs
33 provided under the federal social security
34 act or the federal food stamp act, funds
35 herein appropriated, in amounts certified
36 by the state commissioner of temporary and
37 disability assistance or the state commis-
38 sioner of health as due from local social
39 services districts each month as their
40 share of payments made pursuant to section
41 367-b of the social services law may be
42 set aside by the state comptroller in an
43 interest-bearing account in order to
44 ensure the orderly and prompt payment of
45 providers under section 367-b of the
46 social services law pursuant to an esti-
47 mate provided by the commissioner of
48 health of each local social services
49 district's share of payments made pursuant
50 to section 367-b of the social services
51 law.

52 Notwithstanding any inconsistent provision
53 of law to the contrary, funds shall be
54 made available to the commissioner of the
55 office of mental health or the commission-
56 er of the office of addiction services and

1 supports, in consultation with the commis-
2 sioner of health and approved by the
3 director of the budget, and consistent
4 with appropriations made therefor, to
5 implement allocation adjustment developed
6 by each such commissioner which shall
7 describe mental health or substance use
8 disorder services that should be developed
9 to meet service needs resulting from the
10 reduction of inpatient behavioral health
11 services provided under the medicaid
12 program, by programs licensed pursuant to
13 article 31 or 32 of the mental hygiene
14 law. Such programs may include programs
15 that are licensed pursuant to both article
16 31 of the mental hygiene law and article
17 28 of the public health law, or certified
18 under both article 32 of the mental
19 hygiene law and article 28 of the public
20 health law.

21 Notwithstanding any inconsistent provision
22 of law, the moneys hereby appropriated may
23 be available for payments associated with
24 the resolution by settlement agreement or
25 judgment of rate appeals and/or litigation
26 where the department of health is a party.

27 Notwithstanding any inconsistent provisions
28 of law, no expenditures shall be used for
29 the medical assistance program for any
30 expenses not explicitly authorized in law
31 without the approval of the director of
32 the budget.

33 For services and expenses of the medical
34 assistance program including hospital
35 inpatient services.

36 Notwithstanding any provision of law to the
37 contrary, the portion of this appropri-
38 ation covering fiscal year 2026-27 shall
39 supersede and replace any duplicative (i)
40 reappropriation for this item covering
41 fiscal year 2026-27, and (ii) appropri-
42 ation for this item covering fiscal year
43 2026-27 set forth in chapter 53 of the
44 laws of 2025 (26947) 75,885,000

45 For services and expenses of the medical
46 assistance program including hospital
47 outpatient and emergency room services.

48 Notwithstanding any provision of law to the
49 contrary, the portion of this appropri-
50 ation covering fiscal year 2026-27 shall
51 supersede and replace any duplicative (i)
52 reappropriation for this item covering
53 fiscal year 2026-27, and (ii) appropri-
54 ation for this item covering fiscal year
55 2026-27 set forth in chapter 53 of the
56 laws of 2025 (26948) 13,524,000

1 For services and expenses of the medical
2 assistance program including clinic
3 services.

4 Notwithstanding any provision of law to the
5 contrary, the portion of this appropri-
6 ation covering fiscal year 2026-27 shall
7 supersede and replace any duplicative (i)
8 reappropriation for this item covering
9 fiscal year 2026-27, and (ii) appropri-
10 ation for this item covering fiscal year
11 2026-27 set forth in chapter 53 of the
12 laws of 2025 (26949) 21,897,000

13 For services and expenses of the medical
14 assistance program including nursing home
15 services.

16 Notwithstanding any provision of law to the
17 contrary, the portion of this appropri-
18 ation covering fiscal year 2026-27 shall
19 supersede and replace any duplicative (i)
20 reappropriation for this item covering
21 fiscal year 2026-27, and (ii) appropri-
22 ation for this item covering fiscal year
23 2026-27 set forth in chapter 53 of the
24 laws of 2025 (26950) 112,740,000

25 For services and expenses of the medical
26 assistance program including other long
27 term care services.

28 Notwithstanding any provision of law to the
29 contrary, the portion of this appropri-
30 ation covering fiscal year 2026-27 shall
31 supersede and replace any duplicative (i)
32 reappropriation for this item covering
33 fiscal year 2026-27, and (ii) appropri-
34 ation for this item covering fiscal year
35 2026-27 set forth in chapter 53 of the
36 laws of 2025 (26951) 321,609,000

