

STATE OF NEW YORK

7923

2025-2026 Regular Sessions

IN ASSEMBLY

April 15, 2025

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 113 of the laws of 2025 making appropriations for the support of government, in relation thereto; to amend chapter 118 of the laws of 2025 making appropriations for the support of government, in relation thereto; to amend chapter 119 of the laws of 2025 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, 2025 are enacted.

8 § 2. Section 2 of chapter 113 of the laws of 2025, relating to making
9 appropriations for the support of government, as amended by chapter 119
10 of the laws of 2025, is amended to read as 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, 2025.

16 ALL STATE DEPARTMENTS AND AGENCIES

17 For the purpose of making payments for
18 personal service, including liabilities

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

LBD12006-01-5

1 incurred prior to April 1, 2025, on the
 2 payrolls scheduled to be paid during the
 3 period April 1 through April ~~15~~ 17, 2025
 4 to state officers and employees of the
 5 executive branch, including the governor,
 6 lieutenant governor, comptroller, and
 7 attorney general, and to employees of the
 8 legislature. This appropriation also
 9 includes payments for services performed
 10 by mentally ill or developmentally disa-
 11 bled persons who are employed in state-op-
 12 erated special employment, work-for-pay or
 13 sheltered workshop programs
 14 ~~668,330,000~~ 986,830,000
 15 -----

16 § 3. Section 3 of chapter 113 of the laws of 2025, relating to making
 17 appropriations for the support of government, as amended by chapter 119
 18 of the laws of 2025, is amended to read as follows:

19 § 3. The amount specified in this section, or so much thereof as shall
 20 be sufficient to accomplish the purpose designated, is hereby appropri-
 21 ated and authorized to be paid as hereinafter provided, to the public
 22 officers and for the purpose specified, which amount shall be available
 23 for the state fiscal year beginning April 1, 2025.

24 ALL STATE DEPARTMENTS AND AGENCIES

25 For the payment of state operations non
 26 personal service liabilities to the execu-
 27 tive branch, including the comptroller,
 28 and the attorney general, and legislature,
 29 incurred in the ordinary course of busi-
 30 ness, during the period April 1 through
 31 April ~~15~~ 17, 2025, pursuant to existing
 32 state law and for purposes for which the
 33 legislature authorized the expenditure of
 34 moneys during the 2024-2025 state fiscal
 35 year; provided, however, that nothing
 36 contained herein shall be deemed to limit
 37 or restrict the power or authority of
 38 state departments or agencies to conduct
 39 their activities or operations in accord-
 40 ance with existing law, and further
 41 provided that nothing contained herein
 42 shall be deemed to supersede, nullify or
 43 modify the provisions of section 40 of the
 44 state finance law prescribing when appro-
 45 priations made for the 2024-2025 state
 46 fiscal year shall have ceased to have
 47 force and effect 32,000,000
 48 -----

49 § 4. Section 4 of chapter 113 of the laws of 2025, relating to making
 50 appropriations for the support of government, as amended by chapter 119
 51 of the laws of 2025, 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, 2025.

MISCELLANEOUS -- ALL STATE DEPARTMENTS AND AGENCIES

GENERAL STATE CHARGES

STATE OPERATIONS

GENERAL STATE CHARGES	[516,471,000]	<u>537,121,000</u>

General Fund

State Purposes Account - 10050

For employee fringe benefits according to the following project schedule including those benefits which are related to employees paid from funds, accounts, or programs where the division of the budget has issued waivers [~~516,471,000~~] 537,121,000

Project Schedule

PROJECT	AMOUNT
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For the state's contribution to the health insurance fund and deposit into the retiree health benefit trust fund pursuant to section 99-aa of the state finance law. The state's share of the health insurance program dividends shall be available to pay for the premiums in 2025-26 .. 422,000,000

For the state's contribution to the social security contribution fund [~~49,550,000~~] 69,850,000

For the state's contribution to employee benefit fund programs 37,500,000

For the state's contribution to the dental insurance plan ... 6,000,000

For the state's share of contributions to the voluntary defined contribution plan made on behalf of eligible employees pursuant to chapter 18 of the laws of 2012 who elect to participate in such plan and who are not otherwise eligible

1 to participate in the SUNY
 2 optional retirement program 279,000
 3 For the payment of the metro-
 4 politan commuter transporta-
 5 tion mobility tax pursuant
 6 to article 23 of the tax
 7 law, as added by chapter 25
 8 of the laws of 2009, on
 9 behalf of the state employ-
 10 ees employed in the metro-
 11 politan commuter transporta-
 12 tion district
 13 [~~1,125,000~~] 1,475,000
 14 For the state's contribution
 15 to the vision care plan 17,000
 16 -----
 17 Project schedule total ...
 18 [~~516,471,000~~] 537,121,000
 19 -----

20 § 5. Section 5 of chapter 118 of the laws of 2025, relating to making
 21 appropriations for the support of government, as amended by chapter 119
 22 of the laws of 2025, is amended to read as follows:

23 § 5. The amounts specified in this section, or so much thereof as
 24 shall be sufficient to accomplish the purposes designated, is hereby
 25 appropriated and authorized to be paid as hereinafter provided, to the
 26 public officers and for the purposes specified, which amount shall be
 27 available for the state fiscal year beginning April 1, 2025.

28 JUDICIARY

29 For the purpose of making payments for
 30 personal service, including liabilities
 31 incurred prior to April 1, 2025, on the
 32 payrolls scheduled to be paid during the
 33 period April 1 through April [~~15~~] 17, 2025
 34 to officers and employees of the judiciary
 35 85,000,000
 36 For the payment of state operations nonper-
 37 sonal service liabilities, the sum of
 38 twenty-five million dollars (\$25,000,000),
 39 or so much thereof as shall be sufficient
 40 to accomplish the purpose designated, is
 41 hereby appropriated to the judiciary out
 42 of any moneys in the general fund or other
 43 funds to the credit of the state purposes
 44 account not otherwise appropriated. The
 45 comptroller is hereby authorized and
 46 directed to utilize this appropriation for
 47 the purpose of making payments for nonper-
 48 sonal service liabilities incurred by the
 49 judiciary from April 1 through April [~~15~~]
 50 17, 2025 25,000,000
 51 For the payment of aid to localities liabil-
 52 ities, the sum of thirty million dollars
 53 (\$30,000,000), or so much thereof as shall

