STATE OF NEW YORK

7984--A

2025-2026 Regular Sessions

IN SENATE

May 15, 2025

Introduced by Sen. FERNANDEZ -- read twice and ordered printed, and when printed to be committed to the Committee on Health -- recommitted to the Committee on Health in accordance with Senate Rule 6, sec. 8 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the social services law, in relation to exemptions from the recipient restriction program

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

Section 1. The social services law is amended by adding a new section 368-g to read as follows:

§ 368-g. Exemptions from the recipient restriction program. 1. Notwithstanding any law, rule or regulation to the contrary, any individual who is receiving medical assistance under this title from a Medicaid fee-for-service or Medicaid managed care provider and who is identified as part of the recipient restriction program set forth in 18 NYCRR 360-6.4 shall be fully exempt from all recipient restriction program coverage and payment restrictions with respect to any covered substance use disorder and mental health treatment services and all FDA approved medications for the treatment of substance use disorders, HIV, hepatitis C and mental health conditions. All Medicaid managed care plans shall not restrict medically necessary substance use disorder services and FDA approved medications for the treatment of substance use disorders, HIV, hepatitis C and mental health conditions for recipient restriction program members without any additional restrictions, edits, authorizations, or referral requirements, and claims for opioid treatment program services shall not be denied due to recipient restriction program restrictions.

2. The department shall promulgate rules and regulations to implement the provisions of this section.

§ 2. This act shall take effect immediately.

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

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