

A 11480 Rules (Pretlow) Same as [S 10565](#)
SERRANO
Governor Program # 40
 Appropriations
 TITLE....Provides for emergency appropriation for the period April 1, 2026 through May 28, 2026
Currently on Assembly Committee Agenda
 Rules (HEASTIE)
 OFF THE FLOOR, Tuesday, May 26, 2026
Currently on Assembly Committee Agenda
 Ways and Means (PRETLOW)
 OFF THE FLOOR, Tuesday, May 26, 2026
 05/26/26 referred to ways and means

S10565 SERRANO Same as [A 11480](#) Rules (Pretlow)
Governor Program # 40
 ON FILE: 05/26/26 Appropriations
 TITLE....Provides for emergency appropriation for the period April 1, 2026 through May 28, 2026
 05/26/26 REFERRED TO RULES
 05/26/26 ORDERED TO THIRD READING
 CAL.1327
 05/26/26 MESSAGE OF NECESSITY -
 APPROPRIATION
 05/26/26 MESSAGE OF NECESSITY - 3 DAY
 MESSAGE
 05/26/26 PASSED SENATE
 05/26/26 DELIVERED TO ASSEMBLY
 05/26/26 referred to ways and means

STATE OF NEW YORK

11480

IN ASSEMBLY

May 26, 2026

Introduced by COMMITTEE ON RULES -- (at request of M. of A. Pretlow) --
 (at request of the Governor) -- read once and referred to the Committee
 on Ways and Means

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 submitted
 5 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 117
 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.

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1 payrolls scheduled to be paid during the
 2 period April 1 through May [~~26~~] 28, 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 [~~2,361,394,522~~] 2,615,591,094
 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 117
 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 May [~~26~~] 28, 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 108,000,000
 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 117
 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

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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 twenty-five million dollars
6 (\$25,000,000), 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 twenty-five
13 million dollars (\$25,000,000) shall be
14 available for the payment of capital
15 projects liabilities incurred during the
16 period from April 1 through May [26] 28,
17 2026 for contracts and grants approved
18 prior to April 1, 2026, provided, however,
19 that nothing contained herein shall be
20 deemed to limit or restrict the power or
21 authority of state departments or agencies
22 to conduct their activities or operations
23 in accordance with existing law, and
24 further provided that nothing contained
25 herein shall be deemed to supersede,
26 nullify, or modify the provisions of
27 section 40 of the state finance law
28 prescribing when appropriations made for
29 the 2025-2026 fiscal year shall have
30 ceased to have force and effect 25,000,000
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 117
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 fifty million dollars
42 (\$50,000,000), 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 fifty million
49 dollars (\$50,000,000) shall be available
50 for the payment of capital projects
51 liabilities incurred during the period

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1 from April 1 through May [~~26~~ 28, 2026 for
2 contracts and grants approved after April
3 1, 2026, provided, however, that nothing
4 contained herein shall be deemed to limit
5 or restrict the power or authority of
6 state departments or agencies to conduct
7 their activities or operations in accord-
8 ance with existing law, and further
9 provided that nothing contained herein
10 shall be deemed to supersede, nullify, or
11 modify the provisions of section 40 of the
12 state finance law prescribing when appro-
13 priations made for the 2025-2026 fiscal
14 year shall have ceased to have force and
15 effect 50,000,000
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 117
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 [~~1,347,080,500~~] 1,347,085,000
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)
38 [~~1,331,282,500~~] 1,331,287,000

39 Project Schedule
40 PROJECT AMOUNT
41 -----

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

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1 state's share of the health
2 insurance program dividends
3 shall be available to pay
4 for the premiums in 2026-27 .. 982,761,000
5 For the state's contribution
6 to the social security
7 contribution fund 226,000,000
8 For payments to the state
9 insurance fund for workers'
10 compensation benefits and
11 other related workers'
12 compensation costs prior to
13 or after they become
14 incurred including but not
15 limited to the benefits
16 defined in chapters 302 and
17 303 of the laws of 1985 55,000,000
18 For the state's contribution
19 to employee benefit fund
20 programs 40,500,000
21 For the state's contribution
22 to the dental insurance plan .. 13,524,000
23 For the payment of the metro-
24 politan commuter transporta-
25 tion mobility tax pursuant
26 to article 23 of the tax
27 law, as added by chapter 25
28 of the laws of 2009, on
29 behalf of the state employ-
30 ees employed in the metro-
31 politan commuter transporta-
32 tion district 9,340,000
33 For the state's share of
34 contributions to the volun-
35 tary defined contribution
36 plan made on behalf of
37 eligible employees pursuant
38 to chapter 18 of the laws
39 of 2012 who elect to partic-
40 ipate in such plan and who
41 are not otherwise eligi-
42 ble to participate in the
43 SUNY optional retirement
44 program [~~1,413,500~~] 1,418,000
45 For reimbursement to the unem-
46 ployment insurance fund for
47 payments made to claimants
48 formerly employed by the
49 state of New York 2,000,000
50 For the state's contribution
51 to the vision care plan 744,000
52 -----
53 Project schedule total ...
54 [~~1,331,282,500~~] 1,331,287,000
55 -----