1 be sufficient to accomplish the purpose
 2 designated, is hereby appropriated to the
 3 judiciary out of any moneys in the general
 4 fund or other funds to the credit of the
 5 state purposes account not otherwise
 6 appropriated. The comptroller is hereby
 7 authorized and directed to utilize this
 8 appropriation for the purpose of making
 9 payments for aid to localities liabilities
 10 incurred by the judiciary from April 1
 11 through April ~~15~~ 17, 2025 30,000,000
 12 For the payment of employee fringe benefit
 13 programs including, but not limited to,
 14 the judiciary's contributions to the
 15 health insurance fund, the employees'
 16 retirement system pension accumulation
 17 fund, the social security contribution
 18 fund, employee benefit fund programs, the
 19 dental insurance plan, the vision care
 20 plan, the unemployment insurance fund, and
 21 for workers' compensation benefits, the
 22 sum of three hundred million dollars
 23 (\$300,000,000), or so much thereof as
 24 shall be sufficient to accomplish the
 25 purpose designated, is hereby appropriated
 26 to the judiciary out of any moneys in the
 27 general fund or other funds to the credit
 28 of the state purposes account not other-
 29 wise appropriated. The comptroller is
 30 hereby authorized and directed to utilize
 31 this appropriation for the purpose of
 32 making payments for employee fringe bene-
 33 fit liabilities incurred by the judiciary
 34 from April 1 through April ~~15~~ 17, 2025 ... 300,000,000
 35 -----

36 § 6. Section 5 of chapter 113 of the laws of 2025, relating to making
 37 appropriations for the support of government, as amended by chapter 119
 38 of the laws of 2025, is amended to read as follows:

39 § 5. The amounts specified in this section, or so much thereof as
 40 shall be sufficient to accomplish the purposes designated, is hereby
 41 appropriated and authorized to be paid as hereinafter provided, to the
 42 public officers and for the purposes specified, which amount shall be
 43 available for the state fiscal year beginning April 1, 2025.

44 DEPARTMENT OF HEALTH

45 AID TO LOCALITIES

46 CENTER FOR COMMUNITY HEALTH PROGRAM [~~23,050,000~~] 25,190,000
 47 -----

48 General Fund
 49 Local Assistance Account - 10000

1 For services and expenses related to the
2 Indian health program. The money hereby
3 appropriated shall be for payment of
4 financial assistance heretofore accrued or
5 hereafter to accrue (26840) 7,000,000
6 -----

7 Special Revenue Funds - Federal
8 Federal USDA-Food and Nutrition Services Fund
9 Federal Food and Nutrition Services Account - 25022

10 For various federal food and nutritional
11 services. The moneys hereby appropriated
12 shall be available for payment of finan-
13 cial assistance heretofore accrued (26986)
14 [~~16,050,000~~] 18,190,000
15 -----

16 ELDERLY PHARMACEUTICAL INSURANCE COVERAGE PROGRAM 1,520,000
17 -----

18 Special Revenue Funds - Other
19 HCRA Resources Fund
20 EPIC Premium Account - 20818

21 For services and expenses of the program for
22 elderly pharmaceutical insurance coverage,
23 including reimbursement to pharmacies
24 participating in such program.
25 The moneys hereby appropriated shall be
26 available for payment of financial assist-
27 ance heretofore accrued (26803) 1,520,000

28 MEDICAL ASSISTANCE PROGRAM 3,333,612,000
29 -----

30 General Fund
31 Local Assistance Account - 10000

32 For the medical assistance program, includ-
33 ing administrative expenses, for local
34 social services districts, and for medical
35 care rates for authorized child care agen-
36 cies.
37 Notwithstanding section 40 of the state
38 finance law or any provision of law to the
39 contrary, subject to federal approval,
40 department of health state funds medicaid
41 spending, excluding payments for medical
42 services provided at state facilities
43 operated by the office of mental health,
44 the office for people with developmental
45 disabilities and the office of addiction
46 services and supports and further exclud-
47 ing any payments which are not appropri-
48 ated within the department of health, in

the aggregate, for the period April 1, 2025 through March 31, 2026, shall not exceed \$33,417,285,000 except as provided below provided, however, such aggregate limits may be adjusted by the director of the budget to account for any changes in the New York state federal medical assistance percentage amount established pursuant to the federal social security act, increases in provider revenues, reductions in local social services district payments for medical assistance administration, minimum wage increases, and beginning April 1, 2012 the operational costs of the New York state medical indemnity fund, pursuant to chapter 59 of the laws of 2011, and state costs or savings from the essential plan program. Such projections may be adjusted by the director of the budget to account for increased or expedited department of health state funds medicaid expenditures as a result of a natural or other type of disaster, including a governmental declaration of emergency.

The director of the budget, in consultation with the commissioner of health, shall assess on a quarterly basis known and projected medicaid expenditures by category of service and by geographic region, as defined by the commissioner, incurred both prior to and subsequent to such assessment for each such period, and if the director of the budget determines that such expenditures are expected to cause medicaid spending for such period to exceed the aggregate limit specified herein for such period, the state medicaid director, in consultation with the director of the budget and the commissioner of health, shall develop a medicaid savings allocation adjustment to limit such spending to the aggregate limit specified herein for such period.

Such medicaid savings allocation adjustment shall be designed, to reduce the expenditures authorized by the appropriations herein in compliance with the following guidelines: (1) reductions shall be made in compliance with applicable federal law, including the provisions of the Patient Protection and Affordable Care Act, Public Law No. 111-148, and the Health Care and Education Reconciliation Act of 2010, Public Law No. 111-152 (collectively "Affordable Care Act") and any subsequent

1 amendments thereto or regulations promul-
2 gated thereunder; (2) reductions shall be
3 made in a manner that complies with the
4 state medicaid plan approved by the feder-
5 al centers for medicare and medicaid
6 services, provided, however, that the
7 commissioner of health is authorized to
8 submit any state plan amendment or seek
9 other federal approval, including waiver
10 authority, to implement the provisions of
11 the medicaid savings allocation adjustment
12 that meets the other criteria set forth
13 herein; (3) reductions shall be made in a
14 manner that maximizes federal financial
15 participation, to the extent practicable,
16 including any federal financial partic-
17 ipation that is available or is reasonably
18 expected to become available, in the
19 discretion of the commissioner, under the
20 Affordable Care Act; (4) reductions shall
21 be made uniformly among categories of
22 services and geographic regions of the
23 state, to the extent practicable, and
24 shall be made uniformly within a category
25 of service, to the extent practicable,
26 except where the commissioner determines
27 that there are sufficient grounds for
28 non-uniformity, including but not limited
29 to: the extent to which specific catego-
30 ries of services contributed to department
31 of health medicaid state funds spending in
32 excess of the limits specified herein; the
33 need to maintain safety net services in
34 underserved communities; or the potential
35 benefits of pursuing innovative payment
36 models contemplated by the Affordable Care
37 Act, in which case such grounds shall be
38 set forth in the medicaid savings allo-
39 cation adjustment; and (5) reductions
40 shall be made in a manner that does not
41 unnecessarily create administrative
42 burdens to medicaid applicants and recipi-
43 ents or providers.

