

STATE OF NEW YORK

8270

2025-2026 Regular Sessions

IN ASSEMBLY

May 6, 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.

7
8 § 2. Section 3 of chapter 113 of the laws of 2025, relating to making
9 appropriations for the support of government, as amended by chapter 125
10 of the laws of 2025, is amended to read as follows:

11 § 3. The amount specified in this section, or so much thereof as shall
12 be sufficient to accomplish the purpose designated, is hereby appropriated and authorized to be paid as hereinafter provided, to the public
13 officers and for the purpose specified, which amount shall be available
14 for the state fiscal year beginning April 1, 2025.
15

16 ALL STATE DEPARTMENTS AND AGENCIES

17 For the payment of state operations non
18 personal service liabilities to the execu-

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

LBD12012-01-5

tive branch, including the comptroller,
 and the attorney general, and legislature,
 incurred in the ordinary course of busi-
 ness, during the period April 1 through
 May ~~[6]~~ 7, 2025, pursuant to existing
 state law and for purposes for which the
 legislature authorized the expenditure of
 moneys during the 2024-2025 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 accord-
 ance 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 appro-
 priations made for the 2024-2025 state
 fiscal year shall have ceased to have
 force and effect 34,000,000

§ 3. Section 4 of chapter 113 of the laws of 2025, relating to making
 appropriations for the support of government, as amended by chapter 124
 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 [~~595,945,000~~] 629,945,000

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 [~~588,125,000~~] 622,125,000

Project Schedule

PROJECT	AMOUNT

For the state's contribution	
to the health insurance fund	
and deposit into the retiree	

1 health benefit trust fund
 2 pursuant to section 99-aa of
 3 the state finance law. The
 4 state's share of the health
 5 insurance program dividends
 6 shall be available to pay
 7 for the premiums in 2025-26 .. 422,000,000
 8 For the state's contribution
 9 to the social security
 10 contribution fund
 11 [~~119,450,000~~] 153,450,000
 12 For the state's contribution
 13 to employee benefit fund
 14 programs 37,500,000
 15 For the state's contribution
 16 to the dental insurance plan ... 6,000,000
 17 For the state's share of
 18 contributions to the volun-
 19 tary defined contribution
 20 plan made on behalf of
 21 eligible employees pursuant
 22 to chapter 18 of the laws of
 23 2012 who elect to partic-
 24 ipate in such plan and who
 25 are not otherwise eligible
 26 to participate in the SUNY
 27 optional retirement program 558,000
 28 For the payment of the metro-
 29 politan commuter transporta-
 30 tion mobility tax pursuant
 31 to article 23 of the tax
 32 law, as added by chapter 25
 33 of the laws of 2009, on
 34 behalf of the state employ-
 35 ees employed in the metro-
 36 politan commuter transporta-
 37 tion district 2,600,000
 38 For the state's contribution
 39 to the vision care plan 17,000
 40 -----
 41 Project schedule total ...
 42 [~~588,125,000~~] 622,125,000
 43 -----
 44 For payments in accordance with section 19-a
 45 of the public lands law (80567) 7,720,000
 46 For payment of claims for damage to personal
 47 or real property or for bodily injuries or
 48 wrongful death caused by officers, employ-
 49 ees, or other authorized persons providing
 50 service to state government while provid-
 51 ing such service, and the state university
 52 construction fund while acting within the
 53 scope of their employment, and while oper-
 54 ating motor vehicles, and for any individ-
 55 uals operating motor vehicles which are

1 assigned on a permanent basis with unre-
 2 stricted use to state officers and employ-
 3 ees when the person is permanently
 4 assigned the motor vehicle (80559) 100,000
 5 -----

6 § 4. Section 5 of chapter 118 of the laws of 2025, relating to making
 7 appropriations for the support of government, as amended by chapter 125
 8 of the laws of 2025, is amended to read as follows:

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

14 JUDICIARY

15 For the purpose of making payments for
 16 personal service, including liabilities
 17 incurred prior to April 1, 2025, on the
 18 payrolls scheduled to be paid during the
 19 period April 1 through May 7, 2025 to
 20 officers and employees of the judiciary 265,000,000

