STATE OF NEW YORK

7797

2025-2026 Regular Sessions

IN SENATE

May 8, 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; 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:

Section 1. Legislative intent. The legislature hereby finds and declares that the enactment of these appropriations provides sufficient authority to the comptroller for the purpose of making payments for the purposes described herein until such time as appropriation bills submitted by the governor pursuant to article VII of the state constitution for the support of government for the state fiscal year beginning April 1, 2025 are enacted.

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

§ 2. 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 purpose specified, which amount shall be available for the state fiscal year beginning April 1, 2025.

ALL STATE DEPARTMENTS AND AGENCIES

For the purpose of making payments for

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

LBD12014-01-5

personal service, including liabilities incurred prior to April 1, 2025, on the payrolls scheduled to be paid during the period April 1 through May [~~7~~] 9, 2025 to state officers and employees of the executive branch, including the governor, lieutenant governor, comptroller, and attorney general, and to employees of the legislature. This appropriation also includes payments for services performed by mentally ill or developmentally disabled persons who are employed in state-operated special employment, work-for-pay or sheltered workshop programs 1,978,430,000

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§ 3. Section 3 of chapter 113 of the laws of 2025, relating to making appropriations for the support of government, as amended by chapter 126 of the laws of 2025, is amended to read as follows:

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

ALL STATE DEPARTMENTS AND AGENCIES

For the payment of state operations non personal service liabilities to the executive branch, including the comptroller, and the attorney general, and legislature, incurred in the ordinary course of business, during the period April 1 through May [~~7~~] 9, 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 accordance with existing law, and further provided that nothing contained herein shall be deemed to supersede, nullify or modify the provisions of section 40 of the state finance law prescribing when appropriations made for the 2024-2025 state fiscal year shall have ceased to have force and effect 34,000,000

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§ 4. Section 5 of chapter 118 of the laws of 2025, relating to making appropriations for the support of government, as amended by chapter 126 of the laws of 2025, is amended to read as follows:

§ 5. 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.

JUDICIARY

For the purpose of making payments for personal service, including liabilities incurred prior to April 1, 2025, on the payrolls scheduled to be paid during the period April 1 through May [~~7~~] 9, 2025 to officers and employees of the judiciary 265,000,000

For the payment of state operations nonpersonal service liabilities, the sum of twenty-five million dollars ($25,000,000), or so much thereof as shall be sufficient to accomplish the purpose designated, is hereby appropriated to the judiciary out of any moneys in the general fund or other funds to the credit of the state purposes account not otherwise appropriated. The comptroller is hereby authorized and directed to utilize this appropriation for the purpose of making payments for nonpersonal service liabilities incurred by the judiciary from April 1 through May [~~7~~] 9, 2025 25,000,000

For the payment of aid to localities liabilities, the sum of thirty million dollars ($30,000,000), or so much thereof as shall be sufficient to accomplish the purpose designated, is hereby appropriated to the judiciary out of any moneys in the general fund or other funds to the credit of the state purposes account not otherwise appropriated. The comptroller is hereby authorized and directed to utilize this appropriation for the purpose of making payments for aid to localities liabilities incurred by the judiciary from April 1 through May [~~7~~] 9, 2025 30,000,000

For the payment of employee fringe benefit programs including, but not limited to, the judiciary's contributions to the health insurance fund, the employees' retirement system pension accumulation fund, the social security contribution fund, employee benefit fund programs, the dental insurance plan, the vision care plan, the unemployment insurance fund, and for workers' compensation benefits, the sum of three hundred million dollars ($300,000,000), or so much thereof as shall be sufficient to accomplish the purpose designated, is hereby appropriated to the judiciary out of any moneys in the general fund or other funds to the credit of the state purposes account not otherwise appropriated. The comptroller is hereby authorized and directed to utilize this appropriation for the purpose of making payments for employee fringe benefit liabilities incurred by the judiciary from April 1 through May [~~7~~] 9, 2025 300,000,000

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§ 5. Section 5 of chapter 113 of the laws of 2025, relating to making appropriations for the support of government, as amended by chapter 126 of the laws of 2025, is amended to read as follows:

§ 5. 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.