44 The commissioner shall seek the input of the
45 legislature, as well as organizations
46 representing health care providers,
47 consumers, businesses, workers, health
48 insurers, and others with relevant exper-
49 tise, in developing such medicaid savings
50 allocation adjustment, to the extent that
51 all or part of such adjustment, in the
52 discretion of the commissioner, is likely
53 to have a material impact on the overall
54 medicaid program, particular categories of
55 service or particular geographic regions
56 of the state.

1 (a) The commissioner shall post the medicaid
2 savings allocation adjustment on the
3 department of health's website and shall
4 provide written copies of such adjustment
5 to the chairs of the senate finance and
6 the assembly ways and means committees at
7 least 30 days before the date on which
8 implementation is expected to begin.

9 (b) The commissioner may revise the medicaid
10 savings allocation adjustment subsequent
11 to the provisions of notice and prior to
12 implementation but needs to provide a new
13 notice pursuant to subparagraph (i) of
14 this paragraph only if the commissioner
15 determines, in his or her discretion, that
16 such revisions materially alter the
17 adjustment.

18 Notwithstanding the provisions of paragraphs
19 (a) and (b) of this subdivision, the
20 commissioner need not seek the input
21 described in paragraph (a) of this subdivi-
22 sion or provide notice pursuant to para-
23 graph (b) of this subdivision if, in the
24 discretion of the commissioner, expedited
25 development and implementation of a medi-
26 caid savings allocation adjustment is
27 necessary due to a public health emergen-
28 cy.

29 For purposes of this section, a public
30 health emergency is defined as: (i) a
31 disaster, natural or otherwise, that
32 significantly increases the immediate need
33 for health care personnel in an area of
34 the state; (ii) an event or condition that
35 creates a widespread risk of exposure to a
36 serious communicable disease, or the
37 potential for such widespread risk of
38 exposure; or (iii) any other event or
39 condition determined by the commissioner
40 to constitute an imminent threat to public
41 health.

42 Nothing in this paragraph shall be deemed to
43 prevent all or part of such medicaid
44 savings allocation adjustment from taking
45 effect retroactively to the extent permit-
46 ted by the federal centers for medicare
47 and medicaid services.

48 In accordance with the medicaid savings
49 allocation adjustment, the commissioner of
50 the department of health shall reduce
51 department of health state funds medicaid
52 spending by the amount of the projected
53 overspending through, actions including,
54 but not limited to modifying or suspending
55 reimbursement methods, including but not
56 limited to all fees, premium levels and

1 rates of payment, notwithstanding any
2 provision of law that sets a specific
3 amount or methodology for any such
4 payments or rates of payment; modifying or
5 discontinuing medicaid program benefits;
6 seeking all necessary federal approvals,
7 including, but not limited to waivers,
8 waiver amendments; and suspending time
9 frames for notice, approval or certifi-
10 cation of rate requirements, notwith-
11 standing any provision of law, rule or
12 regulation to the contrary, including but
13 not limited to sections 2807 and 3614 of
14 the public health law, section 18 of chap-
15 ter 2 of the laws of 1988, and 18 NYCRR
16 505.14(h).

17 The department of health shall prepare a
18 quarterly report that sets forth: (a)
19 known and projected department of health
20 medicaid expenditures as described in
21 subdivision (1) of this section, and
22 factors that could result in medicaid
23 disbursements for the relevant state
24 fiscal year to exceed the projected
25 department of health state funds disburse-
26 ments in the enacted budget financial plan
27 pursuant to subdivision 3 of section 23 of
28 the state finance law, including spending
29 increases or decreases due to: enrollment
30 fluctuations, rate changes, utilization
31 changes, MRT investments, and shift of
32 beneficiaries to managed care; and vari-
33 ations in offline medicaid payments; and
34 (b) the actions taken to implement any
35 medicaid savings allocation adjustment
36 implemented pursuant to subdivision (4) of
37 this section, including information
38 concerning the impact of such actions on
39 each category of service and each
40 geographic region of the state. Each such
41 quarterly report shall be provided to the
42 chairs of the senate finance and the
43 assembly ways and means committees and
44 shall be posted on the department of
45 health's website in a timely manner.

46 The money hereby appropriated is to be
47 available for payment of aid heretofore
48 accrued or hereafter accrued to munici-
49 palities, and to providers of medical
50 services pursuant to section 367-b of the
51 social services law, and for payment of
52 state aid to municipalities and to provid-
53 ers of family care where payment systems
54 through the fiscal intermediaries are not
55 operational.

1 Notwithstanding any inconsistent provision
2 of law to the contrary, funds may be used
3 by the department for outside legal
4 assistance on issues involving the federal
5 government, the conduct of preadmission
6 screening and annual resident reviews
7 required by the state's medicaid program,
8 computer matching with insurance carriers
9 to insure that medicaid is the payer of
10 last resort and activities related to the
11 management of the pharmacy benefit avail-
12 able under the medicaid program.

13 Notwithstanding any inconsistent provision
14 of law, in lieu of payments authorized by
15 the social services law, or payments of
16 federal funds otherwise due to the local
17 social services districts for programs
18 provided under the federal social security
19 act or the federal food stamp act, funds
20 herein appropriated, in amounts certified
21 by the state commissioner of temporary and
22 disability assistance or the state commis-
23 sioner of health as due from local social
24 services districts each month as their
25 share of payments made pursuant to section
26 367-b of the social services law may be
27 set aside by the state comptroller in an
28 interest-bearing account in order to
29 ensure the orderly and prompt payment of
30 providers under section 367-b of the
31 social services law pursuant to an esti-
32 mate provided by the commissioner of
33 health of each local social services
34 district's share of payments made pursuant
35 to section 367-b of the social services
36 law.

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

1 to organizations authorized to receive
2 such funds to accomplish this purpose.

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

32 Notwithstanding any inconsistent provision
33 of law to the contrary, the moneys hereby
34 appropriated may be used for payments to
35 the centers for medicaid and medicare
36 services for obligations incurred related
37 to the pharmaceutical costs of dually
38 eligible medicare/medicaid beneficiaries
39 participating in the medicare drug benefit
40 authorized by P.L. 108-173.

41 Notwithstanding any inconsistent provision
42 of law, the moneys hereby appropriated
43 shall not be used for any existing rates,
44 fees, fee schedule, or procedures which
45 may affect the cost of care and services
46 provided by personal care providers, case
47 managers, health maintenance organiza-
48 tions, out of state medical facilities
49 which provide care and services to resi-
50 dents of the state, providers of transpor-
51 tation services, that are altered,
52 amended, adjusted or otherwise changed by
53 a local social services district unless
54 previously approved by the department of
55 health and the director of the budget.

