**§ 211. Agreements for federal administration.** 1. The department is hereby authorized, on behalf of the state, to enter into an agreement with the secretary of the federal department of health, education and welfare whereby the secretary agrees to administer the state's program of additional state payments, including determining the eligibility of individuals and couples for such payments.

2. Any such agreement may authorize the secretary to make additional state payments on behalf of the state to persons found eligible for such payments pursuant to the provisions of this title, in amounts authorized by the provisions of this title, and shall contain conditions of eligibility for such additional state payments, including the requirement of current residence and amounts of earned or unearned income to be disregarded in determining eligibility, in accordance with the provisions of this title, regulations of the department and federal law and regulations.

3. Any such agreement shall provide that the state will pay to the secretary: (a) the amount the secretary expends for additional state payments without regard to the secretary's cost of administering such payments, which amount shall not exceed the amount of expenditures made by the state and by social services districts for aid to aged, blind and disabled persons during the calendar year nineteen hundred seventy-two, less any federal funds properly received on account thereof; and (b) the amount the secretary expends for additional state payments for any individual which are in excess of the difference between the adjusted payment level under the state's program of old age assistance, assistance to the blind or aid to the disabled in January, nineteen hundred seventy-two and the amount of such individual's supplemental security income benefit. For purposes of this subdivision, "adjusted payment level" shall mean the amount of the cash grant under the appropriate state program of old age assistance, assistance to the blind, aid to the disabled or the combined program of aid to aged, blind and disabled persons, to individuals receiving grants under any such program, who had no other income, for the month of January, nineteen hundred seventy-two, plus an amount not greater than the bonus value of food stamps allotted to such individuals in such month, so long as

federal law and regulations permit the inclusion of such amount.

4. The department is authorized on behalf of the state, with the approval of the director of the budget, to agree to modification of the agreement, or to terminate the agreement, if it is fiscally advantageous to the state to so act. Any modification of the agreement which is contrary to the provisions of this title shall be effective only until the first day of July of the year next succeeding the year in which such modification is to take effect, unless the substance of such modification is enacted into law prior to such date. For the purposes of section one hundred one-a of the executive law, any such modification or termination of the agreement shall be considered the adoption of a rule, as defined in such section.

5. The department is authorized, on behalf of the state, to enter into an agreement with the secretary of the federal department of health and human services for the purpose of obtaining reimbursement for safety net assistance or any other payments made from state or local funds furnished for basic needs for any month to or on behalf of persons who subsequently are determined eligible to receive supplemental security income payments for such month. Notwithstanding any law to the contrary, the department is authorized to condition eligibility for any program providing such payments upon the individual's execution of a written authorization allowing the secretary of the federal department of health and human services to pay to the social services district the amount of supplemental security income due at the time the individual becomes eligible.