DEPARTMENT OF HEALTH

AID TO LOCALITIES

CENTER FOR COMMUNITY HEALTH PROGRAM .... [~~47,660,000~~] 48,730,000

General Fund
Local Assistance Account - 10000

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

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

For various federal food and nutritional services. The moneys hereby appropriated shall be available for payment of financial assistance heretofore accrued (26986) .... [~~40,660,000~~] 41,730,000

CHILD HEALTH INSURANCE PROGRAM 109,366,000

Special Revenue Funds - Other
HCRA Resources Fund
Children's Health Insurance Account - 20810

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

Notwithstanding any other provision of law, the money hereby appropriated may be increased or decreased by transfer or suballocation to appropriations of the office of temporary and disability assistance, for the reimbursement of local district administrative costs related to children newly enrolled in medicaid whose household income is between 100 percent and 133 percent of the federal poverty level.

Notwithstanding any provision of law to the contrary, the amounts appropriated herein shall be net of refunds, rebates, reimbursements, credits, repayments, and/or disallowances.

For services and expenses related to the children's health insurance program authorized pursuant to title 1-A of article 25 of the public health law (26931) 109,366,000

ELDERLY PHARMACEUTICAL INSURANCE COVERAGE PROGRAM 1,520,000

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

For services and expenses of the program for elderly pharmaceutical insurance coverage, including reimbursement to pharmacies participating in such program.

The moneys hereby appropriated shall be available for payment of financial assistance heretofore accrued (26803) 1,520,000

MEDICAL ASSISTANCE PROGRAM 8,652,436,000

General Fund
Local Assistance Account - 10000

For the medical assistance program, including administrative expenses, for local social services districts, and for medical care rates for authorized child care agencies.

Notwithstanding section 40 of the state finance law or any provision of law to the contrary, subject to federal approval, department of health state funds medicaid spending, excluding payments for medical services provided at state facilities operated by the office of mental health, the office for people with developmental disabilities and the office of addiction services and supports and further excluding any payments which are not appropriated within the department of health, in the aggregate, for the period April 1, 2025 through March 31, 2026, shall not exceed $33,417,285,000 except as provided below provided, however, such aggregate limits may be adjusted by the director of the budget to account for any changes in the New York state federal medical assistance percentage amount established pursuant to the federal social security act, increases in provider revenues, reductions in local social services district payments for medical assistance administration, minimum wage increases, and beginning April 1, 2012 the operational costs of the New York state medical indemnity fund, pursuant to chapter 59 of the laws of 2011, and state costs or savings from the essential plan program. Such projections may be adjusted by the director of the budget to account for increased or expedited department of health state funds medicaid expenditures as a result of a natural or other type of disaster, including a governmental declaration of emergency.

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

Such medicaid savings allocation adjustment shall be designed, to reduce the expenditures authorized by the appropriations herein in compliance with the following guidelines: (1) reductions shall be made in compliance with applicable federal law, including the provisions of the Patient Protection and Affordable Care Act, Public Law No. 111-148, and the Health Care and Education Reconciliation Act of 2010, Public Law No. 111-152 (collectively "Affordable Care Act") and any subsequent amendments thereto or regulations promulgated thereunder; (2) reductions shall be made in a manner that complies with the state medicaid plan approved by the federal centers for medicare and medicaid services, provided, however, that the commissioner of health is authorized to submit any state plan amendment or seek other federal approval, including waiver authority, to implement the provisions of the medicaid savings allocation adjustment that meets the other criteria set forth herein; (3) reductions shall be made in a manner that maximizes federal financial participation, to the extent practicable, including any federal financial participation that is available or is reasonably expected to become available, in the discretion of the commissioner, under the Affordable Care Act; (4) reductions shall be made uniformly among categories of services and geographic regions of the state, to the extent practicable, and shall be made uniformly within a category of service, to the extent practicable, except where the commissioner determines that there are sufficient grounds for non-uniformity, including but not limited to: the extent to which specific categories of services contributed to department of health medicaid state funds spending in excess of the limits specified herein; the need to maintain safety net services in underserved communities; or the potential benefits of pursuing innovative payment models contemplated by the Affordable Care Act, in which case such grounds shall be set forth in the medicaid savings allocation adjustment; and (5) reductions shall be made in a manner that does not unnecessarily create administrative burdens to medicaid applicants and recipients or providers.