21 For the payment of state operations nonper-
 22 sonal service liabilities, the sum of
 23 twenty-five million dollars (\$25,000,000),
 24 or so much thereof as shall be sufficient
 25 to accomplish the purpose designated, is
 26 hereby appropriated to the judiciary out
 27 of any moneys in the general fund or other
 28 funds to the credit of the state purposes
 29 account not otherwise appropriated. The
 30 comptroller is hereby authorized and
 31 directed to utilize this appropriation for
 32 the purpose of making payments for nonper-
 33 sonal service liabilities incurred by the
 34 judiciary from April 1 through May [6] 7,
 35 2025 25,000,000

36 For the payment of aid to localities liabil-
 37 ities, the sum of thirty million dollars
 38 (\$30,000,000), or so much thereof as shall
 39 be sufficient to accomplish the purpose
 40 designated, is hereby appropriated to the
 41 judiciary out of any moneys in the general
 42 fund or other funds to the credit of the
 43 state purposes account not otherwise
 44 appropriated. The comptroller is hereby
 45 authorized and directed to utilize this
 46 appropriation for the purpose of making
 47 payments for aid to localities liabilities
 48 incurred by the judiciary from April 1
 49 through May [6] 7, 2025 30,000,000

50 For the payment of employee fringe benefit
 51 programs including, but not limited to,
 52 the judiciary's contributions to the
 53 health insurance fund, the employees'

1 retirement system pension accumulation
 2 fund, the social security contribution
 3 fund, employee benefit fund programs, the
 4 dental insurance plan, the vision care
 5 plan, the unemployment insurance fund, and
 6 for workers' compensation benefits, the
 7 sum of three hundred million dollars
 8 (\$300,000,000), or so much thereof as
 9 shall be sufficient to accomplish the
 10 purpose designated, is hereby appropriated
 11 to the judiciary out of any moneys in the
 12 general fund or other funds to the credit
 13 of the state purposes account not other-
 14 wise appropriated. The comptroller is
 15 hereby authorized and directed to utilize
 16 this appropriation for the purpose of
 17 making payments for employee fringe bene-
 18 fit liabilities incurred by the judiciary
 19 from April 1 through May [6] 7, 2025 300,000,000
 20 -----

21 § 5. Section 5 of chapter 113 of the laws of 2025, relating to making
 22 appropriations for the support of government, as amended by chapter 125
 23 of the laws of 2025, is amended to read as follows:

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

29 DEPARTMENT OF HEALTH

30 AID TO LOCALITIES

31 CENTER FOR COMMUNITY HEALTH PROGRAM [~~44,450,000~~] 47,660,000
 32 -----

33 General Fund

34 Local Assistance Account - 10000

35 For services and expenses related to the
 36 Indian health program. The money hereby
 37 appropriated shall be for payment of
 38 financial assistance heretofore accrued or
 39 hereafter to accrue (26840) 7,000,000
 40 -----

41 Special Revenue Funds - Federal

42 Federal USDA-Food and Nutrition Services Fund

43 Federal Food and Nutrition Services Account - 25022

44 For various federal food and nutritional
 45 services. The moneys hereby appropriated
 46 shall be available for payment of finan-
 47 cial assistance heretofore accrued (26986)
 48 [~~37,450,000~~] 40,660,000

1 -----

2 CHILD HEALTH INSURANCE PROGRAM 109,366,000

3 -----

4 Special Revenue Funds - Other

5 HCRA Resources Fund

6 Children's Health Insurance Account - 20810

7 The money hereby appropriated is available

8 for payment of aid heretofore accrued or

9 hereafter accrued.

10 Notwithstanding any other provision of law,

11 the money hereby appropriated may be

12 increased or decreased by transfer or

13 suballocation to appropriations of the

14 office of temporary and disability assist-

15 ance, for the reimbursement of local

16 district administrative costs related to

17 children newly enrolled in medicaid whose

18 household income is between 100 percent

19 and 133 percent of the federal poverty

20 level.