37 For services and expenses of the medical
38 assistance program including managed care
39 services including regional planning
40 activities of the finger lakes health
41 systems agency, including statewide coor-
42 dination and demonstration of best prac-
43 tices. The department shall make grants
44 within amounts appropriated therefor, to
45 assure high-quality and accessible primary
46 care, to provide technical assistance to
47 support financial and business planning
48 for integrated systems of care, and to
49 assist primary care providers in the
50 adoption, implementation, and meaningful
51 use of electronic health record technolo-
52 gy.

53 Notwithstanding any inconsistent provision
54 of law, rule, or regulation to the contra-
55 ry, funds appropriated herein shall not be

1 subject to article 6 of the financial
2 services law.

3 Notwithstanding any inconsistent provision
4 of law, rule, or regulation to the contra-
5 ry, funds appropriated herein shall only
6 be made available for applied behavior
7 analysis services if such services are
8 recommended by a health care or mental
9 health care practitioner authorized under
10 title eight of the education law who has
11 been designated as an applied behavior
12 analysis center of excellence provider by
13 the commissioner of health.

14 Notwithstanding any provision of law to the
15 contrary, the portion of this appropri-
16 ation covering fiscal year 2026-27 shall
17 supersede and replace any duplicative (i)
18 reappropriation for this item covering
19 fiscal year 2026-27, and (ii) appropri-
20 ation for this item covering fiscal year
21 2026-27 set forth in chapter 53 of the
22 laws of 2025 (26952) 392,468,000

23 For services and expenses of the medical
24 assistance program including pharmacy
25 services, provided, however, that no funds
26 shall be made available pursuant to this
27 appropriation for any drug not explicitly
28 authorized in any heretofore enacted law,
29 rule, or regulation without approval from
30 the director of the budget.

31 Notwithstanding any provision of law to the
32 contrary, the portion of this appropri-
33 ation covering fiscal year 2026-27 shall
34 supersede and replace any duplicative (i)
35 reappropriation for this item covering
36 fiscal year 2026-27, and (ii) appropri-
37 ation for this item covering fiscal year
38 2026-27 set forth in chapter 53 of the
39 laws of 2025 (26953) 118,219,000

40 For services and expenses of the medical
41 assistance program including transporta-
42 tion services.

43 Notwithstanding any provision of law to the
44 contrary, the portion of this appropri-
45 ation covering fiscal year 2026-27 shall
46 supersede and replace any duplicative (i)
47 reappropriation for this item covering
48 fiscal year 2026-27, and (ii) appropri-
49 ation for this item covering fiscal year
50 2026-27 set forth in chapter 53 of the
51 laws of 2025 (26954) 15,882,000

52 For services and expenses of the medical
53 assistance program including dental
54 services.

55 Notwithstanding any provision of law to the
56 contrary, the portion of this appropri-

ation covering fiscal year 2026-27 shall
supersede and replace any duplicative (i)
reappropriation for this item covering
fiscal year 2026-27, and (ii) appropri-
ation for this item covering fiscal year
2026-27 set forth in chapter 53 of the
laws of 2025 (26955) 1,836,000

For services and expenses of the medical
assistance program including noninstitu-
tional and other spending.

The money hereby appropriated is available
for payment of liabilities heretofore
accrued or hereafter accrued.

Notwithstanding any provision of law to the
contrary, the portion of this appropri-
ation covering fiscal year 2026-27 shall
supersede and replace any duplicative (i)
reappropriation for this item covering
fiscal year 2026-27, and (ii) appropri-
ation for this item covering fiscal year
2026-27 set forth in chapter 53 of the
laws of 2025 (26956) 179,805,000

Notwithstanding any inconsistent provision
of law, subject to the approval of the
director of the budget, upon submission of
an allocation adjustment from the commis-
sioner of health, the amount appropriated
herein, together with any available feder-
al matching funds, may be transferred or
suballocated to the office of mental
health, office of addiction services and
supports, office for people with develop-
mental disabilities, division of housing
and community renewal, New York state
housing trust fund corporation, and office
of temporary and disability assistance for
services and expenses related to providing
affordable housing. Any such spending
shall consider the geographical location
of the grants.