The commissioner shall seek the input of the legislature, as well as organizations representing health care providers, consumers, businesses, workers, health insurers, and others with relevant expertise, in developing such medicaid savings allocation adjustment, to the extent that all or part of such adjustment, in the discretion of the commissioner, is likely to have a material impact on the overall medicaid program, particular categories of service or particular geographic regions of the state.

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

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

Notwithstanding the provisions of paragraphs (a) and (b) of this subdivision, the commissioner need not seek the input described in paragraph (a) of this subdivision or provide notice pursuant to paragraph (b) of this subdivision if, in the discretion of the commissioner, expedited development and implementation of a medicaid savings allocation adjustment is necessary due to a public health emergency.

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

Nothing in this paragraph shall be deemed to prevent all or part of such medicaid savings allocation adjustment from taking effect retroactively to the extent permitted by the federal centers for medicare and medicaid services.

In accordance with the medicaid savings allocation adjustment, the commissioner of the department of health shall reduce department of health state funds medicaid spending by the amount of the projected overspending through, actions including, but not limited to modifying or suspending reimbursement methods, including but not limited to all fees, premium levels and rates of payment, notwithstanding any provision of law that sets a specific amount or methodology for any such payments or rates of payment; modifying or discontinuing medicaid program benefits; seeking all necessary federal approvals, including, but not limited to waivers, waiver amendments; and suspending time frames for notice, approval or certification of rate requirements, notwithstanding any provision of law, rule or regulation to the contrary, including but not limited to sections 2807 and 3614 of the public health law, section 18 of chapter 2 of the laws of 1988, and 18 NYCRR 505.14(h).

The department of health shall prepare a quarterly report that sets forth: (a) known and projected department of health medicaid expenditures as described in subdivision (1) of this section, and factors that could result in medicaid disbursements for the relevant state fiscal year to exceed the projected department of health state funds disbursements in the enacted budget financial plan pursuant to subdivision 3 of section 23 of the state finance law, including spending increases or decreases due to: enrollment fluctuations, rate changes, utilization changes, MRT investments, and shift of beneficiaries to managed care; and variations in offline medicaid payments; and (b) the actions taken to implement any medicaid savings allocation adjustment implemented pursuant to subdivision (4) of this section, including information concerning the impact of such actions on each category of service and each geographic region of the state. Each such quarterly report shall be provided to the chairs of the senate finance and the assembly ways and means committees and shall be posted on the department of health's website in a timely manner.

The money hereby appropriated is to be available for payment of aid heretofore accrued or hereafter accrued to municipalities, and to providers of medical services pursuant to section 367-b of the social services law, and for payment of state aid to municipalities and to providers of family care where payment systems through the fiscal intermediaries are not operational.

Notwithstanding any inconsistent provision of law to the contrary, funds may be used by the department for outside legal assistance on issues involving the federal government, the conduct of preadmission screening and annual resident reviews required by the state's medicaid program, computer matching with insurance carriers to insure that medicaid is the payer of last resort and activities related to the management of the pharmacy benefit available under the medicaid program.

Notwithstanding any inconsistent provision of law, in lieu of payments authorized by the social services law, or payments of federal funds otherwise due to the local social services districts for programs provided under the federal social security act or the federal food stamp act, funds herein appropriated, in amounts certified by the state commissioner of temporary and disability assistance or the state commissioner of health as due from local social services districts each month as their share of payments made pursuant to section 367-b of the social services law may be set aside by the state comptroller in an interest-bearing account in order to ensure the orderly and prompt payment of providers under section 367-b of the social services law pursuant to an estimate provided by the commissioner of health of each local social services district's share of payments made pursuant to section 367-b of the social services law.

Notwithstanding any inconsistent provision of law, funding made available by these appropriations shall support direct salary costs and related fringe benefits within the medical assistance program associated with any minimum wage increase that takes effect during the timeframe of these appropriations, pursuant to section 652 of the labor law. Each eligible organization in receipt of funding made available by these appropriations may be required to submit written certification, in such form and at such time the commissioner may prescribe, attesting to the total amount of funds used by the eligible organization, how such funding will be or was used for purposes eligible under these appropriations and any other reporting deemed necessary by the commissioner. The amounts appropriated herein may include advances to organizations authorized to receive such funds to accomplish this purpose.