21 Notwithstanding any provision of law to the

22 contrary, the amounts appropriated herein

23 shall be net of refunds, rebates,

24 reimbursements, credits, repayments,

25 and/or disallowances.

26 For services and expenses related to the

27 children's health insurance program

28 authorized pursuant to title 1-A of arti-

29 cle 25 of the public health law (26931) 109,366,000

30 -----

31 ELDERLY PHARMACEUTICAL INSURANCE COVERAGE PROGRAM 1,520,000

32 -----

33 Special Revenue Funds - Other

34 HCRA Resources Fund

35 EPIC Premium Account - 20818

36 For services and expenses of the program for

37 elderly pharmaceutical insurance coverage,

38 including reimbursement to pharmacies

39 participating in such program.

40 The moneys hereby appropriated shall be

41 available for payment of financial assist-

42 ance heretofore accrued (26803) 1,520,000

43 MEDICAL ASSISTANCE PROGRAM [~~7,793,997,000~~] 8,652,436,000

44 -----

45 General Fund

46 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 2025 through March 31, 2026, shall not
20 exceed \$33,417,285,000 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 2025-26 shall
12 supersede and replace any duplicative (i)
13 reappropriation for this item covering
14 fiscal year 2025-26, and (ii) appropri-
15 ation for this item covering fiscal year
16 2025-26 set forth in chapter 53 of the
17 laws of 2024 (26947) 121,200,000

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 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 (26948) 31,296,000

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 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 (26949) 57,078,000

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 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 (26950) 152,808,000

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 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 (26951) 774,279,000

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 2025-26 shall
29 supersede and replace any duplicative (i)
30 reappropriation for this item covering
31 fiscal year 2025-26, and (ii) appropri-
32 ation for this item covering fiscal year
33 2025-26 set forth in chapter 53 of the
34 laws of 2024 (26952) 477,739,000

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 2025-26 shall
40 supersede and replace any duplicative (i)
41 reappropriation for this item covering
42 fiscal year 2025-26, and (ii) appropri-
43 ation for this item covering fiscal year
44 2025-26 set forth in chapter 53 of the
45 laws of 2024 (29548) 18,096,000

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 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 (26953) 290,856,000
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 2025-26 shall
13 supersede and replace any duplicative (i)
14 reappropriation for this item covering
15 fiscal year 2025-26, and (ii) appropri-
16 ation for this item covering fiscal year
17 2025-26 set forth in chapter 53 of the
18 laws of 2024 (26954) 43,032,000
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 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 (26955) 492,000
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 2025-26 shall
46 supersede and replace any duplicative (i)
47 reappropriation for this item covering
48 fiscal year 2025-26, and (ii) appropri-
49 ation for this item covering fiscal year
50 2025-26 set forth in chapter 53 of the
51 laws of 2024 (26956) 118,812,000
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 2025-26 shall
6 supersede and replace any duplicative (i)
7 reappropriation for this item covering
8 fiscal year 2025-26, and (ii) appropri-
9 ation for this item covering fiscal year
10 2025-26 set forth in chapter 53 of the
11 laws of 2024 (26961) [~~417,000,000~~] 500,400,000
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 sor 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
28 provisions of law, no expenditures shall
29 be used for the medical assistance program
30 for any expenses not explicitly authorized
31 in law without the approval of the direc-
32 tor of 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 2025-26 shall
39 supersede and replace any duplicative (i)
40 reappropriation for this item covering
41 fiscal year 2025-26, and (ii) appropri-
42 ation for this item covering fiscal year
43 2025-26 set forth in chapter 53 of the
44 laws of 2024 (26947) [~~289,070,000~~]

346,884,000

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 2025-26 shall
51 supersede and replace any duplicative (i)
52 reappropriation for this item covering
53 fiscal year 2025-26, and (ii) appropri-
54 ation for this item covering fiscal year
55 2025-26 set forth in chapter 53 of the
56 laws of 2024 (26948) [~~51,860,000~~]

