

S 9963 SERRANO Same as **A 11010** Pretlow
Governor Program # 28
ON FILE: 04/19/26 Appropriations
TITLE....Provides for emergency appropriation for the
period April 1, 2026 through April 22, 2026
04/19/26 REFERRED TO RULES

A11010 Pretlow Same as **S 9963** SERRANO
Governor Program # 28
Appropriations
TITLE....Provides for emergency appropriation for the
period April 1, 2026 through April 22, 2026
Currently on Assembly Committee Agenda
Ways and Means (PRETLOW)
OFF THE FLOOR, Monday, April 20, 2026
04/19/26 referred to ways and means

STATE OF NEW YORK

9963

IN SENATE

April 19, 2026

Introduced by Sen. SERRANO -- (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 98 of the laws of 2026, relating to making appropriations for the support of government, in relation thereto; to amend chapter 100 of the laws of 2026, relating to making appropriations for the support of government, in relation thereto; to amend chapter 102 of the laws of 2026, relating to 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:

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, 2026 are enacted.

8 § 2. Section 2 of chapter 98 of the laws of 2026, relating to making
9 appropriations for the support of government, as amended by chapter 103
10 of the laws of 2026, is amended to read as follows:

11 § 2. The amounts specified in this section, or so much thereof as
12 shall be sufficient to accomplish the purposes designated, is hereby
13 appropriated and authorized to be paid as hereinafter provided, to the
14 public officers and for the purpose specified, which amount shall be
15 available for the state fiscal year beginning April 1, 2026.

16 ALL STATE DEPARTMENTS AND AGENCIES

17 For the purpose of making payments for
18 personal service, including liabilities
19 incurred prior to April 1, 2026, on the

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

LBD12030-01-6

S. 9963

2

1 payrolls scheduled to be paid during the
 2 period April 1 through April [20] 22, 2026
 3 to state officers and employees of the
 4 executive branch, including the governor,
 5 lieutenant governor, comptroller, and
 6 attorney general, and to employees of the
 7 legislature. This appropriation also
 8 includes payments for services performed
 9 by mentally ill or developmentally disa-
 10 bled persons who are employed in state-op-
 11 erated special employment, work-for-pay or
 12 sheltered workshop programs
 13 [835,781,000] 1,228,949,722
 14 -----

15 § 3. Section 3 of chapter 98 of the laws of 2026, relating to making
 16 appropriations for the support of government, as amended by chapter 103
 17 of the laws of 2026, is amended to read as follows:

18 § 3. The amount specified in this section, or so much thereof as shall
 19 be sufficient to accomplish the purpose designated, is hereby appropri-
 20 ated and authorized to be paid as hereinafter provided, to the public
 21 officers and for the purpose specified, which amount shall be available
 22 for the state fiscal year beginning April 1, 2026.

23 ALL STATE DEPARTMENTS AND AGENCIES

24 For the payment of state operations non
 25 personal service liabilities to the execu-
 26 tive branch, including the comptroller,
 27 and the attorney general, and legislature,
 28 incurred in the ordinary course of busi-
 29 ness, during the period April 1 through
 30 April [20] 22, 2026, pursuant to existing
 31 state law and for purposes for which the
 32 legislature authorized the expenditure of
 33 moneys during the 2025-2026 state fiscal
 34 year; provided, however, that nothing
 35 contained herein shall be deemed to limit
 36 or restrict the power or authority of
 37 state departments or agencies to conduct
 38 their activities or operations in accord-
 39 ance with existing law, and further
 40 provided that nothing contained herein
 41 shall be deemed to supersede, nullify or
 42 modify the provisions of section 40 of the
 43 state finance law prescribing when appro-
 44 priations made for the 2025-2026 state
 45 fiscal year shall have ceased to have
 46 force and effect [32,000,000] 44,000,000
 47 -----

48 § 4. Section 4 of chapter 102 of the laws of 2026, relating to making
 49 appropriations for the support of government, as amended by chapter 103
 50 of the laws of 2026, is amended to read as follows:

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

S. 9963

3

1 appropriated and authorized to be paid as hereinafter provided, to the
2 respective public officers and for the purposes specified, which amount
3 shall be available for the state fiscal year beginning April 1, 2026.

4 MISCELLANEOUS -- ALL STATE DEPARTMENTS AND AGENCIES

5 The sum of ten million dollars
6 (\$10,000,000), or so much thereof as shall
7 be sufficient to accomplish the purpose
8 designated, is hereby appropriated for
9 contracts and grants approved for purposes
10 for which the legislature authorized the
11 expenditures of money during the 2025-2026
12 fiscal year. An amount up to ten million
13 dollars (\$10,000,000) shall be available
14 for the payment of capital projects
15 liabilities incurred during the period
16 from April 1 through April ~~20~~ 22, 2026
17 for contracts and grants approved prior to
18 April 1, 2026, provided, however, that
19 nothing contained herein shall be deemed
20 to limit or restrict the power or authori-
21 ty of state departments or agencies to
22 conduct their activities or operations in
23 accordance with existing law, and further
24 provided that nothing contained herein
25 shall be deemed to supersede, nullify, or
26 modify the provisions of section 40 of the
27 state finance law prescribing when appro-
28 priations made for the 2025-2026 fiscal
29 year shall have ceased to have force and
30 effect 10,000,000
31 -----

32 § 5. Section 5 of chapter 102 of the laws of 2026, relating to making
33 appropriations for the support of government, as amended by chapter 103
34 of the laws of 2026, is amended to read as follows:

35 § 5. 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 respective public officers and for the purposes specified, which amount
39 shall be available for the state fiscal year beginning April 1, 2026.

40 MISCELLANEOUS -- ALL STATE DEPARTMENTS AND AGENCIES

41 The sum of twenty million dollars
42 (\$20,000,000), or so much thereof as shall
43 be sufficient to accomplish the purpose
44 designated, is hereby appropriated for
45 contracts and grants approved for purposes
46 for which the legislature authorized the
47 expenditures of money during the 2025-2026
48 fiscal year. An amount up to twenty
49 million dollars (\$20,000,000) shall be
50 available for the payment of capital
51 projects liabilities incurred during the

S. 9963

4

1 period from April 1 through April ~~20~~ 22,
 2 2026 for contracts and grants approved
 3 after April 1, 2026, provided, however,
 4 that nothing contained herein shall be
 5 deemed to limit or restrict the power or
 6 authority of state departments or agencies
 7 to conduct their activities or operations
 8 in accordance with existing law, and
 9 further provided that nothing contained
 10 herein shall be deemed to supersede,
 11 nullify, or modify the provisions of
 12 section 40 of the state finance law
 13 prescribing when appropriations made for
 14 the 2025-2026 fiscal year shall have
 15 ceased to have force and effect 20,000,000
 16 -----

17 § 6. Section 4 of chapter 98 of the laws of 2026, relating to making
 18 appropriations for the support of government, as amended by chapter 103
 19 of the laws of 2026, is amended to read as follows:
 20 § 4. The amounts specified in this section, or so much thereof as
 21 shall be sufficient to accomplish the purposes designated, is hereby
 22 appropriated and authorized to be paid as hereinafter provided, to the
 23 public officers and for the purposes specified, which amount shall be
 24 available for the state fiscal year beginning April 1, 2026.