Notwithstanding any other provision of law, the money hereby appropriated may be increased or decreased by interchange or transfer, with any appropriation of the department of health and the office of medicaid inspector general and may be increased or decreased by transfer or suballocation between these appropriated amounts and appropriations of the department of health state purpose account, the office of mental health, office for people with developmental disabilities, the office of addiction services and supports, the department of family assistance office of temporary and disability assistance, the department of corrections and community supervision, the office of information technology services, the state university of New York, and office of children and family services, the office of medicaid inspector general, the state education department, and the state office for the aging with the approval of the director of the budget, who shall file such approval with the department of audit and control and copies thereof with the chairman of the senate finance committee and the chairman of the assembly ways and means committee.

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

Notwithstanding any inconsistent provision of law, the moneys hereby appropriated shall not be used for any existing rates, fees, fee schedule, or procedures which may affect the cost of care and services provided by personal care providers, case managers, health maintenance organizations, out of state medical facilities which provide care and services to residents of the state, providers of transportation services, that are altered, amended, adjusted or otherwise changed by a local social services district unless previously approved by the department of health and the director of the budget.

Notwithstanding any inconsistent provision of law to the contrary, funds shall be made available to the commissioner of the office of mental health or the commissioner of the office of addiction services and supports, in consultation with the commissioner of health and approved by the director of the budget, and consistent with appropriations made therefor, to implement allocation adjustment developed by each such commissioner which shall describe mental health or substance use disorder services that should be developed to meet service needs resulting from the reduction of inpatient behavioral health services provided under the medicaid program, by programs licensed pursuant to article 31 or 32 of the mental hygiene law. Such programs may include programs that are licensed pursuant to both article 31 of the mental hygiene law and article 28 of the public health law, or certified under both article 32 of the mental hygiene law and article 28 of the public health law.

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

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

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

Notwithstanding any provision of law to the contrary, the portion of this appropriation covering fiscal year 2025-26 shall supersede and replace any duplicative (i) reappropriation for this item covering fiscal year 2025-26, and (ii) appropriation for this item covering fiscal year 2025-26 set forth in chapter 53 of the laws of 2024 (26947) 121,200,000

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

Notwithstanding any provision of law to the contrary, the portion of this appropriation covering fiscal year 2025-26 shall supersede and replace any duplicative (i) reappropriation for this item covering fiscal year 2025-26, and (ii) appropriation for this item covering fiscal year 2025-26 set forth in chapter 53 of the laws of 2024 (26948) 31,296,000

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

Notwithstanding any provision of law to the contrary, the portion of this appropriation covering fiscal year 2025-26 shall supersede and replace any duplicative (i) reappropriation for this item covering fiscal year 2025-26, and (ii) appropriation for this item covering fiscal year 2025-26 set forth in chapter 53 of the laws of 2024 (26949) 57,078,000

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

Notwithstanding any provision of law to the contrary, the portion of this appropriation covering fiscal year 2025-26 shall supersede and replace any duplicative (i) reappropriation for this item covering fiscal year 2025-26, and (ii) appropriation for this item covering fiscal year 2025-26 set forth in chapter 53 of the laws of 2024 (26950) 152,808,000

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

Notwithstanding any provision of law to the contrary, the portion of this appropriation covering fiscal year 2025-26 shall supersede and replace any duplicative (i) reappropriation for this item covering fiscal year 2025-26, and (ii) appropriation for this item covering fiscal year

2025-26 set forth in chapter 53 of the laws of 2024 (26951) 774,279,000

For services and expenses of the medical assistance program including managed care services including regional planning activities of the finger lakes health systems agency, including statewide coordination and demonstration of best practices. The department shall make grants within amounts appropriated therefor, to assure high-quality and accessible primary care, to provide technical assistance to support financial and business planning for integrated systems of care, and to assist primary care providers in the adoption, implementation, and meaningful use of electronic health record technology.

