

STATE OF NEW YORK

7070

2025-2026 Regular Sessions

IN SENATE

March 31, 2025

Introduced by Sen. KRUEGER -- (at request of the Governor) -- read twice
and ordered printed, and when printed to be committed to the Committee
on Rules

AN ACT making appropriations for the support of government; and provid-
ing for the repeal of such provisions upon expiration thereof

The People of the State of New York, represented in Senate and Assem-
bly, 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 submit-
5 ted by the governor pursuant to article VII of the state constitution
6 for the support of government for the state fiscal year beginning April
7 1, 2025 are enacted.

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

13 ALL STATE DEPARTMENTS AND AGENCIES

14 For the purpose of making payments for
15 personal service, including liabilities
16 incurred prior to April 1, 2025, on the
17 payrolls scheduled to be paid during the
18 period April 1 through April 3, 2025 to
19 state officers and employees of the execu-
20 tive branch. This appropriation also
21 includes payments for services performed

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

LBD12002-01-5

1 by mentally ill or developmentally disa-
2 bled persons who are employed in state-op-
3 erated special employment, work-for-pay or
4 sheltered workshop programs 279,930,000
5 -----

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

11 ALL STATE DEPARTMENTS AND AGENCIES

12 For the payment of state operations non
13 personal service liabilities to the execu-
14 tive branch, including the comptroller,
15 and the attorney general, incurred in the
16 ordinary course of business, during the
17 period April 1 through April 3, 2025,
18 pursuant to existing state law and for
19 purposes for which the legislature author-
20 ized the expenditure of moneys during the
21 2024-2025 state fiscal year; provided,
22 however, that nothing contained herein
23 shall be deemed to limit or restrict the
24 power or authority of state departments or
25 agencies to conduct their activities or
26 operations in accordance with existing
27 law, and further provided that nothing
28 contained herein shall be deemed to super-
29 sede, nullify or modify the provisions of
30 section 40 of the state finance law
31 prescribing when appropriations made for
32 the 2024-2025 state fiscal year shall have
33 ceased to have force and effect 10,000,000
34 -----

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

40 MISCELLANEOUS -- ALL STATE DEPARTMENTS AND AGENCIES

41 GENERAL STATE CHARGES

42 STATE OPERATIONS

43 GENERAL STATE CHARGES 20,650,000
44 -----

45 General Fund
46 State Purposes Account - 10050

1 For employee fringe benefits according to
 2 the following project schedule including
 3 those benefits which are related to
 4 employees paid from funds, accounts, or
 5 programs where the division of the budget
 6 has issued waivers 20,650,000

7 Project Schedule
 8 PROJECT AMOUNT
 9 -----
 10 For the state's contribution
 11 to the social security
 12 contribution fund 20,300,000
 13 For the payment of the metro-
 14 politan commuter transporta-
 15 tion mobility tax pursuant
 16 to article 23 of the tax
 17 law, as added by chapter 25
 18 of the laws of 2009, on
 19 behalf of the state employ-
 20 ees employed in the metro-
 21 politan commuter transporta-
 22 tion district 350,000
 23 -----
 24 Project schedule total 20,650,000
 25 -----

26 § 5. 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 HEALTH

32 AID TO LOCALITIES

33 CENTER FOR COMMUNITY HEALTH PROGRAM 3,210,000
 34 -----

35 Special Revenue Funds - Federal
 36 Federal USDA-Food and Nutrition Services Fund
 37 Federal Food and Nutrition Services Account - 25022

38 For various federal food and nutritional
 39 services. The moneys hereby appropriated
 40 shall be available for payment of finan-
 41 cial assistance heretofore accrued (26986) ... 3,210,000
 42 -----

43 MEDICAL ASSISTANCE PROGRAM 1,111,204,000
 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) 20,200,000

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) 5,216,000

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) 9,513,000

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) 25,468,000

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) 70,389,000

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) 43,431,000

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) 3,016,000

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) 48,476,000
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) 7,172,000
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) 82,000
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) 19,802,000
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) 83,400,000
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) 57,814,000

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) 10,372,000

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) 16,967,000
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) 79,359,000
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) 132,394,000
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) 150,829,000
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) 92,616,000
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) 12,235,000
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) 1,422,000
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) 137,631,000
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) 83,400,000
22 -----

23 § 6. 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 DEPARTMENT OF LABOR

29 AID TO LOCALITIES

30 UNEMPLOYMENT INSURANCE BENEFIT PROGRAM 165,000,000
31 -----

32 Enterprise Funds
33 Unemployment Insurance Benefit Fund
34 Unemployment Insurance Benefit Account - 50650

35 For payment of unemployment insurance bene-
36 fits pursuant to article 18 of the labor
37 law or as authorized by the federal
38 government through the disaster unemploy-
39 ment assistance program, the emergency
40 unemployment compensation program, the
41 extended benefit program, the federal
42 additional compensation program or any
43 other federally funded unemployment bene-
44 fit program (34787) 165,000,000
45 -----

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

1 public officers and for the purposes specified, which amount shall be
2 available for the state fiscal year beginning April 1, 2025.

3 OFFICE OF MENTAL HEALTH

4 AID TO LOCALITIES

5 ADULT SERVICES PROGRAM 94,917,000
6 -----

7 General Fund

8 Local Assistance Account - 10000

9 For services and expenses of various adult
10 community mental health services, includ-
11 ing transfer to the department of health
12 to reimburse the department for the state
13 and/or local share of medical assistance
14 for various community mental health
15 services.