1 Notwithstanding any inconsistent provision
2 of law to the contrary, funds shall be
3 made available to the commissioner of the
4 office of mental health or the commission-
5 er of the office of addiction services and
6 supports, in consultation with the commis-
7 sioner of health and approved by the
8 director of the budget, and consistent
9 with appropriations made therefor, to
10 implement allocation adjustment developed
11 by each such commissioner which shall
12 describe mental health or substance use
13 disorder services that should be developed
14 to meet service needs resulting from the
15 reduction of inpatient behavioral health
16 services provided under the medicaid
17 program, by programs licensed pursuant to
18 article 31 or 32 of the mental hygiene
19 law. Such programs may include programs
20 that are licensed pursuant to both article
21 31 of the mental hygiene law and article
22 28 of the public health law, or certified
23 under both article 32 of the mental
24 hygiene law and article 28 of the public
25 health law.

26 Notwithstanding any inconsistent provision
27 of law, the moneys hereby appropriated may
28 be available for payments associated with
29 the resolution by settlement agreement or
30 judgment of rate appeals and/or litigation
31 where the department of health is a party.

32 For services and expenses of the medical
33 assistance program including hospital
34 inpatient services and general hospitals
35 that are safety-net providers that evince
36 severe financial distress, pursuant to
37 criteria determined by the commissioner,
38 shall be eligible for awards for amounts
39 appropriated herein, to enable such
40 providers to maintain operations and vital
41 services while establishing long term
42 solutions to achieve sustainable health
43 services.

44 Notwithstanding any inconsistent provisions
45 of law, no expenditures shall be used for
46 the medical assistance program for any
47 expenses not explicitly authorized in law
48 without the approval of the director of
49 the budget.

50 Notwithstanding any provision of law to the
51 contrary, the portion of this appropri-
52 ation covering fiscal year 2025-26 shall
53 supersede and replace any duplicative (i)
54 reappropriation for this item covering
55 fiscal year 2025-26, and (ii) appropri-
56 ation for this item covering fiscal year

1 2025-26 set forth in chapter 53 of the
2 laws of 2024 (26947) 60,600,000
3 For services and expenses of the medical
4 assistance program including hospital
5 outpatient and emergency room services.
6 Notwithstanding any provision of law to the
7 contrary, the portion of this appropri-
8 ation covering fiscal year 2025-26 shall
9 supersede and replace any duplicative (i)
10 reappropriation for this item covering
11 fiscal year 2025-26, and (ii) appropri-
12 ation for this item covering fiscal year
13 2025-26 set forth in chapter 53 of the
14 laws of 2024 (26948) 15,648,000
15 For services and expenses of the medical
16 assistance program including clinic
17 services.
18 Notwithstanding any provision of law to the
19 contrary, the portion of this appropri-
20 ation covering fiscal year 2025-26 shall
21 supersede and replace any duplicative (i)
22 reappropriation for this item covering
23 fiscal year 2025-26, and (ii) appropri-
24 ation for this item covering fiscal year
25 2025-26 set forth in chapter 53 of the
26 laws of 2024 (26949) 28,539,000
27 For services and expenses of the medical
28 assistance program including nursing home
29 services.
30 Notwithstanding any provision of law to the
31 contrary, the portion of this appropri-
32 ation covering fiscal year 2025-26 shall
33 supersede and replace any duplicative (i)
34 reappropriation for this item covering
35 fiscal year 2025-26, and (ii) appropri-
36 ation for this item covering fiscal year
37 2025-26 set forth in chapter 53 of the
38 laws of 2024 (26950) 76,404,000
39 For services and expenses of the medical
40 assistance program including other long
41 term care services.
42 Notwithstanding any provision of law to the
43 contrary, the portion of this appropri-
44 ation covering fiscal year 2025-26 shall
45 supersede and replace any duplicative (i)
46 reappropriation for this item covering
47 fiscal year 2025-26, and (ii) appropri-
48 ation for this item covering fiscal year
49 2025-26 set forth in chapter 53 of the
50 laws of 2024 (26951) 211,167,000
51 For services and expenses of the medical
52 assistance program including managed care
53 services including regional planning
54 activities of the finger lakes health
55 systems agency, including statewide coor-
56 dination and demonstration of best prac-

1 tices. The department shall make grants
2 within amounts appropriated therefor, to
3 assure high-quality and accessible primary
4 care, to provide technical assistance to
5 support financial and business planning
6 for integrated systems of care, and to
7 assist primary care providers in the
8 adoption, implementation, and meaningful
9 use of electronic health record technolo-
10 gy.

11 Notwithstanding any provision of law to the
12 contrary, the portion of this appropri-
13 ation covering fiscal year 2025-26 shall
14 supersede and replace any duplicative (i)
15 reappropriation for this item covering
16 fiscal year 2025-26, and (ii) appropri-
17 ation for this item covering fiscal year
18 2025-26 set forth in chapter 53 of the
19 laws of 2024 (26952) 130,293,000

20 For services and expenses for health homes
21 including grants to health homes.

22 Notwithstanding any provision of law to the
23 contrary, the portion of this appropri-
24 ation covering fiscal year 2025-26 shall
25 supersede and replace any duplicative (i)
26 reappropriation for this item covering
27 fiscal year 2025-26, and (ii) appropri-
28 ation for this item covering fiscal year
29 2025-26 set forth in chapter 53 of the
30 laws of 2024 (29548) 9,048,000

31 For services and expenses of the medical
32 assistance program including pharmacy
33 services provided, however, that no funds
34 shall be made available pursuant to this
35 appropriation for any drug not explicitly
36 authorized in any enacted law, rule, or
37 regulation without approval from the
38 director of the budget.

39 Notwithstanding any provision of law to the
40 contrary, the portion of this appropri-
41 ation covering fiscal year 2025-26 shall
42 supersede and replace any duplicative (i)
43 reappropriation for this item covering
44 fiscal year 2025-26, and (ii) appropri-
45 ation for this item covering fiscal year
46 2025-26 set forth in chapter 53 of the
47 laws of 2024 (26953) 145,428,000

48 For services and expenses of the medical
49 assistance program including transporta-
50 tion services.

51 Notwithstanding any provision of law to the
52 contrary, the portion of this appropri-
53 ation covering fiscal year 2025-26 shall
54 supersede and replace any duplicative (i)
55 reappropriation for this item covering