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1 For payments in accordance with section 19-a
2 of the public lands law (80567) 7,720,000
3 For the payment in-lieu of taxes to the city
4 of Albany for certain state-owned land
5 pursuant to section 19-a of the public
6 lands law. Provided however, notwithstand-
7 ing paragraph (4) of subdivision 2-a of
8 section 19-a of the public lands law, such
9 funds may be paid prior to October 1, 2026
10 (80567) 7,720,000
11 For payment of claims for damage to personal
12 or real property or for bodily injuries or
13 wrongful death caused by officers, employ-
14 ees, or other authorized persons providing
15 service to state government while provid-
16 ing such service, and the state university
17 construction fund while acting within the
18 scope of their employment, and while oper-
19 ating motor vehicles, and for any individ-
20 uals operating motor vehicles which are
21 assigned on a permanent basis with unre-
22 stricted use to state officers and employ-
23 ees when the person is permanently
24 assigned the motor vehicle (80559) 358,000
25 -----

26 § 7. Section 5 of chapter 100 of the laws of 2026, relating to making
27 appropriations for the support of government, as amended by chapter 117
28 of the laws of 2026, is amended to read as follows:

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

34 JUDICIARY

35 For the purpose of making payments for
36 personal service, including liabilities
37 incurred prior to April 1, 2026, on the
38 payrolls scheduled to be paid during the
39 period April 1 through May ~~26~~ 28, 2026
40 to officers and employees of the judiciary
41 352,000,000
42 For the payment of state operations nonper-
43 sonal service liabilities, the sum of
44 thirty-six million dollars (\$36,000,000),
45 or so much thereof as shall be sufficient
46 to accomplish the purpose designated, is
47 hereby appropriated to the judiciary out
48 of any moneys in the general fund or other
49 funds to the credit of the state purposes
50 account not otherwise appropriated. The
51 comptroller is hereby authorized and
52 directed to utilize this appropriation for

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7

1 the purpose of making payments for nonper-
 2 sonal service liabilities incurred by the
 3 judiciary from April 1 through May [~~26~~
 4 ~~28~~, 2026 36,000,000

5 For the payment of aid to localities liabil-
 6 ities, the sum of thirty-two million
 7 dollars (\$32,000,000), or so much thereof
 8 as shall be sufficient to accomplish the
 9 purpose designated, is hereby appropriated
 10 to the judiciary out of any moneys in the
 11 general fund or other funds to the credit
 12 of the state purposes account not other-
 13 wise appropriated. The comptroller is
 14 hereby authorized and directed to utilize
 15 this appropriation for the purpose of
 16 making payments for aid to localities
 17 liabilities incurred by the judiciary from
 18 April 1 through May [~~26~~ ~~28~~, 2026 32,000,000

19 For the payment of employee fringe benefit
 20 programs including, but not limited to,
 21 the judiciary's contributions to the
 22 health insurance fund, the employees'
 23 retirement system pension accumulation
 24 fund, the social security contribution
 25 fund, employee benefit fund programs, the
 26 dental insurance plan, the vision care
 27 plan, the unemployment insurance fund, and
 28 for workers' compensation benefits, the
 29 sum of one hundred twenty-two million two
 30 hundred fifty thousand dollars
 31 (\$122,250,000), or so much thereof as
 32 shall be sufficient to accomplish the
 33 purpose designated, is hereby appropriated
 34 to the judiciary out of any moneys in the
 35 general fund or other funds to the credit
 36 of the state purposes account not other-
 37 wise appropriated. The comptroller is
 38 hereby authorized and directed to utilize
 39 this appropriation for the purpose of
 40 making payments for employee fringe bene-
 41 fit liabilities incurred by the judiciary
 42 from April 1 through May [~~26~~ ~~28~~, 2026 122,250,000

43 -----

44 § 8. Section 5 of chapter 98 of the laws of 2026, relating to making
 45 appropriations for the support of government, as amended by chapter 117
 46 of the laws of 2026, is amended to read as follows:

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

52 DEPARTMENT OF HEALTH

53 AID TO LOCALITIES

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1 CENTER FOR COMMUNITY HEALTH PROGRAM [~~68,912,000~~] 71,052,000