25 MISCELLANEOUS -- ALL STATE DEPARTMENTS AND AGENCIES

26 GENERAL STATE CHARGES

27 STATE OPERATIONS

28 GENERAL STATE CHARGES [~~644,746,500~~] 682,246,500
 29 -----

30 General Fund
 31 State Purposes Account - 10050

32 For employee fringe benefits according to
 33 the following project schedule including
 34 those benefits which are related to
 35 employees paid from funds, accounts, or
 36 programs where the division of the budget
 37 has issued waivers (85022) .. [~~644,568,500~~] 682,068,500

38 Project Schedule
 39 PROJECT AMOUNT
 40 -----

41 For the state's contribution
 42 to the health insurance fund
 43 and deposit into the retiree
 44 health benefit trust fund
 45 pursuant to section 99-aa of
 46 the state finance law. The
 47 state's share of the health
 48 insurance program dividends

S. 9963

5

1 shall be available to pay
2 for the premiums in 2026-27 .. 514,422,000
3 For the state's contribution
4 to the social security
5 contribution fund

6 [~~78,500,000~~] 116,000,000
7 For the state's contribution
8 to employee benefit fund
9 programs 40,500,000
10 For the state's contribution
11 to the dental insurance plan ... 7,415,000
12 For the payment of the metro-
13 politan commuter transporta-
14 tion mobility tax pursuant
15 to article 23 of the tax
16 law, as added by chapter 25
17 of the laws of 2009, on
18 behalf of the state employ-
19 ees employed in the metro-
20 politan commuter transporta-
21 tion district 3,010,000
22 For the state's share of
23 contributions to the volun-
24 tary defined contribution
25 plan made on behalf of
26 eligible employees pursuant
27 to chapter 18 of the laws
28 of 2012 who elect to partic-
29 ipate in such plan and who
30 are not otherwise eligi-
31 ble to participate in the
32 SUNY optional retirement
33 program 704,500
34 For the state's contribution
35 to the vision care plan 17,000
36 -----
37 Project schedule total ...
38 [~~644,568,500~~] 682,068,500
39 -----

40 For payment of claims for damage to personal
41 or real property or for bodily injuries or
42 wrongful death caused by officers, employ-
43 ees, or other authorized persons providing
44 service to state government while provid-
45 ing such service, and the state university
46 construction fund while acting within the
47 scope of their employment, and while oper-
48 ating motor vehicles, and for any individ-
49 uals operating motor vehicles which are
50 assigned on a permanent basis with unre-
51 stricted use to state officers and employ-
52 ees when the person is permanently
53 assigned the motor vehicle (80559) 178,000
54 -----

S. 9963

6

1 § 7. Section 5 of chapter 100 of the laws of 2026, relating to making
2 appropriations for the support of government, as amended by chapter 103
3 of the laws of 2026, is amended to read as follows:

4 § 5. The amounts specified in this section, or so much thereof as
5 shall be sufficient to accomplish the purposes designated, is hereby
6 appropriated and authorized to be paid as hereinafter provided, to the
7 public officers and for the purposes specified, which amount shall be
8 available for the state fiscal year beginning April 1, 2026.

9 JUDICIARY

10 For the purpose of making payments for
11 personal service, including liabilities
12 incurred prior to April 1, 2026, on the
13 payrolls scheduled to be paid during the
14 period April 1 through April ~~20~~ 22, 2026
15 to officers and employees of the judi-
16 ciary [~~85,000,000~~] 186,000,000

17 For the payment of state operations nonper-
18 sonal service liabilities, the sum of
19 thirteen million dollars (\$13,000,000), or
20 so much thereof as shall be sufficient to
21 accomplish the purpose designated, is
22 hereby appropriated to the judiciary out
23 of any moneys in the general fund or other
24 funds to the credit of the state purposes
25 account not otherwise appropriated. The
26 comptroller is hereby authorized and
27 directed to utilize this appropriation for
28 the purpose of making payments for nonper-
29 sonal service liabilities incurred by the
30 judiciary from April 1 through April ~~20~~
31 22, 2026 13,000,000

32 For the payment of aid to localities liabil-
33 ities, the sum of eleven million dollars
34 (\$11,000,000), or so much thereof as shall
35 be sufficient to accomplish the purpose
36 designated, is hereby appropriated to the
37 judiciary out of any moneys in the general
38 fund or other funds to the credit of the
39 state purposes account not otherwise
40 appropriated. The comptroller is hereby
41 authorized and directed to utilize this
42 appropriation for the purpose of making
43 payments for aid to localities liabilities
44 incurred by the judiciary from April 1
45 through April ~~20~~ 22, 2026 11,000,000

46 For the payment of employee fringe benefit
47 programs including, but not limited to,
48 the judiciary's contributions to the
49 health insurance fund, the employees'
50 retirement system pension accumulation
51 fund, the social security contribution
52 fund, employee benefit fund programs, the
53 dental insurance plan, the vision care
54 plan, the unemployment insurance fund, and

S. 9963

7

1 for workers' compensation benefits, the
 2 sum of sixty-two million two hundred fifty
 3 thousand dollars (\$62,250,000), or so much
 4 thereof as shall be sufficient to accom-
 5 plish the purpose designated, is hereby
 6 appropriated to the judiciary out of any
 7 moneys in the general fund or other funds
 8 to the credit of the state purposes
 9 account not otherwise appropriated. The
 10 comptroller is hereby authorized and
 11 directed to utilize this appropriation for
 12 the purpose of making payments for employ-
 13 ee fringe benefit liabilities incurred by
 14 the judiciary from April 1 through April
 15 ~~20~~ 22, 2026 62,250,000
 16 -----

17 § 8. The amounts specified in this section, or so much thereof as
 18 shall be sufficient to accomplish the purposes designated, is hereby
 19 appropriated and authorized to be paid as hereinafter provided, to the
 20 public officers and for the purposes specified, which amount shall be
 21 available for the state fiscal year beginning April 1, 2026.

22 EDUCATION DEPARTMENT

23 AID TO LOCALITIES

24 OFFICE OF PREKINDERGARTEN THROUGH GRADE TWELVE EDUCATION
 25 PROGRAM 2,283,000,000
 26 -----

27 General Fund
 28 Local Assistance Account - 10000

29 For remaining 2025-26 and prior school year
 30 obligations, including aid for such school
 31 years payable pursuant to section 3609-d
 32 of the education law, provided that
 33 notwithstanding any provision of law to
 34 the contrary, subject to the approval of
 35 the director of the budget, funds appro-
 36 priated herein may be interchanged with
 37 any other item of appropriation for gener-
 38 al support for public schools within the
 39 general fund local assistance account
 40 office of prekindergarten through grade
 41 twelve education program.
 42 Notwithstanding any other law, rule or regu-
 43 lation to the contrary, funds appropriated
 44 herein shall be available for payment of
 45 financial assistance net of any disallow-
 46 ances, refunds, reimbursement and credits,
 47 and may be suballocated to other depart-
 48 ments and agencies to accomplish the
 49 intent of this appropriation subject to
 50 the approval of the director of the budg-

S. 9963

8

1 et. Notwithstanding any provision of law
 2 to the contrary, funds appropriated herein
 3 shall be available for payment of liabil-
 4 ities heretofore accrued or hereafter to
 5 accrue (21701) 2,283,000,000
 6 -----

7 § 9. Section 5 of chapter 98 of the laws of 2026, relating to making
 8 appropriations for the support of government, as amended by chapter 103
 9 of the laws of 2026, is amended to read as follows:

10 § 5. The amounts specified in this section, or so much thereof as
 11 shall be sufficient to accomplish the purposes designated, is hereby
 12 appropriated and authorized to be paid as hereinafter provided, to the
 13 public officers and for the purposes specified, which amount shall be
 14 available for the state fiscal year beginning April 1, 2026.

15 DEPARTMENT OF HEALTH

16 AID TO LOCALITIES

17 CENTER FOR COMMUNITY HEALTH PROGRAM [~~27,330,000~~] 30,540,000
 18 -----

19 General Fund
 20 Local Assistance Account - 10000

21 For services and expenses related to the
 22 Indian health program pursuant to a plan
 23 prepared by the commissioner of health and
 24 approved by the director of the budget.
 25 The moneys hereby appropriated shall be
 26 for payment of financial assistance here-
 27 tofore accrued or hereafter to accrue
 28 (26840) 7,000,000
 29 -----

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

33 For various federal food and nutritional
 34 services. The moneys hereby appropriated
 35 shall be available for payment of finan-
 36 cial assistance heretofore accrued (26986)
 37 [~~20,330,000~~] 23,540,000
 38 -----

39 ELDERLY PHARMACEUTICAL INSURANCE COVERAGE PROGRAM 1,200,000
 40 -----

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

44 For services and expenses of the program for
 45 elderly pharmaceutical insurance coverage,

S. 9963

9

1 including reimbursement to pharmacies
 2 participating in such program. The moneys
 3 hereby appropriated shall be available for
 4 payment of financial assistance heretofore
 5 accrued (26803) 1,200,000
 6 -----

7 MEDICAL ASSISTANCE PROGRAM [~~4,529,831,000~~] 6,489,781,000
 8 -----

9 General Fund
 10 Local Assistance Account - 10000

11 For the medical assistance program, includ-
 12 ing administrative expenses, for local
 13 social services districts, and for medical
 14 care rates for authorized child care agen-
 15 cies.