Notwithstanding any provision of law to the
contrary, the portion of this appropri-
ation covering fiscal year 2026-27 shall
supersede and replace any duplicative (i)
reappropriation for this item covering
fiscal year 2026-27, and (ii) appropri-
ation for this item covering fiscal year
2026-27 set forth in chapter 53 of the
laws of 2025 (29521) 96,154,000

§ 7. Section 6 of chapter 98 of the laws of 2026, relating to making appropriations for the support of government, is amended to read as follows:

§ 6. The amounts specified in this section, or so much thereof as shall be sufficient to accomplish the purposes designated, is hereby

1 appropriated and authorized to be paid as hereinafter provided, to the
2 public officers and for the purposes specified, which amount shall be
3 available for the state fiscal year beginning April 1, 2026.

4 DEPARTMENT OF LABOR

5 AID TO LOCALITIES

6 UNEMPLOYMENT INSURANCE BENEFIT PROGRAM [~~135,000,000~~] 360,000,000
7 -----

8 Enterprise Funds
9 Unemployment Insurance Benefit Fund
10 Unemployment Insurance Benefit Account - 50650

11 For payment of unemployment insurance bene-
12 fits pursuant to article 18 of the labor
13 law or as authorized by the federal
14 government through the disaster unemploy-
15 ment assistance program, the emergency
16 unemployment compensation program, the
17 extended benefit program, the federal
18 additional compensation program or any
19 other federally funded unemployment bene-
20 fit program (34787) [~~135,000,000~~] 360,000,000
21 -----

22 § 8. The amounts specified in this section, or so much thereof as
23 shall be sufficient to accomplish the purposes designated, is hereby
24 appropriated and authorized to be paid as hereinafter provided, to the
25 public officers and for the purposes specified, which amount shall be
26 available for the state fiscal year beginning April 1, 2026.

27 DEPARTMENT OF TRANSPORTATION

28 AID TO LOCALITIES

29 DEDICATED MASS TRANSPORTATION TRUST FUND PROGRAM 48,325,000
30 -----

31 Special Revenue Funds - Other
32 Dedicated Mass Transportation Trust Fund
33 Railroad Account - 20852

34 To the metropolitan transportation authority
35 for deposit in the metropolitan transpor-
36 tation authority dedicated tax fund for
37 the expenses of the New York city transit
38 authority, the Manhattan and Bronx surface
39 transit operating authority, and the
40 Staten Island rapid transit operating
41 authority, the Long Island rail road
42 company and the Metro-North commuter rail-
43 road company which includes the New York
44 state portion of the Harlem, Hudson, Port
45 Jervis, Pascack, and the New Haven commu-

ter railroad service regardless of whether the services are provided directly or pursuant to joint service agreements. No expenditure shall be made hereunder until a certificate of approval has been issued by the director of the budget and a copy of such certificate filed with the state comptroller, the chairperson of the senate finance committee and the chairperson of the assembly ways and means committee. Moneys appropriated herein may be made available at such times and upon such conditions as may be deemed appropriate by the commissioner of transportation and the director of the budget in accordance with the following:

To the metropolitan transportation authority for the operating expenses of the Long Island rail road company and the Metro-North commuter railroad company which include operating expenses for the New York state portion of Harlem, Hudson, Port Jervis, Pascack, and New Haven commuter railroad services regardless of whether such services are provided directly or pursuant to joint service agreements (54282) 7,260,000

Special Revenue Funds - Other
Dedicated Mass Transportation Trust Fund
Transit Authorities Account - 20851

To the metropolitan transportation authority for deposit in the metropolitan transportation authority dedicated tax fund for the expenses of the New York city transit authority, the Manhattan and Bronx surface transit operating authority, and the Staten Island rapid transit operating authority, the Long Island rail road company and the Metro-North commuter railroad company which includes the New York state portion of the Harlem, Hudson, Port Jervis, Pascack, and the New Haven commuter railroad service regardless of whether the services are provided directly or pursuant to joint service agreements. No expenditure shall be made hereunder until a certificate of approval has been issued by the director of the budget and a copy of such certificate filed with the state comptroller, the chairperson of the senate finance committee and the chairperson of the assembly ways and means committee. Moneys appropriated herein may be made