62,232,000

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 2025-26 shall
7 supersede and replace any duplicative (i)
8 reappropriation for this item covering
9 fiscal year 2025-26, and (ii) appropri-
10 ation for this item covering fiscal year
11 2025-26 set forth in chapter 53 of the
12 laws of 2024 (26949) [~~84,835,000~~] 101,802,000
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 2025-26 shall
19 supersede and replace any duplicative (i)
20 reappropriation for this item covering
21 fiscal year 2025-26, and (ii) appropri-
22 ation for this item covering fiscal year
23 2025-26 set forth in chapter 53 of the
24 laws of 2024 (26950) [~~306,795,000~~] 476,154,000
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 2025-26 shall
31 supersede and replace any duplicative (i)
32 reappropriation for this item covering
33 fiscal year 2025-26, and (ii) appropri-
34 ation for this item covering fiscal year
35 2025-26 set forth in chapter 53 of the
36 laws of 2024 (26951) [~~1,323,939,000~~] 1,456,333,000
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 provision of law to the
54 contrary, the portion of this appropri-
55 ation covering fiscal year 2025-26 shall
56 supersede and replace any duplicative (i)

1 reappropriation for this item covering
2 fiscal year 2025-26, and (ii) appropri-
3 ation for this item covering fiscal year
4 2025-26 set forth in chapter 53 of the
5 laws of 2024 (26952) [~~1,508,290,000~~] 1,659,119,000
6 For services and expenses of the medical
7 assistance program including pharmacy
8 services, provided, however, that no funds
9 shall be made available pursuant to this
10 appropriation for any drug not explicitly
11 authorized in any heretofore enacted law,
12 rule, or regulation without approval from
13 the director of the budget.
14 Notwithstanding any provision of law to the
15 contrary, the portion of this appropri-
16 ation covering fiscal year 2025-26 shall
17 supersede and replace any duplicative (i)
18 reappropriation for this item covering
19 fiscal year 2025-26, and (ii) appropri-
20 ation for this item covering fiscal year
21 2025-26 set forth in chapter 53 of the
22 laws of 2024 (26953) [~~463,080,000~~] 555,696,000
23 For services and expenses of the medical
24 assistance program including transporta-
25 tion services.
26 Notwithstanding any provision of law to the
27 contrary, the portion of this appropri-
28 ation covering fiscal year 2025-26 shall
29 supersede and replace any duplicative (i)
30 reappropriation for this item covering
31 fiscal year 2025-26, and (ii) appropri-
32 ation for this item covering fiscal year
33 2025-26 set forth in chapter 53 of the
34 laws of 2024 (26954) [~~61,175,000~~] 73,410,000
35 For services and expenses of the medical
36 assistance program including dental
37 services.
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 (26955) [~~7,110,000~~] 8,532,000
47 For services and expenses of the medical
48 assistance program including noninstitu-
49 tional and other spending.
50 The money hereby appropriated is available
51 for payment of liabilities heretofore
52 accrued or hereafter accrued.
53 Notwithstanding any provision of law to the
54 contrary, the portion of this appropri-
55 ation covering fiscal year 2025-26 shall
56 supersede and replace any duplicative (i)

1 reappropriation for this item covering
2 fiscal year 2025-26, and (ii) appropri-
3 ation for this item covering fiscal year
4 2025-26 set forth in chapter 53 of the
5 laws of 2024 (26956) [~~688,155,000~~] 825,786,000
6 For services and expenses of the medical
7 assistance program including medical
8 services provided at state facilities
9 operated by the office of mental health,
10 the office for people with developmental
11 disabilities and the office of addiction
12 services and supports.
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 (26961) [~~417,000,000~~] 500,400,000
22 -----

23 § 6. Section 6 of chapter 113 of the laws of 2025, relating to making
24 appropriations for the support of government, as amended by chapter 125
25 of the laws of 2025, is amended to read as follows:

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

31 DEPARTMENT OF LABOR

32 AID TO LOCALITIES

33 UNEMPLOYMENT INSURANCE BENEFIT PROGRAM [~~975,000,000~~] 1,140,000,000
34 -----

35 Enterprise Funds

36 Unemployment Insurance Benefit Fund

37 Unemployment Insurance Benefit Account - 50650

38 For payment of unemployment insurance bene-
39 fits pursuant to article 18 of the labor
40 law or as authorized by the federal
41 government through the disaster unemploy-
42 ment assistance program, the emergency
43 unemployment compensation program, the
44 extended benefit program, the federal
45 additional compensation program or any
46 other federally funded unemployment bene-
47 fit program (34787) [~~975,000,000~~] 1,140,000,000

1 § 7. Section 11 of chapter 119 of the laws of 2025, relating to making
 2 appropriations for the support of government, as amended by chapter 125
 3 of the laws of 2025, is amended to read as follows:

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

9 DEPARTMENT OF MENTAL HYGIENE
 10 OFFICE FOR PEOPLE WITH DEVELOPMENTAL DISABILITIES

11 AID TO LOCALITIES

12 COMMUNITY SERVICES PROGRAM [~~428,257,000~~] 433,306,000
 13 -----

14 General Fund
 15 Local Assistance Account - 10000

16 For services and expenses of the community
 17 services program, net of disallowances,
 18 for community programs for people with
 19 developmental disabilities pursuant to
 20 article 41 of the mental hygiene law,
 21 and/or chapter 620 of the laws of 1974,
 22 chapter 660 of the laws of 1977, chapter
 23 412 of the laws of 1981, chapter 27 of the
 24 laws of 1987, chapter 729 of the laws of
 25 1989, chapter 329 of the laws of 1993 and
 26 other provisions of the mental hygiene
 27 law. Notwithstanding any inconsistent
 28 provision of law, the following appropri-
 29 ation shall be net of prior and/or current
 30 year refunds, rebates, reimbursements, and
 31 credits.

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

47 Notwithstanding the provisions of article 41
 48 of the mental hygiene law or any other
 49 inconsistent provision of law, rule or
 50 regulation, the commissioner, pursuant to
 51 such contract and in the manner provided

1 therein, may pay all or a portion of the
2 expenses incurred by such voluntary agen-
3 cies arising out of loans which are funded
4 from the proceeds of bonds and notes
5 issued by the dormitory authority of the
6 state of New York.

7 Notwithstanding any other provision of law,
8 the money hereby appropriated may be
9 transferred to state operations and/or any
10 appropriation of the office for people
11 with developmental disabilities with the
12 approval of the director of the budget.

13 Notwithstanding any inconsistent provision
14 of law, moneys from this appropriation may
15 be used for state aid of up to 100 percent
16 of the net deficit costs of day training
17 programs and family support services.

18 Notwithstanding the provisions of section
19 16.23 of the mental hygiene law and any
20 other inconsistent provision of law, with
21 relation to the operation of certified
22 family care homes, including family care
23 homes sponsored by voluntary not-for-pro-
24 fit agencies, moneys from this appropri-
25 ation may be used for payments to purchase
26 general services including but not limited
27 to respite providers, up to a maximum of
28 14 days, at rates to be established by the
29 commissioner and approved by the director
30 of the budget in consideration of factors
31 including, but not limited to, geographic
32 area and number of clients cared for in
33 the home and for payment in an amount
34 determined by the commissioner for the
35 personal needs of each client residing in
36 the family care home.

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

48 Notwithstanding any inconsistent provision
49 of law, moneys from this appropriation may
50 be used for appropriate day program
51 services and residential services includ-
52 ing, but not limited to, direct housing
53 subsidies to individuals, start-up
54 expenses for family care providers, envi-
55 ronmental modifications, adaptive technol-
56 ogies, appraisals, property options,