16 Notwithstanding section 40 of the state
 17 finance law or any provision of law to the
 18 contrary, subject to federal approval,
 19 department of health state funds medicaid
 20 spending, excluding payments for medical
 21 services provided at state facilities
 22 operated by the office of mental health,
 23 the office for people with developmental
 24 disabilities and the office of addiction
 25 services and supports and further exclud-
 26 ing any payments which are not appropri-
 27 ated within the department of health, in
 28 the aggregate, for the period April 1,
 29 2026 through March 31, 2027, shall not
 30 exceed \$36,099,200,000 except as provided
 31 below provided, however, such aggregate
 32 limits may be adjusted by the director of
 33 the budget to account for any changes in
 34 the New York state federal medical assist-
 35 ance percentage amount established pursu-
 36 ant to the federal social security act,
 37 increases in provider revenues, reductions
 38 in local social services district payments
 39 for medical assistance administration,
 40 minimum wage increases, and beginning
 41 April 1, 2012 the operational costs of the
 42 New York state medical indemnity fund,
 43 pursuant to chapter 59 of the laws of
 44 2011, and state costs or savings from the
 45 essential plan program. Such projections
 46 may be adjusted by the director of the
 47 budget to account for increased or exped-
 48 ited department of health state funds
 49 medicaid expenditures as a result of a
 50 natural or other type of disaster, includ-
 51 ing a governmental declaration of emergen-
 52 cy.

S. 9963

10

1 The director of the budget, in consultation
2 with the commissioner of health, shall
3 assess on a quarterly basis known and
4 projected medicaid expenditures by category
5 of service and by geographic region, as
6 defined by the commissioner, incurred both
7 prior to and subsequent to such assessment
8 for each such period, and if the director
9 of the budget determines that such expenditures
10 are expected to cause medicaid
11 spending for such period to exceed the
12 aggregate limit specified herein for such
13 period, the state medicaid director, in
14 consultation with the director of the
15 budget and the commissioner of health,
16 shall develop a medicaid savings allocation
17 adjustment to limit such spending
18 to the aggregate limit specified herein
19 for such period.

20 Such medicaid savings allocation adjustment
21 shall be designed, to reduce the expenditures
22 authorized by the appropriations
23 herein in compliance with the following
24 guidelines: (1) reductions shall be made
25 in compliance with applicable federal law,
26 including the provisions of the Patient
27 Protection and Affordable Care Act, Public
28 Law No. 111-148, and the Health Care and
29 Education Reconciliation Act of 2010,
30 Public Law No. 111-152 (collectively
31 "Affordable Care Act") and any subsequent
32 amendments thereto or regulations promulgated
33 thereunder; (2) reductions shall be made
34 in a manner that complies with the
35 state medicaid plan approved by the federal
36 centers for medicare and medicaid
37 services, provided, however, that the
38 commissioner of health is authorized to
39 submit any state plan amendment or seek
40 other federal approval, including waiver
41 authority, to implement the provisions of
42 the medicaid savings allocation adjustment
43 that meets the other criteria set forth
44 herein; (3) reductions shall be made in a
45 manner that maximizes federal financial
46 participation, to the extent practicable,
47 including any federal financial participation
48 that is available or is reasonably
49 expected to become available, in the
50 discretion of the commissioner, under the
51 Affordable Care Act; (4) reductions shall
52 be made uniformly among categories of
53 services and geographic regions of the
54 state, to the extent practicable, and
55 shall be made uniformly within a category
56 of service, to the extent practicable,

S. 9963

11

1 except where the commissioner determines
2 that there are sufficient grounds for
3 non-uniformity, including but not limited
4 to: the extent to which specific categories
5 of services contributed to department
6 of health medicaid state funds spending in
7 excess of the limits specified herein; the
8 need to maintain safety net services in
9 underserved communities; or the potential
10 benefits of pursuing innovative payment
11 models contemplated by the Affordable Care
12 Act, in which case such grounds shall be
13 set forth in the medicaid savings allocation
14 adjustment; and (5) reductions
15 shall be made in a manner that does not
16 unnecessarily create administrative
17 burdens to medicaid applicants and recipients
18 or providers.

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

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

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

49 Notwithstanding the provisions of paragraphs
50 (a) and (b) of this subdivision, the
51 commissioner need not seek the input
52 described in paragraph (a) of this subdivision
53 or provide notice pursuant to paragraph
54 (b) of this subdivision if, in the
55 discretion of the commissioner, expedited
56 development and implementation of a medi-

S. 9963

12

1 caid savings allocation adjustment is
2 necessary due to a public health emergen-
3 cy.

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

17 Nothing in this paragraph shall be deemed to
18 prevent all or part of such medicaid
19 savings allocation adjustment from taking
20 effect retroactively to the extent permit-
21 ted by the federal centers for medicare
22 and medicaid services.

23 In accordance with the medicaid savings
24 allocation adjustment, the commissioner of
25 the department of health shall reduce
26 department of health state funds medicaid
27 spending by the amount of the projected
28 overspending through, actions including,
29 but not limited to modifying or suspending
30 reimbursement methods, including but not
31 limited to all fees, premium levels and
32 rates of payment, notwithstanding any
33 provision of law that sets a specific
34 amount or methodology for any such
35 payments or rates of payment; modifying or
36 discontinuing medicaid program benefits;
37 seeking all necessary federal approvals,
38 including, but not limited to waivers,
39 waiver amendments; and suspending time
40 frames for notice, approval or certifi-
41 cation of rate requirements, notwith-
42 standing any provision of law, rule or
43 regulation to the contrary, including but
44 not limited to sections 2807 and 3614 of
45 the public health law, section 18 of chap-
46 ter 2 of the laws of 1988, and 18 NYCRR
47 505.14(h).

48 The department of health shall prepare a
49 quarterly report that sets forth: (a)
50 known and projected department of health
51 medicaid expenditures as described in
52 subdivision (1) of this section, and
53 factors that could result in medicaid
54 disbursements for the relevant state
55 fiscal year to exceed the projected
56 department of health state funds disburse-

S. 9963

13

1 ments in the enacted budget financial plan
2 pursuant to subdivision 3 of section 23 of
3 the state finance law, including spending
4 increases or decreases due to: enrollment
5 fluctuations, rate changes, utilization
6 changes, MRT investments, and shift of
7 beneficiaries to managed care; and vari-
8 ations in offline medicaid payments; and
9 (b) the actions taken to implement any
10 medicaid savings allocation adjustment
11 implemented pursuant to subdivision (4) of
12 this section, including information
13 concerning the impact of such actions on
14 each category of service and each
15 geographic region of the state. Each such
16 quarterly report shall be provided to the
17 chairs of the senate finance and the
18 assembly ways and means committees and
19 shall be posted on the department of
20 health's website in a timely manner.

21 The money hereby appropriated is to be
22 available for payment of aid heretofore
23 accrued or hereafter accrued to munic-
24 ipalities, and to providers of medical
25 services pursuant to section 367-b of the
26 social services law, and for payment of
27 state aid to municipalities and to provid-
28 ers of family care where payment systems
29 through the fiscal intermediaries are not
30 operational.