1 fiscal year 2025-26, and (ii) appropri-
2 ation for this item covering fiscal year
3 2025-26 set forth in chapter 53 of the
4 laws of 2024 (26954) 21,516,000
5 For services and expenses of the medical
6 assistance program including dental
7 services.
8 Notwithstanding any provision of law to the
9 contrary, the portion of this appropri-
10 ation covering fiscal year 2025-26 shall
11 supersede and replace any duplicative (i)
12 reappropriation for this item covering
13 fiscal year 2025-26, and (ii) appropri-
14 ation for this item covering fiscal year
15 2025-26 set forth in chapter 53 of the
16 laws of 2024 (26955) 246,000
17 For services and expenses of the medical
18 assistance program including non-institu-
19 tional and other spending.
20 The money hereby appropriated is available
21 for payment of liabilities heretofore
22 accrued or hereafter accrued.
23 Notwithstanding any inconsistent provision
24 of law, the money hereby appropriated may
25 be available for payments to any county or
26 public school districts associated with
27 additional claims for school supportive
28 health services.
29 Notwithstanding any provision of law to the
30 contrary, the portion of this appropri-
31 ation covering fiscal year 2025-26 shall
32 supersede and replace any duplicative (i)
33 reappropriation for this item covering
34 fiscal year 2025-26, and (ii) appropri-
35 ation for this item covering fiscal year
36 2025-26 set forth in chapter 53 of the
37 laws of 2024 (26956) 59,406,000
38 For services and expenses of the medical
39 assistance program including medical
40 services provided at state facilities
41 operated by the office of mental health,
42 the office for people with developmental
43 disabilities and the office of addiction
44 services and supports.
45 Notwithstanding any provision of law to the
46 contrary, the portion of this appropri-
47 ation covering fiscal year 2025-26 shall
48 supersede and replace any duplicative (i)
49 reappropriation for this item covering
50 fiscal year 2025-26, and (ii) appropri-
51 ation for this item covering fiscal year
52 2025-26 set forth in chapter 53 of the
53 laws of 2024 (26961) 250,200,000
54 -----

1 Federal Health and Human Services Fund
2 Medicaid Direct Account - 25106

3 For services and expenses for the medical
4 assistance program, including administra-
5 tive expenses for local social services
6 districts, pursuant to title XIX of the
7 federal social security act or its succes-
8 sor program.

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

19 Notwithstanding any inconsistent provision
20 of law, funding made available by these
21 appropriations shall support direct salary
22 costs and related fringe benefits within
23 the medical assistance program associated
24 with any minimum wage increase that takes
25 effect during the timeframe of these
26 appropriations, pursuant to section 652 of
27 the labor law. Each eligible organization
28 in receipt of funding made available by
29 these appropriations may be required to
30 submit written certification, in such form
31 and at such time the commissioner may
32 prescribe, attesting to the total amount
33 of funds used by the eligible organiza-
34 tion, how such funding will be or was used
35 for purposes eligible under these appro-
36 priations and any other reporting deemed
37 necessary by the commissioner. The amounts
38 appropriated herein may include advances
39 to organizations authorized to receive
40 such funds to accomplish this purpose.

41 Notwithstanding any other provision of law,
42 the money hereby appropriated may be
43 increased or decreased by interchange or
44 transfer, with any appropriation of the
45 department of health and the office of
46 medicaid inspector general and may be
47 increased or decreased by transfer or
48 suballocation between these appropriated
49 amounts and appropriations of the office
50 of mental health, office for people with
51 developmental disabilities, the office of
52 addiction services and supports, the
53 department of family assistance office of
54 temporary and disability assistance,
55 office of children and family services,

1 the department of financial services,
2 department of corrections and community
3 supervision, the office of information
4 technology services, the state university
5 of New York, the state education depart-
6 ment, and the state office for the aging
7 with the approval of the director of the
8 budget, who shall file such approval with
9 the department of audit and control and
10 copies thereof with the chairman of the
11 senate finance committee and the chairman
12 of the assembly ways and means committee.

13 Notwithstanding any inconsistent provision
14 of law, in lieu of payments authorized by
15 the social services law, or payments of
16 federal funds otherwise due to the local
17 social services districts for programs
18 provided under the federal social security
19 act or the federal food stamp act, funds
20 herein appropriated, in amounts certified
21 by the state commissioner of temporary and
22 disability assistance or the state commis-
23 sioner of health as due from local social
24 services districts each month as their
25 share of payments made pursuant to section
26 367-b of the social services law may be
27 set aside by the state comptroller in an
28 interest-bearing account in order to
29 ensure the orderly and prompt payment of
30 providers under section 367-b of the
31 social services law pursuant to an esti-
32 mate provided by the commissioner of
33 health of each local social services
34 district's share of payments made pursuant
35 to section 367-b of the social services
36 law.

37 Notwithstanding any inconsistent provision
38 of law to the contrary, funds shall be
39 made available to the commissioner of the
40 office of mental health or the commission-
41 er of the office of addiction services and
42 supports, in consultation with the commis-
43 sioner of health and approved by the
44 director of the budget, and consistent
45 with appropriations made therefor, to
46 implement allocation adjustment developed
47 by each such commissioner which shall
48 describe mental health or substance use
49 disorder services that should be developed
50 to meet service needs resulting from the
51 reduction of inpatient behavioral health
52 services provided under the medicaid
53 program, by programs licensed pursuant to
54 article 31 or 32 of the mental hygiene
55 law. Such programs may include programs
56 that are licensed pursuant to both article

1 31 of the mental hygiene law and article
2 28 of the public health law, or certified
3 under both article 32 of the mental
4 hygiene law and article 28 of the public
5 health law.
6 Notwithstanding any inconsistent provision
7 of law, the moneys hereby appropriated may
8 be available for payments associated with
9 the resolution by settlement agreement or
10 judgment of rate appeals and/or litigation
11 where the department of health is a party.
12 Notwithstanding any inconsistent
13 provisions of law, no expenditures shall
14 be used for the medical assistance program
15 for any expenses not explicitly authorized
16 in law without the approval of the direc-
17 tor of the budget.
18 For services and expenses of the medical
19 assistance program including hospital
20 inpatient services.
21 Notwithstanding any provision of law to the
22 contrary, the portion of this appropri-
23 ation covering fiscal year 2025-26 shall
24 supersede and replace any duplicative (i)
25 reappropriation for this item covering
26 fiscal year 2025-26, and (ii) appropri-
27 ation for this item covering fiscal year
28 2025-26 set forth in chapter 53 of the
29 laws of 2024 (26947) 173,442,000
30 For services and expenses of the medical
31 assistance program including hospital
32 outpatient and emergency room services.
33 Notwithstanding any provision of law to the
34 contrary, the portion of this appropri-
35 ation covering fiscal year 2025-26 shall
36 supersede and replace any duplicative (i)
37 reappropriation for this item covering
38 fiscal year 2025-26, and (ii) appropri-
39 ation for this item covering fiscal year
40 2025-26 set forth in chapter 53 of the
41 laws of 2024 (26948) 31,116,000
42 For services and expenses of the medical
43 assistance program including clinic
44 services.
45 Notwithstanding any provision of law to the
46 contrary, the portion of this appropri-
47 ation covering fiscal year 2025-26 shall
48 supersede and replace any duplicative (i)
49 reappropriation for this item covering
50 fiscal year 2025-26, and (ii) appropri-
51 ation for this item covering fiscal year
52 2025-26 set forth in chapter 53 of the
53 laws of 2024 (26949) 50,901,000
54 For services and expenses of the medical
55 assistance program including nursing home
56 services.