1 feasibility studies and preoperational
2 expenses.
3 Notwithstanding any inconsistent provision
4 of law except pursuant to a chapter of the
5 laws of 2024 authorizing a 2.84 percent
6 cost of living adjustment, for the period
7 commencing on April 1, 2024 and ending
8 March 31, 2025 the commissioner shall not
9 apply any other cost of living adjustment
10 for the purpose of establishing rates of
11 payments, contracts or any other form of
12 reimbursement; provided that this shall
13 not prevent the commissioner from applying
14 prior adjustments for the purpose of
15 establishing rates resulting from a rebas-
16 ing of base year costs.
17 Notwithstanding section 6908 of the educa-
18 tion law and any other provision of law,
19 rule or regulation to the contrary, direct
20 support staff in programs certified or
21 approved by the office for people with
22 developmental disabilities, including the
23 home and community based services waiver
24 programs that the office for people with
25 developmental disabilities is authorized
26 to administer with federal approval pursu-
27 ant to subdivision (c) of section 1915 of
28 the federal social security act, are
29 authorized to provide such tasks as OPWDD
30 may specify when performed under the
31 supervision, training and periodic
32 inspection of a registered professional
33 nurse and in accordance with an authorized
34 practitioner's ordered care.
35 Notwithstanding any other provision of law
36 to the contrary, and consistent with
37 section 33.07 of the mental hygiene law,
38 the directors of facilities licensed but
39 not operated by the office for people with
40 developmental disabilities who act as
41 federally-appointed representative payees
42 and who assume management responsibility
43 over the funds of a resident may continue
44 to use such funds for the cost of the
45 resident's care and treatment, consistent
46 with federal law and regulations.
47 Funds appropriated herein shall be available
48 in accordance with the following:
49 Notwithstanding any inconsistent provision
50 of law, the director of the budget is
51 authorized to make suballocations from
52 this appropriation to the department of
53 health medical assistance program.
54 Notwithstanding any inconsistent provision
55 of law, and pursuant to criteria estab-
56 lished by the commissioner of the office

1 for people with developmental disabilities
2 and approved by the director of the budg-
3 et, expenditures may be made from this
4 appropriation for residential facilities
5 which are pending recertification as
6 intermediate care facilities for people
7 with developmental disabilities.

8 Notwithstanding the provisions of section
9 41.36 of the mental hygiene law and any
10 other inconsistent provision of law,
11 moneys from this appropriation may be used
12 for payment up to \$250 per year per
13 client, at such times and in such manner
14 as determined by the commissioner on the
15 basis of financial need for the personal
16 needs of each client residing in voluntar-
17 y-operated community residences and volun-
18 tary-operated community residential alter-
19 natives, including individualized
20 residential alternatives under the home
21 and community based services waiver. The
22 commissioner shall, subject to the
23 approval of the director of the budget,
24 alter existing advance payment schedules
25 for voluntary-operated community resi-
26 dences established pursuant to section
27 41.36 of the mental hygiene law.

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

36 For the state share of medical assistance
37 services expenses incurred by the depart-
38 ment of health for the provision of
39 medical assistance services to people with
40 developmental disabilities (37835) 369,352,000

41 For services and expenses of the community
42 services program, net of disallowances,
43 for community programs for people with
44 developmental disabilities pursuant to
45 article 41 of the mental hygiene law,
46 and/or chapter 620 of the laws of 1974,
47 chapter 660 of the laws of 1977, chapter
48 412 of the laws of 1981, chapter 27 of the
49 laws of 1987, chapter 729 of the laws of
50 1989, chapter 329 of the laws of 1993 and
51 other provisions of the mental hygiene
52 law. Notwithstanding any inconsistent
53 provision of law, the following appropri-
54 ation shall be net of prior and/or current
55 year refunds, rebates, reimbursements, and
56 credits.

1 Notwithstanding any other provision of law,
2 advances and reimbursement made pursuant
3 to subdivision (d) of section 41.15 and
4 section 41.18 of the mental hygiene law
5 shall be allocated pursuant to a plan and
6 in a manner prescribed by the agency head
7 and approved by the director of the budget.
8 The moneys hereby appropriated are
9 available to reimburse or advance localities
10 and voluntary non-profit agencies for
11 expenditures made during local fiscal
12 periods commencing January 1, 2025, April
13 1, 2025 or July 1, 2025, and for advances
14 for the 3 month period beginning January
15 1, 2026.