31 Notwithstanding any inconsistent provision
32 of law to the contrary, funds may be used
33 by the department for outside legal
34 assistance on issues involving the federal
35 government, the conduct of preadmission
36 screening and annual resident reviews
37 required by the state's medicaid program,
38 computer matching with insurance carriers
39 to insure that medicaid is the payer of
40 last resort and activities related to the
41 management of the pharmacy benefit avail-
42 able under the medicaid program.

43 Notwithstanding any inconsistent provision
44 of law, in lieu of payments authorized by
45 the social services law, or payments of
46 federal funds otherwise due to the local
47 social services districts for programs
48 provided under the federal social security
49 act or the federal food stamp act, funds
50 herein appropriated, in amounts certified
51 by the state commissioner of temporary and
52 disability assistance or the state commis-
53 sioner of health as due from local social
54 services districts each month as their
55 share of payments made pursuant to section
56 367-b of the social services law may be

S. 9963

14

1 set aside by the state comptroller in an
2 interest-bearing account in order to
3 ensure the orderly and prompt payment of
4 providers under section 367-b of the
5 social services law pursuant to an esti-
6 mate provided by the commissioner of
7 health of each local social services
8 district's share of payments made pursuant
9 to section 367-b of the social services
10 law.

11 Notwithstanding any inconsistent provision
12 of law, funding made available by these
13 appropriations shall support direct salary
14 costs and related fringe benefits within
15 the medical assistance program associated
16 with any minimum wage increase that takes
17 effect during the timeframe of these
18 appropriations, pursuant to section 652 of
19 the labor law. Each eligible organization
20 in receipt of funding made available by
21 these appropriations may be required to
22 submit written certification, in such form
23 and at such time the commissioner may
24 prescribe, attesting to the total amount
25 of funds used by the eligible organiza-
26 tion, how such funding will be or was used
27 for purposes eligible under these appro-
28 priations and any other reporting deemed
29 necessary by the commissioner. The amounts
30 appropriated herein may include advances
31 to organizations authorized to receive
32 such funds to accomplish this purpose.

33 Notwithstanding any other provision of law,
34 the money hereby appropriated may be
35 increased or decreased by interchange or
36 transfer, with any appropriation of the
37 department of health and the office of
38 medicaid inspector general and may be
39 increased or decreased by transfer or
40 suballocation between these appropriated
41 amounts and appropriations of the depart-
42 ment of health state purpose account, the
43 office of mental health, office for people
44 with developmental disabilities, the
45 office of addiction services and supports,
46 the department of family assistance office
47 of temporary and disability assistance,
48 the department of corrections and communi-
49 ty supervision, the office of information
50 technology services, the state university
51 of New York, and office of children and
52 family services, the office of medicaid
53 inspector general, the state education
54 department, and the state office for the
55 aging with the approval of the director of
56 the budget, who shall file such approval

S. 9963

15

1 with the department of audit and control
2 and copies thereof with the chairman of
3 the senate finance committee and the
4 chairman of the assembly ways and means
5 committee.

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

15 Notwithstanding any inconsistent provision
16 of law, the moneys hereby appropriated
17 shall not be used for any existing rates,
18 fees, fee schedule, or procedures which
19 may affect the cost of care and services
20 provided by personal care providers, case
21 managers, health maintenance organiza-
22 tions, out of state medical facilities
23 which provide care and services to resi-
24 dents of the state, providers of transpor-
25 tation services, that are altered,
26 amended, adjusted or otherwise changed by
27 a local social services district unless
28 previously approved by the department of
29 health and the director of the budget.

30 Notwithstanding any inconsistent provision
31 of law to the contrary, funds shall be
32 made available to the commissioner of the
33 office of mental health or the commission-
34 er of the office of addiction services and
35 supports, in consultation with the commis-
36 sioner of health and approved by the
37 director of the budget, and consistent
38 with appropriations made therefor, to
39 implement allocation adjustment developed
40 by each such commissioner which shall
41 describe mental health or substance use
42 disorder services that should be developed
43 to meet service needs resulting from the
44 reduction of inpatient behavioral health
45 services provided under the medicaid
46 program, by programs licensed pursuant to
47 article 31 or 32 of the mental hygiene
48 law. Such programs may include programs
49 that are licensed pursuant to both article
50 31 of the mental hygiene law and article
51 28 of the public health law, or certified
52 under both article 32 of the mental
53 hygiene law and article 28 of the public
54 health law.

55 Notwithstanding any inconsistent provision
56 of law, the moneys hereby appropriated may

S. 9963

16

1 be available for payments associated with
 2 the resolution by settlement agreement or
 3 judgment of rate appeals and/or litigation
 4 where the department of health is a party.
 5 For services and expenses of the medical
 6 assistance program including hospital
 7 inpatient services and general hospitals
 8 that are safety-net providers that evince
 9 severe financial distress, pursuant to
 10 criteria determined by the commissioner,
 11 shall be eligible for awards for amounts
 12 appropriated herein, to enable such
 13 providers to maintain operations and vital
 14 services while establishing long term
 15 solutions to achieve sustainable health
 16 services.

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

23 Notwithstanding any provision of law to the
 24 contrary, the portion of this appropri-
 25 ation covering fiscal year 2026-27 shall
 26 supersede and replace any duplicative (i)
 27 reappropriation for this item covering
 28 fiscal year 2026-27, and (ii) appropri-
 29 ation for this item covering fiscal year
 30 2026-27 set forth in chapter 53 of the
 31 laws of 2025 (26947) [~~72,714,000~~]

96,952,000

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

35 Notwithstanding any provision of law to the
 36 contrary, the portion of this appropri-
 37 ation covering fiscal year 2026-27 shall
 38 supersede and replace any duplicative (i)
 39 reappropriation for this item covering
 40 fiscal year 2026-27, and (ii) appropri-
 41 ation for this item covering fiscal year
 42 2026-27 set forth in chapter 53 of the
 43 laws of 2025 (26948) [~~21,747,000~~]

28,996,000

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

47 Notwithstanding any provision of law to the
 48 contrary, the portion of this appropri-
 49 ation covering fiscal year 2026-27 shall
 50 supersede and replace any duplicative (i)
 51 reappropriation for this item covering
 52 fiscal year 2026-27, and (ii) appropri-
 53 ation for this item covering fiscal year
 54 2026-27 set forth in chapter 53 of the
 55 laws of 2025 (26949) [~~42,594,000~~]

56,792,000

S. 9963

17

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

4 Notwithstanding any provision of law to the
5 contrary, the portion of this appropri-
6 ation covering fiscal year 2026-27 shall
7 supersede and replace any duplicative (i)
8 reappropriation for this item covering
9 fiscal year 2026-27, and (ii) appropri-
10 ation for this item covering fiscal year
11 2026-27 set forth in chapter 53 of the
12 laws of 2025 (26950) [~~107,055,000~~]

142,740,000

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

16 Notwithstanding any provision of law to the
17 contrary, the portion of this appropri-
18 ation covering fiscal year 2026-27 shall
19 supersede and replace any duplicative (i)
20 reappropriation for this item covering
21 fiscal year 2026-27, and (ii) appropri-
22 ation for this item covering fiscal year
23 2026-27 set forth in chapter 53 of the
24 laws of 2025 (26951) [~~509,958,000~~]

679,944,000

25 For services and expenses of the medical
26 assistance program including managed care
27 services including regional planning
28 activities of the finger lakes health
29 systems agency, including statewide coor-
30 dination and demonstration of best prac-
31 tices. The department shall make grants
32 within amounts appropriated therefor, to
33 assure high-quality and accessible primary
34 care, to provide technical assistance to
35 support financial and business planning
36 for integrated systems of care, and to
37 assist primary care providers in the
38 adoption, implementation, and meaningful
39 use of electronic health record technolo-
40 gy.