Notwithstanding any provision of law to the contrary, the portion of this appropriation covering fiscal year 2025-26 shall supersede and replace any duplicative (i) reappropriation for this item covering fiscal year 2025-26, and (ii) appropriation for this item covering fiscal year 2025-26 set forth in chapter 53 of the laws of 2024 (26952) 477,739,000

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

Notwithstanding any provision of law to the contrary, the portion of this appropriation covering fiscal year 2025-26 shall supersede and replace any duplicative (i) reappropriation for this item covering fiscal year 2025-26, and (ii) appropriation for this item covering fiscal year 2025-26 set forth in chapter 53 of the laws of 2024 (29548) 18,096,000

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

Notwithstanding any provision of law to the contrary, the portion of this appropriation covering fiscal year 2025-26 shall supersede and replace any duplicative (i) reappropriation for this item covering fiscal year 2025-26, and (ii) appropriation for this item covering fiscal year 2025-26 set forth in chapter 53 of the laws of 2024 (26953) 290,856,000

For services and expenses of the medical assistance program including transportation services.

Notwithstanding any provision of law to the contrary, the portion of this appropriation covering fiscal year 2025-26 shall supersede and replace any duplicative (i) reappropriation for this item covering fiscal year 2025-26, and (ii) appropriation for this item covering fiscal year 2025-26 set forth in chapter 53 of the laws of 2024 (26954) 43,032,000

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

Notwithstanding any provision of law to the contrary, the portion of this appropriation covering fiscal year 2025-26 shall supersede and replace any duplicative (i) reappropriation for this item covering fiscal year 2025-26, and (ii) appropriation for this item covering fiscal year 2025-26 set forth in chapter 53 of the laws of 2024 (26955) 492,000

For services and expenses of the medical assistance program including non-institutional and other spending.

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

Notwithstanding any inconsistent provision of law, the money hereby appropriated may be available for payments to any county or public school districts associated with additional claims for school supportive health services.

Notwithstanding any provision of law to the contrary, the portion of this appropriation covering fiscal year 2025-26 shall supersede and replace any duplicative (i) reappropriation for this item covering fiscal year 2025-26, and (ii) appropriation for this item covering fiscal year 2025-26 set forth in chapter 53 of the laws of 2024 (26956) 118,812,000

For services and expenses of the medical assistance program including medical services provided at state facilities operated by the office of mental health, the office for people with developmental disabilities and the office of addiction services and supports.

Notwithstanding any provision of law to the contrary, the portion of this appropriation covering fiscal year 2025-26 shall supersede and replace any duplicative (i) reappropriation for this item covering fiscal year 2025-26, and (ii) appropriation for this item covering fiscal year 2025-26 set forth in chapter 53 of the laws of 2024 (26961) 500,400,000

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

For services and expenses for the medical assistance program, including administrative expenses for local social services districts, pursuant to title XIX of the federal social security act or its successor program.

The moneys hereby appropriated are to be available for payment of aid heretofore accrued or hereafter accrued to municipalities, and to providers of medical services pursuant to section 367-b of the social services law, and for payment of state aid to municipalities and to providers of family care where payment systems through the fiscal intermediaries are not operational.

Notwithstanding any inconsistent provision of law, funding made available by these appropriations shall support direct salary costs and related fringe benefits within the medical assistance program associated with any minimum wage increase that takes effect during the timeframe of these appropriations, pursuant to section 652 of the labor law. Each eligible organization in receipt of funding made available by these appropriations may be required to submit written certification, in such form and at such time the commissioner may prescribe, attesting to the total amount of funds used by the eligible organization, how such funding will be or was used for purposes eligible under these appropriations and any other reporting deemed necessary by the commissioner. The amounts appropriated herein may include advances to organizations authorized to receive such funds to accomplish this purpose.

Notwithstanding any other provision of law, the money hereby appropriated may be increased or decreased by interchange or transfer, with any appropriation of the department of health and the office of medicaid inspector general and may be increased or decreased by transfer or suballocation between these appropriated amounts and appropriations of the office of mental health, office for people with developmental disabilities, the office of addiction services and supports, the department of family assistance office of temporary and disability assistance, office of children and family services, the department of financial services, department of corrections and community supervision, the office of information technology services, the state university of New York, the state education department, and the state office for the aging with the approval of the director of the budget, who shall file such approval with the department of audit and control and copies thereof with the chairman of the senate finance committee and the chairman of the assembly ways and means committee.

Notwithstanding any inconsistent provision of law, in lieu of payments authorized by the social services law, or payments of federal funds otherwise due to the local social services districts for programs provided under the federal social security act or the federal food stamp act, funds herein appropriated, in amounts certified by the state commissioner of temporary and disability assistance or the state commissioner of health as due from local social services districts each month as their share of payments made pursuant to section 367-b of the social services law may be set aside by the state comptroller in an interest-bearing account in order to ensure the orderly and prompt payment of providers under section 367-b of the social services law pursuant to an estimate provided by the commissioner of health of each local social services district's share of payments made pursuant to section 367-b of the social services law.