16 Notwithstanding the provisions of article 41
17 of the mental hygiene law or any other
18 inconsistent provision of law, rule or
19 regulation, the commissioner, pursuant to
20 such contract and in the manner provided
21 therein, may pay all or a portion of the
22 expenses incurred by such voluntary agencies
23 arising out of loans which are funded
24 from the proceeds of bonds and notes
25 issued by the dormitory authority of the
26 state of New York.

27 Notwithstanding any other provision of law,
28 the money hereby appropriated may be
29 transferred to state operations and/or any
30 appropriation of the office for people
31 with developmental disabilities with the
32 approval of the director of the budget.

33 Notwithstanding any inconsistent provision
34 of law, moneys from this appropriation may
35 be used for state aid of up to 100 percent
36 of the net deficit costs of day training
37 programs and family support services.

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

1 Notwithstanding the provisions of subdivi-
2 sion 12 of section 8 of the state finance
3 law and any other inconsistent provision
4 of law, moneys from this appropriation may
5 be used for expenses of family care homes
6 including payments to operators of certi-
7 fied family care homes for damages caused
8 by clients to personal and real property
9 in accordance with standards established
10 by the commissioner and approved by the
11 director of the budget.

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

23 Notwithstanding any inconsistent provision
24 of law except pursuant to a chapter of the
25 laws of 2024 authorizing a 2.84 percent
26 cost of living adjustment, for the period
27 commencing on April 1, 2024 and ending
28 March 31, 2025 the commissioner shall not
29 apply any other cost of living adjustment
30 for the purpose of establishing rates of
31 payments, contracts or any other form of
32 reimbursement; provided that this shall
33 not prevent the commissioner from applying
34 prior adjustments for the purpose of
35 establishing rates resulting from a rebas-
36 ing of base year costs.

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

55 Notwithstanding any other provision of law
56 to the contrary, and consistent with

1 section 33.07 of the mental hygiene law,
2 the directors of facilities licensed but
3 not operated by the office for people with
4 developmental disabilities who act as
5 federally-appointed representative payees
6 and who assume management responsibility
7 over the funds of a resident may continue
8 to use such funds for the cost of the
9 resident's care and treatment, consistent
10 with federal law and regulations.

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

13 Notwithstanding any other provision of law
14 to the contrary, funds appropriated herein
15 are available to reimburse in- and out-of-
16 state private residential schools, pursu-
17 ant to subdivision (c) of section 13.37-a
18 and subdivision (g) of section 13.38 of
19 the mental hygiene law, for costs of
20 supporting the residential and day program
21 services available to individuals who are
22 over the age of 21 years of age, provided
23 that the amount paid for residential
24 services and/or maintenance costs is net
25 of any supplemental security income bene-
26 fit to which the individual receiving
27 services is eligible, and provided further
28 that funding for nonresidential services
29 will be in an amount not to exceed the
30 maximum reimbursement for appropriate day
31 services delivered by the office for
32 people with developmental disabilities
33 certified or approved providers other than
34 in- and out-of-state private residential
35 schools, unless otherwise authorized by
36 the director of the budget.

37 Notwithstanding section 163 of the state
38 finance law, section 142 of the economic
39 development law, and article 41 of the
40 mental hygiene law, the commissioner of
41 the office for people with developmental
42 disabilities may make the funds appropri-
43 ated herein available as state aid, a loan
44 or a grant, pursuant to terms and condi-
45 tions established by the commissioner of
46 the office for people with developmental
47 disabilities, to cover a portion of the
48 development costs of private, public
49 and/or non-profit organizations, including
50 corporations and partnerships established
51 pursuant to the private housing finance
52 law and/or any other statutory provisions,
53 for supportive housing units that have
54 been set aside for individuals with intel-
55 lectual and developmental disabilities.

