

# STATE OF NEW YORK

11569

## IN ASSEMBLY

June 2, 2026

Introduced by COMMITTEE ON RULES -- (at request of M. of A. De Los Santos) -- read once and referred to the Committee on Ways and Means

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

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

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

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

13 § 2. This act shall take effect immediately.

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

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