41 Notwithstanding any provision of law to the
42 contrary, the portion of this appropri-
43 ation covering fiscal year 2026-27 shall
44 supersede and replace any duplicative (i)
45 reappropriation for this item covering
46 fiscal year 2026-27, and (ii) appropri-
47 ation for this item covering fiscal year
48 2026-27 set forth in chapter 53 of the
49 laws of 2025 (26952) [~~467,130,000~~]

622,840,000

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

52 Notwithstanding any provision of law to the
53 contrary, the portion of this appropri-
54 ation covering fiscal year 2026-27 shall
55 supersede and replace any duplicative (i)
56 reappropriation for this item covering

S. 9963

18

1 fiscal year 2026-27, and (ii) appropri-
 2 ation for this item covering fiscal year
 3 2026-27 set forth in chapter 53 of the
 4 laws of 2025 (29548) [~~11,310,000~~] 15,080,000

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

13 Notwithstanding any provision of law to the
 14 contrary, the portion of this appropri-
 15 ation covering fiscal year 2026-27 shall
 16 supersede and replace any duplicative (i)
 17 reappropriation for this item covering
 18 fiscal year 2026-27, and (ii) appropri-
 19 ation for this item covering fiscal year
 20 2026-27 set forth in chapter 53 of the
 21 laws of 2025 (26953) [~~215,778,000~~] 287,704,000

22 For services and expenses of the medical
 23 assistance program including transporta-
 24 tion services.

25 Notwithstanding any provision of law to the
 26 contrary, the portion of this appropri-
 27 ation covering fiscal year 2026-27 shall
 28 supersede and replace any duplicative (i)
 29 reappropriation for this item covering
 30 fiscal year 2026-27, and (ii) appropri-
 31 ation for this item covering fiscal year
 32 2026-27 set forth in chapter 53 of the
 33 laws of 2025 (26954) [~~30,996,000~~] 41,328,000

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

37 Notwithstanding any provision of law to the
 38 contrary, the portion of this appropri-
 39 ation covering fiscal year 2026-27 shall
 40 supersede and replace any duplicative (i)
 41 reappropriation for this item covering
 42 fiscal year 2026-27, and (ii) appropri-
 43 ation for this item covering fiscal year
 44 2026-27 set forth in chapter 53 of the
 45 laws of 2025 (26955) [~~237,000~~] 316,000

46 For services and expenses of the medical
 47 assistance program including non-institu-
 48 tional and other spending.

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

52 Notwithstanding any inconsistent provision
 53 of law, the money hereby appropriated may
 54 be available for payments to any county or
 55 public school districts associated with

S. 9963

19

1 additional claims for school supportive
2 health services.

3 Notwithstanding any provision of law to the
4 contrary, the portion of this appropri-
5 ation covering fiscal year 2026-27 shall
6 supersede and replace any duplicative (i)
7 reappropriation for this item covering
8 fiscal year 2026-27, and (ii) appropri-
9 ation for this item covering fiscal year
10 2026-27 set forth in chapter 53 of the
11 laws of 2025 (26956) [~~61,812,000~~]

82,416,000

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

19 Notwithstanding any provision of law to the
20 contrary, the portion of this appropri-
21 ation covering fiscal year 2026-27 shall
22 supersede and replace any duplicative (i)
23 reappropriation for this item covering
24 fiscal year 2026-27, and (ii) appropri-
25 ation for this item covering fiscal year
26 2026-27 set forth in chapter 53 of the
27 laws of 2025 (26961) [~~288,462,000~~]

384,616,000

28 -----
29 Special Revenue Funds - Federal
30 Federal Health and Human Services Fund
31 Medicaid Direct Account - 25106

32 For services and expenses for the medical
33 assistance program, including administra-
34 tive expenses for local social services
35 districts, pursuant to title XIX of the
36 federal social security act or its succes-
37 sor program.

38 The moneys hereby appropriated are to be
39 available for payment of aid heretofore
40 accrued or hereafter accrued to munici-
41 palities, and to providers of medical
42 services pursuant to section 367-b of the
43 social services law, and for payment of
44 state aid to municipalities and to provid-
45 ers of family care where payment systems
46 through the fiscal intermediaries are not
47 operational.

48 Notwithstanding any inconsistent provision
49 of law, funding made available by these
50 appropriations shall support direct salary
51 costs and related fringe benefits within
52 the medical assistance program associated
53 with any minimum wage increase that takes
54 effect during the timeframe of these

S. 9963

20

1 appropriations, pursuant to section 652 of
2 the labor law. Each eligible organization
3 in receipt of funding made available by
4 these appropriations may be required to
5 submit written certification, in such form
6 and at such time the commissioner may
7 prescribe, attesting to the total amount
8 of funds used by the eligible organiza-
9 tion, how such funding will be or was used
10 for purposes eligible under these appro-
11 priations and any other reporting deemed
12 necessary by the commissioner. The amounts
13 appropriated herein may include advances
14 to organizations authorized to receive
15 such funds to accomplish this purpose.

16 Notwithstanding any other provision of law,
17 the money hereby appropriated may be
18 increased or decreased by interchange or
19 transfer, with any appropriation of the
20 department of health and the office of
21 medicaid inspector general and may be
22 increased or decreased by transfer or
23 suballocation between these appropriated
24 amounts and appropriations of the office
25 of mental health, office for people with
26 developmental disabilities, the office of
27 addiction services and supports, the
28 department of family assistance office of
29 temporary and disability assistance,
30 office of children and family services,
31 the department of financial services,
32 department of corrections and community
33 supervision, the office of information
34 technology services, the state university
35 of New York, the state education depart-
36 ment, and the state office for the aging
37 with the approval of the director of the
38 budget, who shall file such approval with
39 the department of audit and control and
40 copies thereof with the chairman of the
41 senate finance committee and the chairman
42 of the assembly ways and means committee.

43 Notwithstanding any inconsistent provision
44 of law, in lieu of payments authorized by
45 the social services law, or payments of
46 federal funds otherwise due to the local
47 social services districts for programs
48 provided under the federal social security
49 act or the federal food stamp act, funds
50 herein appropriated, in amounts certified
51 by the state commissioner of temporary and
52 disability assistance or the state commis-
53 sioner of health as due from local social
54 services districts each month as their
55 share of payments made pursuant to section
56 367-b of the social services law may be

S. 9963

21

1 set aside by the state comptroller in an
2 interest-bearing account in order to
3 ensure the orderly and prompt payment of
4 providers under section 367-b of the
5 social services law pursuant to an esti-
6 mate provided by the commissioner of
7 health of each local social services
8 district's share of payments made pursuant
9 to section 367-b of the social services
10 law.

11 Notwithstanding any inconsistent provision
12 of law to the contrary, funds shall be
13 made available to the commissioner of the
14 office of mental health or the commis-
15 sioner of the office of addiction services and
16 supports, in consultation with the commis-
17 sioner of health and approved by the
18 director of the budget, and consistent
19 with appropriations made therefor, to
20 implement allocation adjustment developed
21 by each such commissioner which shall
22 describe mental health or substance use
23 disorder services that should be developed
24 to meet service needs resulting from the
25 reduction of inpatient behavioral health
26 services provided under the medicaid
27 program, by programs licensed pursuant to
28 article 31 or 32 of the mental hygiene
29 law. Such programs may include programs
30 that are licensed pursuant to both article
31 31 of the mental hygiene law and article
32 28 of the public health law, or certified
33 under both article 32 of the mental
34 hygiene law and article 28 of the public
35 health law.