Notwithstanding any inconsistent provision of law to the contrary, funds shall be made available to the commissioner of the office of mental health or the commissioner of the office of addiction services and supports, in consultation with the commissioner of health and approved by the director of the budget, and consistent with appropriations made therefor, to implement allocation adjustment developed by each such commissioner which shall describe mental health or substance use disorder services that should be developed to meet service needs resulting from the reduction of inpatient behavioral health services provided under the medicaid program, by programs licensed pursuant to article 31 or 32 of the mental hygiene law. Such programs may include programs that are licensed pursuant to both article 31 of the mental hygiene law and article 28 of the public health law, or certified under both article 32 of the mental hygiene law and article 28 of the public health law.

Notwithstanding any inconsistent provision of law, the moneys hereby appropriated may be available for payments associated with the resolution by settlement agreement or judgment of rate appeals and/or litigation where the department of health is a party. Notwithstanding any inconsistent provisions of law, no expenditures shall be used for the medical assistance program for any expenses not explicitly authorized in law without the approval of the director of the budget.

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

Notwithstanding any provision of law to the contrary, the portion of this appropriation covering fiscal year 2025-26 shall supersede and replace any duplicative (i) reappropriation for this item covering fiscal year 2025-26, and (ii) appropriation for this item covering fiscal year 2025-26 set forth in chapter 53 of the laws of 2024 (26947) 346,884,000

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

Notwithstanding any provision of law to the contrary, the portion of this appropriation covering fiscal year 2025-26 shall supersede and replace any duplicative (i) reappropriation for this item covering fiscal year 2025-26, and (ii) appropriation for this item covering fiscal year 2025-26 set forth in chapter 53 of the laws of 2024 (26948) 62,232,000

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

Notwithstanding any provision of law to the contrary, the portion of this appropriation covering fiscal year 2025-26 shall supersede and replace any duplicative (i) reappropriation for this item covering fiscal year 2025-26, and (ii) appropriation for this item covering fiscal year 2025-26 set forth in chapter 53 of the laws of 2024 (26949) 101,802,000

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

Notwithstanding any provision of law to the contrary, the portion of this appropriation covering fiscal year 2025-26 shall supersede and replace any duplicative (i) reappropriation for this item covering fiscal year 2025-26, and (ii) appropriation for this item covering fiscal year 2025-26 set forth in chapter 53 of the laws of 2024 (26950) 476,154,000

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

Notwithstanding any provision of law to the contrary, the portion of this appropriation covering fiscal year 2025-26 shall supersede and replace any duplicative (i) reappropriation for this item covering fiscal year 2025-26, and (ii) appropriation for this item covering fiscal year 2025-26 set forth in chapter 53 of the laws of 2024 (26951) 1,456,333,000

For services and expenses of the medical assistance program including managed care services including regional planning activities of the finger lakes health systems agency, including statewide coordination and demonstration of best practices. The department shall make grants within amounts appropriated therefor, to assure high-quality and accessible primary care, to provide technical assistance to support financial and business planning for integrated systems of care, and to assist primary care providers in the adoption, implementation, and meaningful use of electronic health record technology.

Notwithstanding any provision of law to the contrary, the portion of this appropriation covering fiscal year 2025-26 shall supersede and replace any duplicative (i) reappropriation for this item covering fiscal year 2025-26, and (ii) appropriation for this item covering fiscal year 2025-26 set forth in chapter 53 of the laws of 2024 (26952) 1,659,119,000

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

Notwithstanding any provision of law to the contrary, the portion of this appropriation covering fiscal year 2025-26 shall supersede and replace any duplicative (i) reappropriation for this item covering fiscal year 2025-26, and (ii) appropriation for this item covering fiscal year 2025-26 set forth in chapter 53 of the laws of 2024 (26953) 555,696,000

For services and expenses of the medical assistance program including transportation services.