1 Notwithstanding any provision of law to the
2 contrary, the portion of this appropri-
3 ation covering fiscal year 2025-26 shall
4 supersede and replace any duplicative (i)
5 reappropriation for this item covering
6 fiscal year 2025-26, and (ii) appropri-
7 ation for this item covering fiscal year
8 2025-26 set forth in chapter 53 of the
9 laws of 2024(26950) 238,077,000
10 For services and expenses of the medical
11 assistance program including other long
12 term care services.
13 Notwithstanding any provision of law to the
14 contrary, the portion of this appropri-
15 ation covering fiscal year 2025-26 shall
16 supersede and replace any duplicative (i)
17 reappropriation for this item covering
18 fiscal year 2025-26, and (ii) appropri-
19 ation for this item covering fiscal year
20 2025-26 set forth in chapter 53 of the
21 laws of 2024 (26951) 397,182,000
22 For services and expenses of the medical
23 assistance program including managed care
24 services including regional planning
25 activities of the finger lakes health
26 systems agency, including statewide coor-
27 dination and demonstration of best prac-
28 tices. The department shall make grants
29 within amounts appropriated therefor, to
30 assure high-quality and accessible primary
31 care, to provide technical assistance to
32 support financial and business planning
33 for integrated systems of care, and to
34 assist primary care providers in the
35 adoption, implementation, and meaningful
36 use of electronic health record technolo-
37 gy.
38 Notwithstanding any provision of law to the
39 contrary, the portion of this appropri-
40 ation covering fiscal year 2025-26 shall
41 supersede and replace any duplicative (i)
42 reappropriation for this item covering
43 fiscal year 2025-26, and (ii) appropri-
44 ation for this item covering fiscal year
45 2025-26 set forth in chapter 53 of the
46 laws of 2024 (26952) 452,487,000
47 For services and expenses of the medical
48 assistance program including pharmacy
49 services, provided, however, that no funds
50 shall be made available pursuant to this
51 appropriation for any drug not explicitly
52 authorized in any heretofore enacted law,
53 rule, or regulation without approval from
54 the director of the budget.
55 Notwithstanding any provision of law to the
56 contrary, the portion of this appropri-

1 ation covering fiscal year 2025-26 shall
2 supersede and replace any duplicative (i)
3 reappropriation for this item covering
4 fiscal year 2025-26, and (ii) appropri-
5 ation for this item covering fiscal year
6 2025-26 set forth in chapter 53 of the
7 laws of 2024 (26953) 277,848,000
8 For services and expenses of the medical
9 assistance program including transporta-
10 tion services.
11 Notwithstanding any provision of law to the
12 contrary, the portion of this appropri-
13 ation covering fiscal year 2025-26 shall
14 supersede and replace any duplicative (i)
15 reappropriation for this item covering
16 fiscal year 2025-26, and (ii) appropri-
17 ation for this item covering fiscal year
18 2025-26 set forth in chapter 53 of the
19 laws of 2024 (26954) 36,705,000
20 For services and expenses of the medical
21 assistance program including dental
22 services.
23 Notwithstanding any provision of law to the
24 contrary, the portion of this appropri-
25 ation covering fiscal year 2025-26 shall
26 supersede and replace any duplicative (i)
27 reappropriation for this item covering
28 fiscal year 2025-26, and (ii) appropri-
29 ation for this item covering fiscal year
30 2025-26 set forth in chapter 53 of the
31 laws of 2024 (26955) 4,266,000
32 For services and expenses of the medical
33 assistance program including noninstitu-
34 tional and other spending.
35 The money hereby appropriated is available
36 for payment of liabilities heretofore
37 accrued or hereafter accrued.
38 Notwithstanding any provision of law to the
39 contrary, the portion of this appropri-
40 ation covering fiscal year 2025-26 shall
41 supersede and replace any duplicative (i)
42 reappropriation for this item covering
43 fiscal year 2025-26, and (ii) appropri-
44 ation for this item covering fiscal year
45 2025-26 set forth in chapter 53 of the
46 laws of 2024 (26956) 412,893,000
47 For services and expenses of the medical
48 assistance program including medical
49 services provided at state facilities
50 operated by the office of mental health,
51 the office for people with developmental
52 disabilities and the office of addiction
53 services and supports.
54 Notwithstanding any provision of law to the
55 contrary, the portion of this appropri-
56 ation covering fiscal year 2025-26 shall

1 supersede and replace any duplicative (i)
 2 reappropriation for this item covering
 3 fiscal year 2025-26, and (ii) appropri-
 4 ation for this item covering fiscal year
 5 2025-26 set forth in chapter 53 of the
 6 laws of 2024 (26961) 250,200,000
 7 -----

8 § 7. Section 6 of chapter 113 of the laws of 2025, relating to making
 9 appropriations for the support of government, as amended by chapter 119
 10 of the laws of 2025, is amended to read as follows:

11 § 6. 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 purposes specified, which amount shall be
 15 available for the state fiscal year beginning April 1, 2025.

16 DEPARTMENT OF LABOR

17 AID TO LOCALITIES

18 UNEMPLOYMENT INSURANCE BENEFIT PROGRAM [~~465,000,000~~] 555,000,000
 19 -----

20 Enterprise Funds
 21 Unemployment Insurance Benefit Fund
 22 Unemployment Insurance Benefit Account - 50650

23 For payment of unemployment insurance bene-
 24 fits pursuant to article 18 of the labor
 25 law or as authorized by the federal
 26 government through the disaster unemploy-
 27 ment assistance program, the emergency
 28 unemployment compensation program, the
 29 extended benefit program, the federal
 30 additional compensation program or any
 31 other federally funded unemployment bene-
 32 fit program (34787) [~~465,000,000~~] 555,000,000

33 § 8. Section 11 of chapter 119 of the laws of 2025, relating to making
 34 appropriations for the support of government, is amended to read as
 35 follows:

36 § 11. The amounts specified in this section, or so much thereof as
 37 shall be sufficient to accomplish the purposes designated, is hereby
 38 appropriated and authorized to be paid as hereinafter provided, to the
 39 public officers and for the purposes specified, which amount shall be
 40 available for the state fiscal year beginning April 1, 2025.