16 For payment of state financial assistance,
17 net of disallowances, for community mental
18 health programs pursuant to article 41 and
19 other provisions of the mental hygiene
20 law. The moneys hereby appropriated for
21 allocation to local governments and volun-
22 tary agencies for services are available
23 to reimburse or advance funds to local
24 governments and voluntary agencies for
25 expenditures made or to be made during
26 local program years commencing January 1,
27 2025 or July 1, 2025 and for advances for
28 the period beginning January 1, 2026 for
29 local governments and voluntary agencies
30 with program years beginning January 1.
31 Notwithstanding any provision of law to
32 the contrary, the commissioner of the
33 office of mental health shall be author-
34 ized, subject to the approval of the
35 director of the budget, to continue
36 contracts and state aid letter payments to
37 support county contracts which were
38 executed on or before March 31, 2025 with
39 entities providing services to persons
40 with mental illness, without any addi-
41 tional requirements that such contracts be
42 subject to competitive bidding, a request
43 for proposals process or other administra-
44 tive procedures.

45 The state comptroller is hereby authorized
46 to receive funds from the office of mental
47 health that were returned from providers
48 in the current fiscal year in respect of a
49 settlement of local assistance funds from
50 prior fiscal years, and is authorized to
51 refund such moneys to the credit of the

1 local assistance account of the general
2 fund for the purpose of reimbursing the
3 2025-26 appropriation.

4 Notwithstanding any other provision of law
5 to the contrary, and consistent with
6 section 33.07 of the mental hygiene law,
7 the directors of facilities licensed but
8 not operated by the office of mental
9 health who act as federally appointed
10 representative payees and who assume
11 management responsibility over the funds
12 of a resident may continue to use such
13 funds for the cost of the resident's care
14 and treatment, consistent with federal law
15 and regulations.

16 Notwithstanding any other provision of law,
17 the commissioner of mental health shall,
18 until July 1, 2026, be solely authorized,
19 in his or her discretion, to designate
20 those general hospitals, local govern-
21 mental units and voluntary agencies which
22 may apply and be considered for the
23 approval and issuance of an operating
24 certificate pursuant to article 31 of the
25 mental hygiene law for the operation of a
26 comprehensive psychiatric emergency
27 program.

28 Notwithstanding any provision of section 21
29 of chapter 723 of the laws of 1989, as
30 amended, to the contrary, the provisions
31 of sections 1, 2 and 4-20 of such chapter
32 shall remain in full force and effect
33 until July 1, 2026, when upon such date
34 the amendments and additions made by such
35 sections of chapter 723 of the laws of
36 1989 shall expire and be deemed repealed,
37 and any provision of law amended by any
38 such sections shall revert to its text as
39 it existed prior to the effective date of
40 chapter 723 of the laws of 1989.

41 Notwithstanding any other provision of law
42 to the contrary, any of the amounts appro-
43 priated herein may be increased or
44 decreased by interchange or transfer with-
45 out limit, with any appropriation of the
46 office of mental health or by transfer or
47 suballocation to any department, agency or
48 public authority for expenditures incurred
49 in the operation of such programs with the
50 approval of the director of the budget:

51 For services and expenses of various commu-
52 nity mental health residential programs,
53 including but not limited to community
54 residences pursuant to sections 41.44 and
55 41.38 of the mental hygiene law. Notwith-
56 standing the provisions of section 31.03

1 of the mental hygiene law and any other
 2 inconsistent provision of law, moneys
 3 appropriated for family care shall be
 4 available for, but not limited to, the
 5 purchase of substitute caretakers up to a
 6 maximum of 14 days and payments limited to
 7 \$774 per year based upon financial need
 8 for the personal needs of each client
 9 residing in the family care home. Provided
 10 further however, notwithstanding any
 11 provision of law to the contrary, the
 12 commissioner of the office of mental
 13 health may appoint a temporary operator in
 14 a manner consistent with part L of chapter
 15 59 of the laws of 2016 to administer any
 16 community mental health residential
 17 program appropriated for herein for the
 18 period for which this appropriation has
 19 effect. Funds appropriated herein will be
 20 made available to support the development
 21 of new transitional stepdown units to help
 22 individuals transitioning from various
 23 levels of care to community-based living
 24 (36911) 94,917,000

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

30 DEPARTMENT OF VETERANS' SERVICES

31 AID TO LOCALITIES

32 VETERANS' BENEFITS ADVISING PROGRAM 42,000
 33 -----

34 Special Revenue Funds - Other
 35 Homeless Veterans Assistance Fund
 36 Homeless Veterans Assistance Account - 20204

37 For services and expenses related to home-
 38 less veterans' housing (54815) 42,000

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

46 § 10. All expenditures and disbursements made against the appropri-
 47 ations in this act shall, upon final action by the legislature on appro-
 48 priation bills submitted by the governor pursuant to article VII of the

1 state constitution for the support of government for the state fiscal
2 year beginning April 1, 2025, be transferred by the comptroller as
3 expenditures and disbursements to such appropriations for all state
4 departments and agencies, as applicable, in amounts equal to the amounts
5 charged against the appropriations in this act for each such department,
6 agency, and the legislature and the judiciary.

7 § 11. Severability clause. If any clause, sentence, paragraph, subdi-
8 vision, section or part of this act shall be adjudged by any court of
9 competent jurisdiction to be invalid, such judgment shall not affect,
10 impair, or invalidate the remainder thereof, but shall be confined in
11 its operation to the clause, sentence, paragraph, subdivision, section
12 or part thereof directly involved in the controversy in which such judg-
13 ment shall have been rendered. It is hereby declared to be the intent of
14 the legislature that this act would have been enacted even if such
15 invalid provisions had not been included herein.

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