Notwithstanding any provision of law to the contrary, the portion of this appropriation covering fiscal year 2025-26 shall supersede and replace any duplicative (i) reappropriation for this item covering fiscal year 2025-26, and (ii) appropriation for this item covering fiscal year 2025-26 set forth in chapter 53 of the laws of 2024 (26954) 73,410,000

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

Notwithstanding any provision of law to the contrary, the portion of this appropriation covering fiscal year 2025-26 shall supersede and replace any duplicative (i) reappropriation for this item covering fiscal year 2025-26, and (ii) appropriation for this item covering fiscal year 2025-26 set forth in chapter 53 of the laws of 2024 (26955) 8,532,000

For services and expenses of the medical assistance program including noninstitutional and other spending.

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

Notwithstanding any provision of law to the contrary, the portion of this appropriation covering fiscal year 2025-26 shall supersede and replace any duplicative (i) reappropriation for this item covering fiscal year 2025-26, and (ii) appropriation for this item covering fiscal year 2025-26 set forth in chapter 53 of the laws of 2024 (26956) 825,786,000

For services and expenses of the medical assistance program including medical services provided at state facilities operated by the office of mental health, the office for people with developmental disabilities and the office of addiction services and supports.

Notwithstanding any provision of law to the contrary, the portion of this appropriation covering fiscal year 2025-26 shall supersede and replace any duplicative (i) reappropriation for this item covering fiscal year 2025-26, and (ii) appropriation for this item covering fiscal year 2025-26 set forth in chapter 53 of the laws of 2024 (26961) 500,400,000

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§ 6. Section 6 of chapter 113 of the laws of 2025, relating to making appropriations for the support of government, as amended by chapter 126 of the laws of 2025, is amended to read as follows:

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

DEPARTMENT OF LABOR

AID TO LOCALITIES

UNEMPLOYMENT INSURANCE BENEFIT PROGRAM .. [~~1,140,000,000~~] 1,155,000,000

Enterprise Funds
Unemployment Insurance Benefit Fund
Unemployment Insurance Benefit Account - 50650

For payment of unemployment insurance benefits pursuant to article 18 of the labor law or as authorized by the federal government through the disaster unemployment assistance program, the emergency unemployment compensation program, the extended benefit program, the federal additional compensation program or any other federally funded unemployment benefit program (34787) ...... [~~1,140,000,000~~] 1,155,000,000

§ 7. Section 11 of chapter 119 of the laws of 2025, relating to making appropriations for the support of government, as amended by chapter 126 of the laws of 2025, is amended to read as follows:

§ 11. 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.

DEPARTMENT OF MENTAL HYGIENE
OFFICE FOR PEOPLE WITH DEVELOPMENTAL DISABILITIES

AID TO LOCALITIES

COMMUNITY SERVICES PROGRAM .... [~~433,306,000~~] 434,989,000

General Fund
Local Assistance Account - 10000

For services and expenses of the community services program, net of disallowances, for community programs for people with developmental disabilities pursuant to article 41 of the mental hygiene law, and/or chapter 620 of the laws of 1974, chapter 660 of the laws of 1977, chapter 412 of the laws of 1981, chapter 27 of the laws of 1987, chapter 729 of the laws of 1989, chapter 329 of the laws of 1993 and other provisions of the mental hygiene law. Notwithstanding any inconsistent provision of law, the following appropriation shall be net of prior and/or current year refunds, rebates, reimbursements, and credits.
Notwithstanding any other provision of law, advances and reimbursement made pursuant to subdivision (d) of section 41.15 and section 41.18 of the mental hygiene law shall be allocated pursuant to a plan and in a manner prescribed by the agency head and approved by the director of the budget. The moneys hereby appropriated are available to reimburse or advance localities and voluntary non-profit agencies for expenditures made during local fiscal periods commencing January 1, 2025, April 1, 2025 or July 1, 2025, and for advances for the 3 month period beginning January 1, 2026.
Notwithstanding the provisions of article 41 of the mental hygiene law or any other inconsistent provision of law, rule or regulation, the commissioner, pursuant to such contract and in the manner provided therein, may pay all or a portion of the expenses incurred by such voluntary agencies arising out of loans which are funded from the proceeds of bonds and notes issued by the dormitory authority of the state of New York.
Notwithstanding any other provision of law, the money hereby appropriated may be transferred to state operations and/or any

appropriation of the office for people with developmental disabilities with the approval of the director of the budget.