1 available at such times and upon such
 2 conditions as may be deemed appropriate by
 3 the commissioner of transportation and the
 4 director of the budget in accordance with
 5 the following:
 6 To the metropolitan transportation authority
 7 for the operating expenses of the New York
 8 city transit authority, the Manhattan and
 9 Bronx surface transit operating authority,
 10 and the Staten Island rapid transit oper-
 11 ating authority (53173) 41,065,000
 12 -----

13 § 9. Section 7 of chapter 98 of the laws of 2026, relating to making
 14 appropriations for the support of government, is amended to read as
 15 follows:

16 § 7. The amounts specified in this section, or so much thereof as
 17 shall be sufficient to accomplish the purposes designated, is hereby
 18 appropriated and authorized to be paid as hereinafter provided, to the
 19 public officers and for the purposes specified, which amount shall be
 20 available for the state fiscal year beginning April 1, 2026.

21 DEPARTMENT OF MENTAL HYGIENE

22 OFFICE FOR PEOPLE WITH DEVELOPMENTAL DISABILITIES

23 AID TO LOCALITIES

24 COMMUNITY SERVICES PROGRAM [~~10,098,000~~] 161,883,000
 25 -----

26 General Fund

27 Local Assistance Account - 10000

28 For services and expenses of the community
 29 services program, net of disallowances,
 30 for community programs for people with
 31 developmental disabilities pursuant to
 32 article 41 of the mental hygiene law,
 33 and/or chapter 620 of the laws of 1974,
 34 chapter 660 of the laws of 1977, chapter
 35 412 of the laws of 1981, chapter 27 of the
 36 laws of 1987, chapter 729 of the laws of
 37 1989, chapter 329 of the laws of 1993 and
 38 other provisions of the mental hygiene
 39 law. Notwithstanding any inconsistent
 40 provision of law, the following appropri-
 41 ation shall be net of prior and/or current
 42 year refunds, rebates, reimbursements, and
 43 credits.
 44 Notwithstanding any other provision of law,
 45 advances and reimbursement made pursuant
 46 to subdivision (d) of section 41.15 and
 47 section 41.18 of the mental hygiene law
 48 shall be allocated pursuant to a plan and
 49 in a manner prescribed by the agency head

1 and approved by the director of the budg-
2 et. The moneys hereby appropriated are
3 available to reimburse or advance locali-
4 ties and voluntary non-profit agencies for
5 expenditures made during local fiscal
6 periods commencing January 1, 2026, April
7 1, 2026 or July 1, 2026, and for advances
8 for the 3 month period beginning January
9 1, 2027.

10 Notwithstanding the provisions of article 41
11 of the mental hygiene law or any other
12 inconsistent provision of law, rule or
13 regulation, the commissioner, pursuant to
14 such contract and in the manner provided
15 therein, may pay all or a portion of the
16 expenses incurred by such voluntary agen-
17 cies arising out of loans which are funded
18 from the proceeds of bonds and notes
19 issued by the dormitory authority of the
20 state of New York.

21 Notwithstanding any other provision of law,
22 the money hereby appropriated may be
23 transferred to state operations and/or any
24 appropriation of the office for people
25 with developmental disabilities with the
26 approval of the director of the budget.

27 Notwithstanding any inconsistent provision
28 of law, moneys from this appropriation may
29 be used for state aid of up to 100 percent
30 of the net deficit costs of day training
31 programs and family support services.

32 Notwithstanding the provisions of section
33 16.23 of the mental hygiene law and any
34 other inconsistent provision of law, with
35 relation to the operation of certified
36 family care homes, including family care
37 homes sponsored by voluntary not-for-pro-
38 fit agencies, moneys from this appropri-
39 ation may be used for payments to purchase
40 general services including but not limited
41 to respite providers, up to a maximum of
42 14 days, at rates to be established by the
43 commissioner and approved by the director
44 of the budget in consideration of factors
45 including, but not limited to, geographic
46 area and number of clients cared for in
47 the home and for payment in an amount
48 determined by the commissioner for the
49 personal needs of each client residing in
50 the family care home.