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

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

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

51 Notwithstanding any provision of law to the
52 contrary, the portion of this appropri-
53 ation covering fiscal year 2026-27 shall
54 supersede and replace any duplicative (i)
55 reappropriation for this item covering

S. 9963

22

1 fiscal year 2026-27, and (ii) appropri-
2 ation for this item covering fiscal year
3 2026-27 set forth in chapter 53 of the
4 laws of 2025 (26947) [~~151,770,000~~] 227,655,000
5 For services and expenses of the medical
6 assistance program including hospital
7 outpatient and emergency room services.
8 Notwithstanding any provision of law to the
9 contrary, the portion of this appropri-
10 ation covering fiscal year 2026-27 shall
11 supersede and replace any duplicative (i)
12 reappropriation for this item covering
13 fiscal year 2026-27, and (ii) appropri-
14 ation for this item covering fiscal year
15 2026-27 set forth in chapter 53 of the
16 laws of 2025 (26948) [~~27,048,000~~] 40,572,000
17 For services and expenses of the medical
18 assistance program including clinic
19 services.
20 Notwithstanding any provision of law to the
21 contrary, the portion of this appropri-
22 ation covering fiscal year 2026-27 shall
23 supersede and replace any duplicative (i)
24 reappropriation for this item covering
25 fiscal year 2026-27, and (ii) appropri-
26 ation for this item covering fiscal year
27 2026-27 set forth in chapter 53 of the
28 laws of 2025 (26949) [~~43,794,000~~] 65,691,000
29 For services and expenses of the medical
30 assistance program including nursing home
31 services.
32 Notwithstanding any provision of law to the
33 contrary, the portion of this appropri-
34 ation covering fiscal year 2026-27 shall
35 supersede and replace any duplicative (i)
36 reappropriation for this item covering
37 fiscal year 2026-27, and (ii) appropri-
38 ation for this item covering fiscal year
39 2026-27 set forth in chapter 53 of the
40 laws of 2025 (26950) [~~225,480,000~~] 338,220,000
41 For services and expenses of the medical
42 assistance program including other long
43 term care services.
44 Notwithstanding any provision of law to the
45 contrary, the portion of this appropri-
46 ation covering fiscal year 2026-27 shall
47 supersede and replace any duplicative (i)
48 reappropriation for this item covering
49 fiscal year 2026-27, and (ii) appropri-
50 ation for this item covering fiscal year
51 2026-27 set forth in chapter 53 of the
52 laws of 2025 (26951) [~~643,218,000~~] 964,827,000
53 For services and expenses of the medical
54 assistance program including managed care
55 services including regional planning
56 activities of the finger lakes health

1 systems agency, including statewide coord-
 2 ination and demonstration of best prac-
 3 tices. The department shall make grants
 4 within amounts appropriated therefor, to
 5 assure high-quality and accessible primary
 6 care, to provide technical assistance to
 7 support financial and business planning
 8 for integrated systems of care, and to
 9 assist primary care providers in the
 10 adoption, implementation, and meaningful
 11 use of electronic health record technolo-
 12 gy.

13 Notwithstanding any inconsistent provision
 14 of law, rule, or regulation to the contra-
 15 ry, funds appropriated herein shall not be
 16 subject to article 6 of the financial
 17 services law.

18 Notwithstanding any inconsistent provision
 19 of law, rule, or regulation to the contra-
 20 ry, funds appropriated herein shall only
 21 be made available for applied behavior
 22 analysis services if such services are
 23 recommended by a health care or mental
 24 health care practitioner authorized under
 25 title eight of the education law who has
 26 been designated as an applied behavior
 27 analysis center of excellence provider by
 28 the commissioner of health.

29 Notwithstanding any provision of law to the
 30 contrary, the portion of this appropri-
 31 ation covering fiscal year 2026-27 shall
 32 supersede and replace any duplicative (i)
 33 reappropriation for this item covering
 34 fiscal year 2026-27, and (ii) appropri-
 35 ation for this item covering fiscal year
 36 2026-27 set forth in chapter 53 of the
 37 laws of 2025 (26952) [~~784,936,000~~] 1,177,404,000

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

46 Notwithstanding any provision of law to the
 47 contrary, the portion of this appropri-
 48 ation covering fiscal year 2026-27 shall
 49 supersede and replace any duplicative (i)
 50 reappropriation for this item covering
 51 fiscal year 2026-27, and (ii) appropri-
 52 ation for this item covering fiscal year
 53 2026-27 set forth in chapter 53 of the
 54 laws of 2025 (26953) [~~236,438,000~~] 354,657,000

S. 9963

24

1 For services and expenses of the medical
2 assistance program including transporta-
3 tion services.

4 Notwithstanding any provision of law to the
5 contrary, the portion of this appropri-
6 ation covering fiscal year 2026-27 shall
7 supersede and replace any duplicative (i)
8 reappropriation for this item covering
9 fiscal year 2026-27, and (ii) appropri-
10 ation for this item covering fiscal year
11 2026-27 set forth in chapter 53 of the
12 laws of 2025 (26954) [~~31,764,000~~]

47,646,000

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

16 Notwithstanding any provision of law to the
17 contrary, the portion of this appropri-
18 ation covering fiscal year 2026-27 shall
19 supersede and replace any duplicative (i)
20 reappropriation for this item covering
21 fiscal year 2026-27, and (ii) appropri-
22 ation for this item covering fiscal year
23 2026-27 set forth in chapter 53 of the
24 laws of 2025 (26955) [~~3,672,000~~]

5,508,000

25 For services and expenses of the medical
26 assistance program including noninstitu-
27 tional and other spending.

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

31 Notwithstanding any provision of law to the
32 contrary, the portion of this appropri-
33 ation covering fiscal year 2026-27 shall
34 supersede and replace any duplicative (i)
35 reappropriation for this item covering
36 fiscal year 2026-27, and (ii) appropri-
37 ation for this item covering fiscal year
38 2026-27 set forth in chapter 53 of the
39 laws of 2025 (26956) [~~359,610,000~~]

539,415,000

40 Notwithstanding any inconsistent provision
41 of law, subject to the approval of the
42 director of the budget, upon submission of
43 an allocation adjustment from the commis-
44 sioner of health, the amount appropriated
45 herein, together with any available federal
46 matching funds, may be transferred or
47 suballocated to the office of mental
48 health, office of addiction services and
49 supports, office for people with develop-
50 mental disabilities, division of housing
51 and community renewal, New York state
52 housing trust fund corporation, and office
53 of temporary and disability assistance for
54 services and expenses related to providing
55 affordable housing. Any such spending

S. 9963

25

1 shall consider the geographical location
 2 of the grants.
 3 Notwithstanding any provision of law to the
 4 contrary, the portion of this appropri-
 5 ation covering fiscal year 2026-27 shall
 6 supersede and replace any duplicative (i)
 7 reappropriation for this item covering
 8 fiscal year 2026-27, and (ii) appropri-
 9 ation for this item covering fiscal year
 10 2026-27 set forth in chapter 53 of the
 11 laws of 2025 (29521) [~~192,308,000~~] 288,462,000
 12 -----

13 § 10. Section 6 of chapter 98 of the laws of 2026, relating to making
 14 appropriations for the support of government, as amended by chapter 103
 15 of the laws of 2026, is amended to read as follows:

16 § 6. The amounts specified in this section, or so much thereof as
 17 shall be sufficient to accomplish the purposes designated, is hereby
 18 appropriated and authorized to be paid as hereinafter provided, to the
 19 public officers and for the purposes specified, which amount shall be
 20 available for the state fiscal year beginning April 1, 2026.

21 DEPARTMENT OF LABOR

22 AID TO LOCALITIES

23 UNEMPLOYMENT INSURANCE BENEFIT PROGRAM [~~570,000,000~~] 765,000,000
 24 -----

- 25 Enterprise Funds
- 26 Unemployment Insurance Benefit Fund
- 27 Unemployment Insurance Benefit Account - 50650

28 For payment of unemployment insurance bene-
 29 fits pursuant to article 18 of the labor
 30 law or as authorized by the federal
 31 government through the disaster unemploy-
 32 ment assistance program, the emergency
 33 unemployment compensation program, the
 34 extended benefit program, the federal
 35 additional compensation program or any
 36 other federally funded unemployment bene-
 37 fit program (34787) [~~570,000,000~~] 765,000,000
 38 -----

39 § 11. Section 7 of chapter 98 of the laws of 2026, relating to making
 40 appropriations for the support of government, as amended by chapter 103
 41 of the laws of 2026, is amended to read as follows:

42 § 7. The amounts specified in this section, or so much thereof as
 43 shall be sufficient to accomplish the purposes designated, is hereby
 44 appropriated and authorized to be paid as hereinafter provided, to the
 45 public officers and for the purposes specified, which amount shall be
 46 available for the state fiscal year beginning April 1, 2026.

