STATE OF NEW YORK

9198

IN SENATE

February 13, 2026

Introduced by Sen. CLEARE -- read twice and ordered printed, and when printed to be committed to the Committee on Finance

AN ACT to amend the elder law, in relation to requiring the provision of home-delivered meals to eligible homebound older adults on weekends and holidays; to require the state office for the aging to deliver a report; and to make an appropriation therefor

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

Section 1. Legislative findings and intent. The legislature finds that many older New Yorkers depend on publicly supported home-delivered meal services as their primary source of daily nutrition, yet current federal and state rules only require that programs provide one meal a day five days a week, often do not operate on weekends and holidays, leading to gaps in food access, increased nutritional risk, and preventable hospitalizations and institutionalization for frail, homebound older adults. It is therefore the intent of the legislature to ensure that eligible older adults receive access to at least one nutritious meal per day, including days that programs do not operate, such as weekends and state-recognized holidays, by directing the state office for the aging to establish and support year-round home-delivered meal services.

§ 2. Section 203 of the elder law is amended by adding a new subdivision 13 to read as follows:

13. (a) Within amounts appropriated therefor, the office shall establish a grant program for the provision of home-delivered meals to eligible homebound individuals on weekends and state-recognized holidays by eligible entities. The grant program shall be open to public or private nonprofit corporations, associations and local governmental entities with a priority given to those entities with a history of providing weekend meals programs.

(b) The program established pursuant to this subdivision shall, to the extent practicable, be complimentary with existing weekday home-delivered meal services established under the federal Older Americans Act of 1965 and related state, local, and nonprofit programs, and shall be designed to ensure that each authorized older adult receives at least

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

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one home-delivered meal each day, seven days a week, three hundred sixty-five days a year.

(c) Priority for services under this subdivision shall be given to individuals who are:

(1) at least sixty years old; and

(2) determined by an area agency on aging to be homebound due to illness, disability, or frailty.

(d) Meals provided under this subdivision shall meet applicable federal and state nutrition and food safety standards, including, but not limited to, requirements established pursuant to the Older Americans Act of 1965 and any regulations or guidance issued by the office.

(e) In order to ensure continuity of service and cost-effective delivery, the office may authorize the use of frozen or chilled meals, shelf-stable meals, and other modes of advance delivery for days that programs do not operate, provided that such approaches safeguard the health and safety of participants.

(f) The office shall award grants to public or private nonprofit corporations, associations and local governmental entities with a priority given to those entities with a history of providing weekend meals for the purpose of planning, implementing, and operating services under this subdivision.

(g) The office shall promulgate rules and regulations necessary to implement the provisions of this subdivision, including but not limited to eligibility criteria, service priorities, methods of reimbursement, reporting requirements, and performance and outcome measures.

§ 3. Reporting. (a) No later than twelve months after the effective date of this act, and on the first of January annually thereafter, the state office for the aging shall submit a report to the governor, the temporary president of the senate, the minority leader of the senate, the speaker of the assembly, the minority leader of the assembly and the chairs of the senate and assembly committees on aging.

(b) Such report shall include, at a minimum:

(1) the number of individuals served under the program created by this act, by county and service area;

(2) the number of meals delivered on weekends and holidays; and

(3) a description of outreach efforts and strategies used to reach underserved communities, including rural areas and communities of color.

§ 4. Appropriation. (a) The sum of one hundred million dollars ($100,000,000) or so much thereof as may be necessary, is hereby appropriated out of any moneys in the general fund to the credit of the state purposes account not otherwise appropriated, to the state office for the aging, for the purpose of implementing the provisions of this act, including grants to local governmental units and community-based providers, administrative expenses, outreach, and program evaluation; provided, however, that the state office for the aging may retain up to 10 percent of such funds for the purpose of implementing the grant program described in section two of this act.

(b) Such moneys shall be made available on or after April first, two thousand twenty-six, and shall remain available to the state office for the aging until expended.

§ 5. Severability. 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.

§ 6. This act shall take effect on the one hundred eightieth day after it shall have become a law. Effective immediately, the addition, amendment and/or repeal of any rule or regulation necessary for the implementation of this act on its effective date are authorized to be made and completed on or before such effective date.