51 Notwithstanding the provisions of subdivi-
52 sion 12 of section 8 of the state finance
53 law and any other inconsistent provision
54 of law, moneys from this appropriation may
55 be used for expenses of family care homes
56 including payments to operators of certi-

1 fied family care homes for damages caused
2 by clients to personal and real property
3 in accordance with standards established
4 by the commissioner and approved by the
5 director of the budget.

6 Notwithstanding any inconsistent provision
7 of law, moneys from this appropriation may
8 be used for appropriate day program
9 services and residential services includ-
10 ing, but not limited to, direct housing
11 subsidies to individuals, start-up
12 expenses for family care providers, envi-
13 ronmental modifications, adaptive technol-
14 ogies, appraisals, property options,
15 feasibility studies and preoperational
16 expenses.

17 Notwithstanding any inconsistent provision
18 of law except pursuant to a chapter of the
19 laws of 2025 authorizing a 2.6 percent
20 targeted inflationary increase, for the
21 period commencing on April 1, 2025 and
22 ending March 31, 2026 the commissioner
23 shall not apply any other inflationary
24 increases, cost of living type increases,
25 inflation factors, or trend factors for
26 the purpose of establishing rates of
27 payments, contracts or any other form of
28 reimbursement; provided that this shall
29 not prevent the commissioner from applying
30 prior adjustments for the purpose of
31 establishing rates resulting from a rebas-
32 ing of base year costs.

33 Notwithstanding section 6908 of the educa-
34 tion law and any other provision of law,
35 rule or regulation to the contrary, direct
36 support staff in programs certified or
37 approved by the office for people with
38 developmental disabilities, including the
39 home and community based services waiver
40 programs that the office for people with
41 developmental disabilities is authorized
42 to administer with federal approval pursu-
43 ant to subdivision (c) of section 1915 of
44 the federal social security act, are
45 authorized to provide such tasks as OPWDD
46 may specify when performed under the
47 supervision, training and periodic
48 inspection of a registered professional
49 nurse and in accordance with an authorized
50 practitioner's ordered care.

51 Notwithstanding any other provision of law
52 to the contrary, and consistent with
53 section 33.07 of the mental hygiene law,
54 the directors of facilities licensed but
55 not operated by the office for people with
56 developmental disabilities who act as

federally-appointed representative payees and who assume management responsibility over the funds of a resident may continue to use such funds for the cost of the resident's care and treatment, consistent with federal law and regulations.

Funds appropriated herein shall be available in accordance with the following:

Notwithstanding any inconsistent provision of law, the director of the budget is authorized to make suballocations from this appropriation to the department of health medical assistance program.

Notwithstanding any inconsistent provision of law, and pursuant to criteria established by the commissioner of the office for people with developmental disabilities and approved by the director of the budget, expenditures may be made from this appropriation for residential facilities which are pending recertification as intermediate care facilities for people with developmental disabilities.

Notwithstanding the provisions of section 41.36 of the mental hygiene law and any other inconsistent provision of law, moneys from this appropriation may be used for payment up to \$250 per year per client, at such times and in such manner as determined by the commissioner on the basis of financial need for the personal needs of each client residing in voluntary-operated community residences and voluntary-operated community residential alternatives, including individualized residential alternatives under the home and community based services waiver. The commissioner shall, subject to the approval of the director of the budget, alter existing advance payment schedules for voluntary-operated community residences established pursuant to section 41.36 of the mental hygiene law.

Notwithstanding any inconsistent provision of law, moneys from this appropriation may be used for the operation of clinics licensed pursuant to article 16 of the mental hygiene law including, but not limited to, supportive and habilitative services consistent with the home and community based services waiver.

For the state and/or local share of medical assistance services expenses incurred by the department of health for the provision of medical assistance services to people with developmental disabilities (37835) 140,004,000

1 For services and expenses of the community
2 services program, net of disallowances,
3 for community programs for people with
4 developmental disabilities pursuant to
5 article 41 of the mental hygiene law,
6 and/or chapter 620 of the laws of 1974,
7 chapter 660 of the laws of 1977, chapter
8 412 of the laws of 1981, chapter 27 of the
9 laws of 1987, chapter 729 of the laws of
10 1989, chapter 329 of the laws of 1993 and
11 other provisions of the mental hygiene
12 law. Notwithstanding any inconsistent
13 provision of law, the following appropri-
14 ation shall be net of prior and/or current
15 year refunds, rebates, reimbursements, and
16 credits.