S. 9963

26

DEPARTMENT OF MENTAL HYGIENE

OFFICE FOR PEOPLE WITH DEVELOPMENTAL DISABILITIES

AID TO LOCALITIES

4	COMMUNITY SERVICES PROGRAM	[311,985,000]	<u>457,038,000</u>
5		-----	

- 6 General Fund
- 7 Local Assistance Account - 10000

8 For services and expenses of the community
 9 services program, net of disallowances,
 10 for community programs for people with
 11 developmental disabilities pursuant to
 12 article 41 of the mental hygiene law,
 13 and/or chapter 620 of the laws of 1974,
 14 chapter 660 of the laws of 1977, chapter
 15 412 of the laws of 1981, chapter 27 of the
 16 laws of 1987, chapter 729 of the laws of
 17 1989, chapter 329 of the laws of 1993 and
 18 other provisions of the mental hygiene
 19 law. Notwithstanding any inconsistent
 20 provision of law, the following appropri-
 21 ation shall be net of prior and/or current
 22 year refunds, rebates, reimbursements, and
 23 credits.

24 Notwithstanding any other provision of law,
 25 advances and reimbursement made pursuant
 26 to subdivision (d) of section 41.15 and
 27 section 41.18 of the mental hygiene law
 28 shall be allocated pursuant to a plan and
 29 in a manner prescribed by the agency head
 30 and approved by the director of the budg-
 31 et. The moneys hereby appropriated are
 32 available to reimburse or advance locali-
 33 ties and voluntary non-profit agencies for
 34 expenditures made during local fiscal
 35 periods commencing January 1, 2026, April
 36 1, 2026 or July 1, 2026, and for advances
 37 for the 3 month period beginning January
 38 1, 2027.

39 Notwithstanding the provisions of article 41
 40 of the mental hygiene law or any other
 41 inconsistent provision of law, rule or
 42 regulation, the commissioner, pursuant to
 43 such contract and in the manner provided
 44 therein, may pay all or a portion of the
 45 expenses incurred by such voluntary agen-
 46 cies arising out of loans which are funded
 47 from the proceeds of bonds and notes
 48 issued by the dormitory authority of the
 49 state of New York.

50 Notwithstanding any other provision of law,
 51 the money hereby appropriated may be

S. 9963

27

1 transferred to state operations and/or any
2 appropriation of the office for people
3 with developmental disabilities with the
4 approval of the director of the budget.
5 Notwithstanding any inconsistent provision
6 of law, moneys from this appropriation may
7 be used for state aid of up to 100 percent
8 of the net deficit costs of day training
9 programs and family support services.
10 Notwithstanding the provisions of section
11 16.23 of the mental hygiene law and any
12 other inconsistent provision of law, with
13 relation to the operation of certified
14 family care homes, including family care
15 homes sponsored by voluntary not-for-pro-
16 fit agencies, moneys from this appropri-
17 ation may be used for payments to purchase
18 general services including but not limited
19 to respite providers, up to a maximum of
20 14 days, at rates to be established by the
21 commissioner and approved by the director
22 of the budget in consideration of factors
23 including, but not limited to, geographic
24 area and number of clients cared for in
25 the home and for payment in an amount
26 determined by the commissioner for the
27 personal needs of each client residing in
28 the family care home.
29 Notwithstanding the provisions of subdivi-
30 sion 12 of section 8 of the state finance
31 law and any other inconsistent provision
32 of law, moneys from this appropriation may
33 be used for expenses of family care homes
34 including payments to operators of certi-
35 fied family care homes for damages caused
36 by clients to personal and real property
37 in accordance with standards established
38 by the commissioner and approved by the
39 director of the budget.
40 Notwithstanding any inconsistent provision
41 of law, moneys from this appropriation may
42 be used for appropriate day program
43 services and residential services includ-
44 ing, but not limited to, direct housing
45 subsidies to individuals, start-up
46 expenses for family care providers, envi-
47 ronmental modifications, adaptive technol-
48 ogies, appraisals, property options,
49 feasibility studies and preoperational
50 expenses.
51 Notwithstanding any inconsistent provision
52 of law except pursuant to a chapter of the
53 laws of 2025 authorizing a 2.6 percent
54 targeted inflationary increase, for the
55 period commencing on April 1, 2025 and
56 ending March 31, 2026 the commissioner

S. 9963

28

1 shall not apply any other inflationary
2 increases, cost of living type increases,
3 inflation factors, or trend factors for
4 the purpose of establishing rates of
5 payments, contracts or any other form of
6 reimbursement; provided that this shall
7 not prevent the commissioner from applying
8 prior adjustments for the purpose of
9 establishing rates resulting from a rebas-
10 ing of base year costs.

11 Notwithstanding section 6908 of the educa-
12 tion law and any other provision of law,
13 rule or regulation to the contrary, direct
14 support staff in programs certified or
15 approved by the office for people with
16 developmental disabilities, including the
17 home and community based services waiver
18 programs that the office for people with
19 developmental disabilities is authorized
20 to administer with federal approval pursu-
21 ant to subdivision (c) of section 1915 of
22 the federal social security act, are
23 authorized to provide such tasks as OPWDD
24 may specify when performed under the
25 supervision, training and periodic
26 inspection of a registered professional
27 nurse and in accordance with an authorized
28 practitioner's ordered care.

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

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

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

48 Notwithstanding any inconsistent provision
49 of law, and pursuant to criteria estab-
50 lished by the commissioner of the office
51 for people with developmental disabilities
52 and approved by the director of the budg-
53 et, expenditures may be made from this
54 appropriation for residential facilities
55 which are pending recertification as

1 intermediate care facilities for people
2 with developmental disabilities.

3 Notwithstanding the provisions of section
4 41.36 of the mental hygiene law and any
5 other inconsistent provision of law,
6 moneys from this appropriation may be used
7 for payment up to \$250 per year per
8 client, at such times and in such manner
9 as determined by the commissioner on the
10 basis of financial need for the personal
11 needs of each client residing in voluntar-
12 y-operated community residences and volun-
13 tary-operated community residential alter-
14 natives, including individualized
15 residential alternatives under the home
16 and community based services waiver. The
17 commissioner shall, subject to the
18 approval of the director of the budget,
19 alter existing advance payment schedules
20 for voluntary-operated community resi-
21 dences established pursuant to section
22 41.36 of the mental hygiene law.

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

31 For the state and/or local share of medical
32 assistance services expenses incurred by
33 the department of health for the provision
34 of medical assistance services to people
35 with developmental disabilities

36 (37835) [~~280,008,000~~] 420,012,000

37 For services and expenses of the community
38 services program, net of disallowances,
39 for community programs for people with
40 developmental disabilities pursuant to
41 article 41 of the mental hygiene law,
42 and/or chapter 620 of the laws of 1974,
43 chapter 660 of the laws of 1977, chapter
44 412 of the laws of 1981, chapter 27 of the
45 laws of 1987, chapter 729 of the laws of
46 1989, chapter 329 of the laws of 1993 and
47 other provisions of the mental hygiene
48 law. Notwithstanding any inconsistent
49 provision of law, the following appropri-
50 ation shall be net of prior and/or current
51 year refunds, rebates, reimbursements, and
52 credits.

53 Notwithstanding any other provision of law,
54 advances and reimbursement made pursuant
55 to subdivision (d) of section 41.15 and
56 section 41.18 of the mental hygiene law

S. 9963

30

1 shall be allocated pursuant to a plan and
2 in a manner prescribed by the agency head
3 and approved by the director of the budg-
4 et. The moneys hereby appropriated are
5 available to reimburse or advance locali-
6 ties and voluntary non-profit agencies for
7 expenditures made during local fiscal
8 periods commencing January 1, 2026, April
9 1, 2026 or July 1, 2026, and for advances
10 for the 3 month period beginning January
11 1, 2027.