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

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

Notwithstanding the provisions of subdivision 12 of section 8 of the state finance law and any other inconsistent provision of law, moneys from this appropriation may be used for expenses of family care homes including payments to operators of certified family care homes for damages caused by clients to personal and real property in accordance with standards established by the commissioner and approved by the director of the budget.

Notwithstanding any inconsistent provision of law, moneys from this appropriation may be used for appropriate day program services and residential services including, but not limited to, direct housing subsidies to individuals, start-up expenses for family care providers, environmental modifications, adaptive technologies, appraisals, property options, feasibility studies and preoperational expenses.

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

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

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

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

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

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

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

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

For the state share of medical assistance services expenses incurred by the department of health for the provision of medical assistance services to people with developmental disabilities (37835) 369,352,000

For services and expenses of the community services program, net of disallowances, for community programs for people with developmental disabilities pursuant to article 41 of the mental hygiene law, and/or chapter 620 of the laws of 1974, chapter 660 of the laws of 1977, chapter 412 of the laws of 1981, chapter 27 of the laws of 1987, chapter 729 of the laws of 1989, chapter 329 of the laws of 1993 and other provisions of the mental hygiene law. Notwithstanding any inconsistent provision of law, the following appropriation shall be net of prior and/or current year refunds, rebates, reimbursements, and credits.

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

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

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

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

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

Notwithstanding the provisions of subdivision 12 of section 8 of the state finance law and any other inconsistent provision of law, moneys from this appropriation may be used for expenses of family care homes including payments to operators of certified family care homes for damages caused by clients to personal and real property in accordance with standards established by the commissioner and approved by the director of the budget.

Notwithstanding any inconsistent provision of law, moneys from this appropriation may be used for appropriate day program services and residential services including, but not limited to, direct housing subsidies to individuals, start-up expenses for family care providers, environmental modifications, adaptive technologies, appraisals, property options, feasibility studies and preoperational expenses.

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

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

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

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

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

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

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

For services and expenses related to the provision of residential services to people with developmental disabilities (37802) .... [~~37,126,000~~] 38,103,000

For services and expenses related to the provision of day program services to people with developmental disabilities (37803) .... [~~9,120,000~~] 9,360,000

For services and expenses related to the provision of family support services to people with developmental disabilities (37804) .... [~~10,260,000~~] 10,530,000

For services and expenses related to the provision of workshop, day training and employment services to people with developmental disabilities. Notwithstanding any other provision of law, up to $800,000 of this appropriation may be transferred to the New York State Education Departments' Adult Career and Continuing Education Services - Vocational Rehabilitation (ACCES-VR) program to support the Long-Term Sheltered Employment program operated by FEDCAP Rehabilitation Services, Inc. (37805) .... [~~5,928,000~~] 6,084,000

For other services and expenses provided to people with developmental disabilities including but not limited to hepatitis B, care at home waiver, epilepsy services, Special Olympics New York, Inc. and voluntary fingerprinting (37806) .. [~~1,520,000~~] 1,560,000

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§ 8. Section 8 of chapter 113 of the laws of 2025, relating to making appropriations for the support of government, as amended by chapter 126 of the laws of 2025, is amended to read as follows:

§ 8. 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.

DEPARTMENT OF VETERANS' SERVICES

AID TO LOCALITIES

BLIND VETERAN ANNUITY ASSISTANCE PROGRAM 385,000

General Fund
Local Assistance Account - 10000

For payment of annuities to blind veterans and eligible surviving spouses. Up to $15,000 of this appropriation may be transferred to state operations for administrative costs associated with this program (54606) 385,000

VETERANS' BENEFITS ADVISING PROGRAM .... [~~532,000~~] 546,000

Special Revenue Funds - Other
Homeless Veterans Assistance Fund
Homeless Veterans Assistance Account - 20204

For services and expenses related to homeless veterans' housing (54815) .. [~~532,000~~] 546,000

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

§ 10. All expenditures and disbursements made against the appropriations in this act shall, upon final action by the legislature on appropriation bills submitted by the governor pursuant to article VII of the state constitution for the support of government for the state fiscal year beginning April 1, 2025, be transferred by the comptroller as expenditures and disbursements to such appropriations for all state departments and agencies, as applicable, in amounts equal to the amounts charged against the appropriations in this act for each such department, agency, and the legislature and the judiciary.

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

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