17 Notwithstanding any other provision of law,
18 advances and reimbursement made pursuant
19 to subdivision (d) of section 41.15 and
20 section 41.18 of the mental hygiene law
21 shall be allocated pursuant to a plan and
22 in a manner prescribed by the agency head
23 and approved by the director of the budg-
24 et. The moneys hereby appropriated are
25 available to reimburse or advance locali-
26 ties and voluntary non-profit agencies for
27 expenditures made during local fiscal
28 periods commencing January 1, 2026, April
29 1, 2026 or July 1, 2026, and for advances
30 for the 3 month period beginning January
31 1, 2027.

32 Notwithstanding the provisions of article 41
33 of the mental hygiene law or any other
34 inconsistent provision of law, rule or
35 regulation, the commissioner, pursuant to
36 such contract and in the manner provided
37 therein, may pay all or a portion of the
38 expenses incurred by such voluntary agen-
39 cies arising out of loans which are funded
40 from the proceeds of bonds and notes
41 issued by the dormitory authority of the
42 state of New York.

43 Notwithstanding any other provision of law,
44 the money hereby appropriated may be
45 transferred to state operations and/or any
46 appropriation of the office for people
47 with developmental disabilities with the
48 approval of the director of the budget.

49 Notwithstanding any inconsistent provision
50 of law, moneys from this appropriation may
51 be used for state aid of up to 100 percent
52 of the net deficit costs of day training
53 programs and family support services.

54 Notwithstanding the provisions of section
55 16.23 of the mental hygiene law and any
56 other inconsistent provision of law, with

1 relation to the operation of certified
2 family care homes, including family care
3 homes sponsored by voluntary not-for-pro-
4 fit agencies, moneys from this appropri-
5 ation may be used for payments to purchase
6 general services including but not limited
7 to respite providers, up to a maximum of
8 14 days, at rates to be established by the
9 commissioner and approved by the director
10 of the budget in consideration of factors
11 including, but not limited to, geographic
12 area and number of clients cared for in
13 the home and for payment in an amount
14 determined by the commissioner for the
15 personal needs of each client residing in
16 the family care home.

17 Notwithstanding the provisions of subdivi-
18 sion 12 of section 8 of the state finance
19 law and any other inconsistent provision
20 of law, moneys from this appropriation may
21 be used for expenses of family care homes
22 including payments to operators of certi-
23 fied family care homes for damages caused
24 by clients to personal and real property
25 in accordance with standards established
26 by the commissioner and approved by the
27 director of the budget.

28 Notwithstanding any inconsistent provision
29 of law, moneys from this appropriation may
30 be used for appropriate day program
31 services and residential services includ-
32 ing, but not limited to, direct housing
33 subsidies to individuals, start-up
34 expenses for family care providers, envi-
35 ronmental modifications, adaptive technol-
36 ogies, appraisals, property options,
37 feasibility studies and preoperational
38 expenses.

39 Notwithstanding any inconsistent provision
40 of law, moneys from this appropriation may
41 be used to fund continuity of care
42 services, family reimbursed respite, other
43 than personal services and direct housing
44 subsidies for people who are enrolled in
45 OPWDD's self-direction program, provided
46 any or all such costs are identified in a
47 self-direction budget approved by OPWDD.

48 Notwithstanding any inconsistent provision
49 of law except pursuant to a chapter of the
50 laws of 2025 authorizing a 2.6 percent
51 targeted inflationary increase, for the
52 period commencing on April 1, 2025 and
53 ending March 31, 2026 the commissioner
54 shall not apply any other inflationary
55 increases, cost of living type increases,
56 inflation factors, or trend factors for

1 the purpose of establishing rates of
2 payments, contracts or any other form of
3 reimbursement; provided that this shall
4 not prevent the commissioner from applying
5 prior adjustments for the purpose of
6 establishing rates resulting from a rebas-
7 ing of base year costs.

8 Notwithstanding section 6908 of the educa-
9 tion law and any other provision of law,
10 rule or regulation to the contrary, direct
11 support staff in programs certified or
12 approved by the office for people with
13 developmental disabilities, including the
14 home and community based services waiver
15 programs that the office for people with
16 developmental disabilities is authorized
17 to administer with federal approval pursu-
18 ant to subdivision (c) of section 1915 of
19 the federal social security act, are
20 authorized to provide such tasks as OPWDD
21 may specify when performed under the
22 supervision, training and periodic
23 inspection of a registered professional
24 nurse and in accordance with an authorized
25 practitioner's ordered care.