12 Notwithstanding the provisions of article 41
13 of the mental hygiene law or any other
14 inconsistent provision of law, rule or
15 regulation, the commissioner, pursuant to
16 such contract and in the manner provided
17 therein, may pay all or a portion of the
18 expenses incurred by such voluntary agen-
19 cies arising out of loans which are funded
20 from the proceeds of bonds and notes
21 issued by the dormitory authority of the
22 state of New York.

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

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

34 Notwithstanding the provisions of section
35 16.23 of the mental hygiene law and any
36 other inconsistent provision of law, with
37 relation to the operation of certified
38 family care homes, including family care
39 homes sponsored by voluntary not-for-pro-
40 fit agencies, moneys from this appropri-
41 ation may be used for payments to purchase
42 general services including but not limited
43 to respite providers, up to a maximum of
44 14 days, at rates to be established by the
45 commissioner and approved by the director
46 of the budget in consideration of factors
47 including, but not limited to, geographic
48 area and number of clients cared for in
49 the home and for payment in an amount
50 determined by the commissioner for the
51 personal needs of each client residing in
52 the family care home.

53 Notwithstanding the provisions of subdivi-
54 sion 12 of section 8 of the state finance
55 law and any other inconsistent provision
56 of law, moneys from this appropriation may

S. 9963

31

1 be used for expenses of family care homes
2 including payments to operators of certi-
3 fied family care homes for damages caused
4 by clients to personal and real property
5 in accordance with standards established
6 by the commissioner and approved by the
7 director of the budget.

8 Notwithstanding any inconsistent provision
9 of law, moneys from this appropriation may
10 be used for appropriate day program
11 services and residential services includ-
12 ing, but not limited to, direct housing
13 subsidies to individuals, start-up
14 expenses for family care providers, envi-
15 ronmental modifications, adaptive technol-
16 ogies, appraisals, property options,
17 feasibility studies and preoperational
18 expenses.

19 Notwithstanding any inconsistent provision
20 of law, moneys from this appropriation may
21 be used to fund continuity of care
22 services, family reimbursed respite, other
23 than personal services and direct housing
24 subsidies for people who are enrolled in
25 OPWDD's self-direction program, provided
26 any or all such costs are identified in a
27 self-direction budget approved by OPWDD.

28 Notwithstanding any inconsistent provision
29 of law except pursuant to a chapter of the
30 laws of 2025 authorizing a 2.6 percent
31 targeted inflationary increase, for the
32 period commencing on April 1, 2025 and
33 ending March 31, 2026 the commissioner
34 shall not apply any other inflationary
35 increases, cost of living type increases,
36 inflation factors, or trend factors for
37 the purpose of establishing rates of
38 payments, contracts or any other form of
39 reimbursement; provided that this shall
40 not prevent the commissioner from applying
41 prior adjustments for the purpose of
42 establishing rates resulting from a rebas-
43 ing of base year costs.

44 Notwithstanding section 6908 of the educa-
45 tion law and any other provision of law,
46 rule or regulation to the contrary, direct
47 support staff in programs certified or
48 approved by the office for people with
49 developmental disabilities, including the
50 home and community based services waiver
51 programs that the office for people with
52 developmental disabilities is authorized
53 to administer with federal approval pursu-
54 ant to subdivision (c) of section 1915 of
55 the federal social security act, are
56 authorized to provide such tasks as OPWDD

S. 9963

32

1 may specify when performed under the
2 supervision, training and periodic
3 inspection of a registered professional
4 nurse and in accordance with an authorized
5 practitioner's ordered care.

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

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

20 Notwithstanding any other provision of law
21 to the contrary, funds appropriated herein
22 are available to reimburse in- and
23 out-of-state private residential schools,
24 pursuant to subdivision (c) of section
25 13.37-a and subdivision (g) of section
26 13.38 of the mental hygiene law, for costs
27 of supporting the residential and day
28 program services available to individuals
29 who are over the age of 21 years of age,
30 provided that the amount paid for residen-
31 tial services and/or maintenance costs is
32 net of any supplemental security income
33 benefit to which the individual receiving
34 services is eligible, and provided further
35 that funding for nonresidential services
36 will be in an amount not to exceed the
37 maximum reimbursement for appropriate day
38 services delivered by the office for
39 people with developmental disabilities
40 certified or approved providers other than
41 in- and out-of-state private residential
42 schools, unless otherwise authorized by
43 the director of the budget.

44 Notwithstanding section 163 of the state
45 finance law, section 142 of the economic
46 development law, and article 41 of the
47 mental hygiene law, the commissioner of
48 the office for people with developmental
49 disabilities may make the funds appropri-
50 ated herein available as state aid, a loan
51 or a grant, pursuant to terms and condi-
52 tions established by the commissioner of
53 the office for people with developmental
54 disabilities, to cover a portion of the
55 development costs of private, public
56 and/or non-profit organizations, including

1 corporations and partnerships established
 2 pursuant to the private housing finance
 3 law and/or any other statutory provisions,
 4 for supportive housing units that have
 5 been set aside for individuals with intel-
 6 lectual and developmental disabilities.
 7 Further, the office for people with devel-
 8 opmental disabilities shall have a lien on
 9 the real property developed with such
 10 state aid, loans or grants, which shall be
 11 in the amount of the loan or grant, for a
 12 maximum term of 30 years, or other longer
 13 term consistent with the requirements of
 14 another regulatory agency.

15 For services and expenses related to the
 16 provision of residential services to
 17 people with developmental disabilities
 18 (37802) [~~18,563,000~~] 21,494,000

19 For services and expenses related to the
 20 provision of day program services to
 21 people with developmental disabilities
 22 (37803) [~~4,560,000~~] 5,280,000

23 For services and expenses related to the
 24 provision of family support services to
 25 people with developmental disabilities
 26 (37804) [~~5,130,000~~] 5,940,000

27 For services and expenses related to the
 28 provision of workshop, day training and
 29 employment services to people with devel-
 30 opmental disabilities. Notwithstanding any
 31 other provision of law, up to [~~43,700~~]
 32 50,600 of this appropriation may be
 33 transferred to the New York State Educa-
 34 tion Departments' Adult Career and Contin-
 35 uing Education Services - Vocational Reha-
 36 bilitation (ACCES-VR) program to support
 37 the LongTerm Sheltered Employment program
 38 operated by FEDCAP Rehabilitation
 39 Services, Inc. (37805) [~~2,964,000~~] 3,432,000

40 For other services and expenses provided to
 41 people with developmental disabilities
 42 including but not limited to hepatitis B,
 43 care at home waiver, epilepsy services,
 44 Special Olympics New York, Inc. and volun-
 45 tary fingerprinting (37806) [~~760,000~~] 880,000
 46 -----

47 § 12. Section 8 of chapter 98 of the laws of 2026, relating to making
 48 appropriations for the support of government, as amended by chapter 103
 49 of the laws of 2026, is amended to read as follows:

50 § 8. The amounts specified in this section, or so much thereof as
 51 shall be sufficient to accomplish the purposes designated, is hereby
 52 appropriated and authorized to be paid as hereinafter provided, to the
 53 public officers and for the purposes specified, which amount shall be
 54 available for the state fiscal year beginning April 1, 2026.

S. 9963

34

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 [114,000] 132,000

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

For services and expenses related to homeless veterans' housing (54815) .. [114,000] 132,000

§ 13. 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.

§ 14. 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, 2026, 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.

§ 15. 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.

S. 9963

35

1 § 16. This act shall take effect immediately and shall be deemed to
2 have been in full force and effect on and after April 1, 2026; provided,
3 however, that upon the transfer of expenditures and disbursements by the
4 comptroller as provided in section fourteen of this act, the appropri-
5 ations made by this act and subject to such section shall be deemed
6 repealed.