1 Further, the office for people with develop-
 2 mental disabilities shall have a lien on
 3 the real property developed with such
 4 state aid, loans or grants, which shall be
 5 in the amount of the loan or grant, for a
 6 maximum term of 30 years, or other longer
 7 term consistent with the requirements of
 8 another regulatory agency.

9 For services and expenses related to the
 10 provision of residential services to
 11 people with developmental disabilities
 12 (37802) [~~34,195,000~~] 37,126,000

13 For services and expenses related to the
 14 provision of day program services to
 15 people with developmental disabilities
 16 (37803) [~~8,400,000~~] 9,120,000

17 For services and expenses related to the
 18 provision of family support services to
 19 people with developmental disabilities
 20 (37804) [~~9,450,000~~] 10,260,000

21 For services and expenses related to the
 22 provision of workshop, day training and
 23 employment services to people with devel-
 24 opmental disabilities. Notwithstanding any
 25 other provision of law, up to \$800,000 of
 26 this appropriation may be transferred to
 27 the New York State Education Departments'
 28 Adult Career and Continuing Education
 29 Services - Vocational Rehabilitation
 30 (ACCES-VR) program to support the Long-
 31 Term Sheltered Employment program operated
 32 by FEDCAP Rehabilitation Services, Inc.
 33 (37805) [~~5,460,000~~] 5,928,000

34 For other services and expenses provided to
 35 people with developmental disabilities
 36 including but not limited to hepatitis B,
 37 care at home waiver, epilepsy services,
 38 Special Olympics New York, Inc. and volun-
 39 tary fingerprinting (37806) .. [~~1,400,000~~] 1,520,000
 40 -----

41 § 8. Section 8 of chapter 113 of the laws of 2025, relating to making
 42 appropriations for the support of government, as amended by chapter 125
 43 of the laws of 2025, is amended to read as follows:

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

49 DEPARTMENT OF VETERANS' SERVICES

50 AID TO LOCALITIES

51 BLIND VETERAN ANNUITY ASSISTANCE PROGRAM 385,000
 52 -----

1 General Fund
 2 Local Assistance Account - 10000

 3 For payment of annuities to blind veterans
 4 and eligible surviving spouses. Up to
 5 \$15,000 of this appropriation may be
 6 transferred to state operations for admin-
 7 istrative costs associated with this
 8 program (54606) 385,000

 9 VETERANS' BENEFITS ADVISING PROGRAM [~~490,000~~] 532,000
 10 -----

 11 Special Revenue Funds - Other
 12 Homeless Veterans Assistance Fund
 13 Homeless Veterans Assistance Account - 20204

 14 For services and expenses related to home-
 15 less veterans' housing (54815) .. [~~490,000~~] 532,000

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

 23 § 10. All expenditures and disbursements made against the appropri-
 24 ations in this act shall, upon final action by the legislature on appro-
 25 priation bills submitted by the governor pursuant to article VII of the
 26 state constitution for the support of government for the state fiscal
 27 year beginning April 1, 2025, be transferred by the comptroller as
 28 expenditures and disbursements to such appropriations for all state
 29 departments and agencies, as applicable, in amounts equal to the amounts
 30 charged against the appropriations in this act for each such department,
 31 agency, and the legislature and the judiciary.

 32 § 11. Severability clause. If any clause, sentence, paragraph, subdi-
 33 vision, section or part of this act shall be adjudged by any court of
 34 competent jurisdiction to be invalid, such judgment shall not affect,
 35 impair, or invalidate the remainder thereof, but shall be confined in
 36 its operation to the clause, sentence, paragraph, subdivision, section
 37 or part thereof directly involved in the controversy in which such judg-
 38 ment shall have been rendered. It is hereby declared to be the intent of
 39 the legislature that this act would have been enacted even if such
 40 invalid provisions had not been included herein.

 41 § 12. This act shall take effect immediately and shall be deemed to
 42 have been in full force and effect on and after April 1, 2025; provided,
 43 however, that upon the transfer of expenditures and disbursements by the
 44 comptroller as provided in section ten of this act, the appropriations
 45 made by this act and subject to such section shall be deemed repealed.