26 Notwithstanding any other provision of law
27 to the contrary, and consistent with
28 section 33.07 of the mental hygiene law,
29 the directors of facilities licensed but
30 not operated by the office for people with
31 developmental disabilities who act as
32 federally-appointed representative payees
33 and who assume management responsibility
34 over the funds of a resident may continue
35 to use such funds for the cost of the
36 resident's care and treatment, consistent
37 with federal law and regulations.

38 Funds appropriated herein shall be available
39 in accordance with the following:

40 Notwithstanding any other provision of law
41 to the contrary, funds appropriated herein
42 are available to reimburse in- and
43 out-of-state private residential schools,
44 pursuant to subdivision (c) of section
45 13.37-a and subdivision (g) of section
46 13.38 of the mental hygiene law, for costs
47 of supporting the residential and day
48 program services available to individuals
49 who are over the age of 21 years of age,
50 provided that the amount paid for residen-
51 tial services and/or maintenance costs is
52 net of any supplemental security income
53 benefit to which the individual receiving
54 services is eligible, and provided further
55 that funding for nonresidential services
56 will be in an amount not to exceed the

1 maximum reimbursement for appropriate day
 2 services delivered by the office for
 3 people with developmental disabilities
 4 certified or approved providers other than
 5 in- and out-of-state private residential
 6 schools, unless otherwise authorized by
 7 the director of the budget.

8 Notwithstanding section 163 of the state
 9 finance law, section 142 of the economic
 10 development law, and article 41 of the
 11 mental hygiene law, the commissioner of
 12 the office for people with developmental
 13 disabilities may make the funds appropri-
 14 ated herein available as state aid, a loan
 15 or a grant, pursuant to terms and condi-
 16 tions established by the commissioner of
 17 the office for people with developmental
 18 disabilities, to cover a portion of the
 19 development costs of private, public
 20 and/or non-profit organizations, including
 21 corporations and partnerships established
 22 pursuant to the private housing finance
 23 law and/or any other statutory provisions,
 24 for supportive housing units that have
 25 been set aside for individuals with intel-
 26 lectual and developmental disabilities.
 27 Further, the office for people with devel-
 28 opmental disabilities shall have a lien on
 29 the real property developed with such
 30 state aid, loans or grants, which shall be
 31 in the amount of the loan or grant, for a
 32 maximum term of 30 years, or other longer
 33 term consistent with the requirements of
 34 another regulatory agency.

35 For services and expenses related to the
 36 provision of residential services to
 37 people with developmental disabilities
 38 (37802) [~~5,862,000~~] 12,701,000

39 For services and expenses related to the
 40 provision of day program services to
 41 people with developmental disabilities
 42 (37803) [~~1,440,000~~] 3,120,000

43 For services and expenses related to the
 44 provision of family support services to
 45 people with developmental disabilities
 46 (37804) [~~1,620,000~~] 3,510,000

47 For services and expenses related to the
 48 provision of workshop, day training and
 49 employment services to people with devel-
 50 opmental disabilities. Notwithstanding any
 51 other provision of law, up to [~~\$13,800~~]
 52 \$29,900 of this appropriation may be
 53 transferred to the New York State Educa-
 54 tion Departments' Adult Career and Contin-
 55 uing Education Services - Vocational Reha-

1 competent jurisdiction to be invalid, such judgment shall not affect,
2 impair, or invalidate the remainder thereof, but shall be confined in
3 its operation to the clause, sentence, paragraph, subdivision, section
4 or part thereof directly involved in the controversy in which such judg-
5 ment shall have been rendered. It is hereby declared to be the intent of
6 the legislature that this act would have been enacted even if such
7 invalid provisions had not been included herein.

8 § 14. This act shall take effect immediately and shall be deemed to
9 have been in full force and effect on and after April 1, 2026; provided,
10 however, that upon the transfer of expenditures and disbursements by the
11 comptroller as provided in section twelve of this act, the appropri-
12 ations made by this act and subject to such section shall be deemed
13 repealed.