41 DEPARTMENT OF MENTAL HYGIENE
 42 OFFICE FOR PEOPLE WITH DEVELOPMENTAL DISABILITIES
 43 AID TO LOCALITIES

44 COMMUNITY SERVICES PROGRAM [~~302,250,000~~] 305,625,000
 45 -----

46 General Fund

1 Local Assistance Account - 10000

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

18 Notwithstanding any other provision of law,
19 advances and reimbursement made pursuant
20 to subdivision (d) of section 41.15 and
21 section 41.18 of the mental hygiene law
22 shall be allocated pursuant to a plan and
23 in a manner prescribed by the agency head
24 and approved by the director of the budg-
25 et. The moneys hereby appropriated are
26 available to reimburse or advance locali-
27 ties and voluntary non-profit agencies for
28 expenditures made during local fiscal
29 periods commencing January 1, 2025, April
30 1, 2025 or July 1, 2025, and for advances
31 for the 3 month period beginning January
32 1, 2026.

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

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

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

1 Notwithstanding the provisions of section
2 16.23 of the mental hygiene law and any
3 other inconsistent provision of law, with
4 relation to the operation of certified
5 family care homes, including family care
6 homes sponsored by voluntary not-for-pro-
7 fit agencies, moneys from this appropri-
8 ation may be used for payments to purchase
9 general services including but not limited
10 to respite providers, up to a maximum of
11 14 days, at rates to be established by the
12 commissioner and approved by the director
13 of the budget in consideration of factors
14 including, but not limited to, geographic
15 area and number of clients cared for in
16 the home and for payment in an amount
17 determined by the commissioner for the
18 personal needs of each client residing in
19 the family care home.

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

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

42 Notwithstanding any inconsistent provision
43 of law except pursuant to a chapter of the
44 laws of 2024 authorizing a 2.84 percent
45 cost of living adjustment, for the period
46 commencing on April 1, 2024 and ending
47 March 31, 2025 the commissioner shall not
48 apply any other cost of living adjustment
49 for the purpose of establishing rates of
50 payments, contracts or any other form of
51 reimbursement; provided that this shall
52 not prevent the commissioner from applying
53 prior adjustments for the purpose of
54 establishing rates resulting from a rebas-
55 ing of base year costs.

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

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

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

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

38 Notwithstanding any inconsistent provision
39 of law, and pursuant to criteria estab-
40 lished by the commissioner of the office
41 for people with developmental disabilities
42 and approved by the director of the budg-
43 et, expenditures may be made from this
44 appropriation for residential facilities
45 which are pending recertification as
46 intermediate care facilities for people
47 with developmental disabilities.

48 Notwithstanding the provisions of section
49 41.36 of the mental hygiene law and any
50 other inconsistent provision of law,
51 moneys from this appropriation may be used
52 for payment up to \$250 per year per
53 client, at such times and in such manner
54 as determined by the commissioner on the
55 basis of financial need for the personal
56 needs of each client residing in voluntar-

1 y-operated community residences and volun-
2 tary-operated community residential alter-
3 natives, including individualized
4 residential alternatives under the home
5 and community based services waiver. The
6 commissioner shall, subject to the
7 approval of the director of the budget,
8 alter existing advance payment schedules
9 for voluntary-operated community resi-
10 dences established pursuant to section
11 41.36 of the mental hygiene law.

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

20 For the state share of medical assistance
21 services expenses incurred by the depart-
22 ment of health for the provision of
23 medical assistance services to people with
24 developmental disabilities (37835) 277,014,000

25 For services and expenses of the community
26 services program, net of disallowances,
27 for community programs for people with
28 developmental disabilities pursuant to
29 article 41 of the mental hygiene law,
30 and/or chapter 620 of the laws of 1974,
31 chapter 660 of the laws of 1977, chapter
32 412 of the laws of 1981, chapter 27 of the
33 laws of 1987, chapter 729 of the laws of
34 1989, chapter 329 of the laws of 1993 and
35 other provisions of the mental hygiene
36 law. Notwithstanding any inconsistent
37 provision of law, the following appropri-
38 ation shall be net of prior and/or current
39 year refunds, rebates, reimbursements, and
40 credits.

41 Notwithstanding any other provision of law,
42 advances and reimbursement made pursuant
43 to subdivision (d) of section 41.15 and
44 section 41.18 of the mental hygiene law
45 shall be allocated pursuant to a plan and
46 in a manner prescribed by the agency head
47 and approved by the director of the budg-
48 et. The moneys hereby appropriated are
49 available to reimburse or advance locali-
50 ties and voluntary non-profit agencies for
51 expenditures made during local fiscal
52 periods commencing January 1, 2025, April
53 1, 2025 or July 1, 2025, and for advances
54 for the 3 month period beginning January
55 1, 2026.

1 Notwithstanding the provisions of article 41
2 of the mental hygiene law or any other
3 inconsistent provision of law, rule or
4 regulation, the commissioner, pursuant to
5 such contract and in the manner provided
6 therein, may pay all or a portion of the
7 expenses incurred by such voluntary agen-
8 cies arising out of loans which are funded
9 from the proceeds of bonds and notes
10 issued by the dormitory authority of the
11 state of New York.

12 Notwithstanding any other provision of law,
13 the money hereby appropriated may be
14 transferred to state operations and/or any
15 appropriation of the office for people
16 with developmental disabilities with the
17 approval of the director of the budget.

18 Notwithstanding any inconsistent provision
19 of law, moneys from this appropriation may
20 be used for state aid of up to 100 percent
21 of the net deficit costs of day training
22 programs and family support services.

23 Notwithstanding the provisions of section
24 16.23 of the mental hygiene law and any
25 other inconsistent provision of law, with
26 relation to the operation of certified
27 family care homes, including family care
28 homes sponsored by voluntary not-for-pro-
29 fit agencies, moneys from this appropri-
30 ation may be used for payments to purchase
31 general services including but not limited
32 to respite providers, up to a maximum of
33 14 days, at rates to be established by the
34 commissioner and approved by the director
35 of the budget in consideration of factors
36 including, but not limited to, geographic
37 area and number of clients cared for in
38 the home and for payment in an amount
39 determined by the commissioner for the
40 personal needs of each client residing in
41 the family care home.

42 Notwithstanding the provisions of subdivi-
43 sion 12 of section 8 of the state finance
44 law and any other inconsistent provision
45 of law, moneys from this appropriation may
46 be used for expenses of family care homes
47 including payments to operators of certi-
48 fied family care homes for damages caused
49 by clients to personal and real property
50 in accordance with standards established
51 by the commissioner and approved by the
52 director of the budget.

53 Notwithstanding any inconsistent provision
54 of law, moneys from this appropriation may
55 be used for appropriate day program
56 services and residential services includ-

ing, but not limited to, direct housing subsidies to individuals, start-up expenses for family care providers, environmental modifications, adaptive technologies, appraisals, property options, feasibility studies and preoperational expenses.

Notwithstanding any inconsistent provision of law except pursuant to a chapter of the laws of 2024 authorizing a 2.84 percent cost of living adjustment, for the period commencing on April 1, 2024 and ending March 31, 2025 the commissioner shall not apply any other cost of living adjustment for the purpose of establishing rates of payments, contracts or any other form of reimbursement; provided that this shall not prevent the commissioner from applying prior adjustments for the purpose of establishing rates resulting from a rebasing of base year costs.

Notwithstanding section 6908 of the education law and any other provision of law, rule or regulation to the contrary, direct support staff in programs certified or approved by the office for people with developmental disabilities, including the home and community based services waiver programs that the office for people with developmental disabilities is authorized to administer with federal approval pursuant to subdivision (c) of section 1915 of the federal social security act, are authorized to provide such tasks as OPWDD may specify when performed under the supervision, training and periodic inspection of a registered professional nurse and in accordance with an authorized practitioner's ordered care.

Notwithstanding any other provision of law to the contrary, and consistent with section 33.07 of the mental hygiene law, the directors of facilities licensed but not operated by the office for people with 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 other provision of law to the contrary, funds appropriated herein are available to reimburse in- and out-of-

state private residential schools, pursuant to subdivision (c) of section 13.37-a and subdivision (g) of section 13.38 of the mental hygiene law, for costs of supporting the residential and day program services available to individuals who are over the age of 21 years of age, provided that the amount paid for residential services and/or maintenance costs is net of any supplemental security income benefit to which the individual receiving services is eligible, and provided further that funding for nonresidential services will be in an amount not to exceed the maximum reimbursement for appropriate day services delivered by the office for people with developmental disabilities certified or approved providers other than in- and out-of-state private residential schools, unless otherwise authorized by the director of the budget.

Notwithstanding section 163 of the state finance law, section 142 of the economic development law, and article 41 of the mental hygiene law, the commissioner of the office for people with developmental disabilities may make the funds appropriated herein available as state aid, a loan or a grant, pursuant to terms and conditions established by the commissioner of the office for people with developmental disabilities, to cover a portion of the development costs of private, public and/or non-profit organizations, including corporations and partnerships established pursuant to the private housing finance law and/or any other statutory provisions, for supportive housing units that have been set aside for individuals with intellectual and developmental disabilities.

Further, the office for people with developmental disabilities shall have a lien on the real property developed with such state aid, loans or grants, which shall be in the amount of the loan or grant, for a maximum term of 30 years, or other longer term consistent with the requirements of another regulatory agency.

For services and expenses related to the provision of residential services to people with developmental disabilities (37802) [~~14,655,000~~]

16,609,000

For services and expenses related to the provision of day program services to people with developmental disabilities (37803) [~~3,600,000~~]

4,080,000

1	For services and expenses related to the	
2	provision of family support services to	
3	people with developmental disabilities	
4	(37804)	[4,050,000] <u>4,590,000</u>
5	For services and expenses related to the	
6	provision of workshop, day training and	
7	employment services to people with devel-	
8	opmental disabilities. Notwithstanding any	
9	other provision of law, up to \$800,000 of	
10	this appropriation may be transferred to	
11	the New York State Education Departments'	
12	Adult Career and Continuing Education	
13	Services - Vocational Rehabilitation	
14	(ACCES-VR) program to support the Long-	
15	Term Sheltered Employment program operated	
16	by FEDCAP Rehabilitation Services, Inc.	
17	(37805)	[2,340,000] <u>2,652,000</u>
18	For other services and expenses provided to	
19	people with developmental disabilities	
20	including but not limited to hepatitis B,	
21	care at home waiver, epilepsy services,	
22	Special Olympics New York, Inc. and volun-	
23	tary fingerprinting (37806)	[600,000] <u>680,000</u>
24	-----	

25 § 9. Section 8 of chapter 113 of the laws of 2025, relating to making
 26 appropriations for the support of government, as amended by chapter 119
 27 of the laws of 2025, is amended to read as follows:

28 § 8. The amounts specified in this section, or so much thereof as
 29 shall be sufficient to accomplish the purposes designated, is hereby
 30 appropriated and authorized to be paid as hereinafter provided, to the
 31 public officers and for the purposes specified, which amount shall be
 32 available for the state fiscal year beginning April 1, 2025.

33 DEPARTMENT OF VETERANS' SERVICES

34 AID TO LOCALITIES

35	BLIND VETERAN ANNUITY ASSISTANCE PROGRAM	385,000
36	-----	

37 General Fund
 38 Local Assistance Account - 10000

39	For payment of annuities to blind veterans	
40	and eligible surviving spouses. Up to	
41	\$15,000 of this appropriation may be	
42	transferred to state operations for admin-	
43	istrative costs associated with this	
44	program (54606)	385,000

45	VETERANS' BENEFITS ADVISING PROGRAM	[210,000] <u>238,000</u>
46	-----	

47 Special Revenue Funds - Other
 48 Homeless Veterans Assistance Fund

1 Homeless Veterans Assistance Account - 20204

2 For services and expenses related to home-
3 less veterans' housing (54815) .. [~~210,000~~] 238,000

4 § 10. No expenditure may be made from any appropriation in this act,
5 until a certificate of approval has been issued by the director of the
6 budget and a copy of such certificate shall have been filed with the
7 state comptroller, the chairman of the senate finance committee and the
8 chairman of the assembly ways and means committee provided, however,
9 that any expenditures from any appropriation in this act made by the
10 legislature or judiciary shall not require such certificate.

11 § 11. All expenditures and disbursements made against the appropri-
12 ations in this act shall, upon final action by the legislature on appro-
13 priation bills submitted by the governor pursuant to article VII of the
14 state constitution for the support of government for the state fiscal
15 year beginning April 1, 2025, be transferred by the comptroller as
16 expenditures and disbursements to such appropriations for all state
17 departments and agencies, as applicable, in amounts equal to the amounts
18 charged against the appropriations in this act for each such department,
19 agency, and the legislature and the judiciary.

20 § 12. Severability clause. If any clause, sentence, paragraph, subdivi-
21 sion, section or part of this act shall be adjudged by any court of
22 competent jurisdiction to be invalid, such judgment shall not affect,
23 impair, or invalidate the remainder thereof, but shall be confined in
24 its operation to the clause, sentence, paragraph, subdivision, section
25 or part thereof directly involved in the controversy in which such judg-
26 ment shall have been rendered. It is hereby declared to be the intent of
27 the legislature that this act would have been enacted even if such
28 invalid provisions had not been included herein.

29 § 13. This act shall take effect immediately and shall be deemed to
30 have been in full force and effect on and after April 1, 2025; provided,
31 however, that upon the transfer of expenditures and disbursements by the
32 comptroller as provided in section eleven of this act, the appropri-
33 ations made by this act and subject to such section shall be deemed
34 repealed.