2 -----

3 General Fund
4 Local Assistance Account - 10000

5 For services and expenses related to the
6 Indian health program pursuant to a plan
7 prepared by the commissioner of health and
8 approved by the director of the budget.
9 The moneys hereby appropriated shall be
10 for payment of financial assistance here-
11 tofore accrued or hereafter to accrue
12 (26840) 10,062,000
13 -----

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

17 For various federal food and nutritional
18 services. The moneys hereby appropriated
19 shall be available for payment of finan-
20 cial assistance heretofore accrued (26986)
21 [~~58,850,000~~] 60,990,000
22 -----

23 CHILD HEALTH INSURANCE PROGRAM 212,950,000
24 -----

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

28 The money hereby appropriated is available
29 for payment of aid heretofore accrued or
30 hereafter accrued.
31 Notwithstanding any other provision of law,
32 the money hereby appropriated may be
33 increased or decreased by transfer or
34 suballocation to appropriations of the
35 office of temporary and disability assist-
36 ance, for the reimbursement of local
37 district administrative costs related to
38 children newly enrolled in medicaid whose
39 household income is between 100 percent
40 and 133 percent of the federal poverty
41 level.
42 Notwithstanding any provision of law to the
43 contrary, the amounts appropriated herein
44 shall be net of refunds, rebates,
45 reimbursements, credits, repayments,
46 and/or disallowances.
47 For services and expenses related to the
48 children's health insurance program

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1 authorized pursuant to title 1-A of arti-
2 cle 25 of the public health law (26931) 212,950,000
3 -----

4 ELDERLY PHARMACEUTICAL INSURANCE COVERAGE PROGRAM 1,800,000
5 -----

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

9 For services and expenses of the program for
10 elderly pharmaceutical insurance coverage,
11 including reimbursement to pharmacies
12 participating in such program. The moneys
13 hereby appropriated shall be available for
14 payment of financial assistance heretofore
15 accrued (26803) 1,800,000
16 -----

17 ESSENTIAL PLAN PROGRAM 2,300,000,000
18 -----

19 Special Revenue Funds - Federal
20 Federal Health and Human Services Fund
21 Essential Plan Account - 25186

22 For services and expenses related to the
23 essential plan program, in accordance
24 State Innovation Waiver provisions author-
25 ized by Section 1332 of the federal
26 patient protection and affordable care
27 act.

28 Notwithstanding any inconsistent provision
29 of law, the moneys hereby appropriated may
30 be increased or decreased by interchange
31 or transfer with any appropriation of the
32 department of health or for transfer to
33 Health Research Incorporated (HRI).

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

39 The money hereby appropriated is available
40 for payment of aid heretofore accrued or
41 hereafter accrued (59054) 2,300,000,000
42 -----

43 MEDICAL ASSISTANCE PROGRAM [~~14,329,581,000~~] 16,289,531,000
44 -----

45 General Fund
46 Local Assistance Account - 10000

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10

1 For the medical assistance program, includ-
2 ing administrative expenses, for local
3 social services districts, and for medical
4 care rates for authorized child care agen-
5 cies.

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

43 The director of the budget, in consultation
44 with the commissioner of health, shall
45 assess on a quarterly basis known and
46 projected medicaid expenditures by catego-
47 ry of service and by geographic region, as
48 defined by the commissioner, incurred both
49 prior to and subsequent to such assessment
50 for each such period, and if the director
51 of the budget determines that such expend-
52 itures are expected to cause medicaid
53 spending for such period to exceed the
54 aggregate limit specified herein for such
55 period, the state medicaid director, in
56 consultation with the director of the

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1 budget and the commissioner of health,
2 shall develop a medicaid savings allo-
3 cation adjustment to limit such spending
4 to the aggregate limit specified herein
5 for such period.

6 Such medicaid savings allocation adjustment
7 shall be designed, to reduce the expendi-
8 tures authorized by the appropriations
9 herein in compliance with the following
10 guidelines: (1) reductions shall be made
11 in compliance with applicable federal law,
12 including the provisions of the Patient
13 Protection and Affordable Care Act, Public
14 Law No. 111-148, and the Health Care and
15 Education Reconciliation Act of 2010,
16 Public Law No. 111-152 (collectively
17 "Affordable Care Act") and any subsequent
18 amendments thereto or regulations promul-
19 gated thereunder; (2) reductions shall be
20 made in a manner that complies with the
21 state medicaid plan approved by the feder-
22 al centers for medicare and medicaid
23 services, provided, however, that the
24 commissioner of health is authorized to
25 submit any state plan amendment or seek
26 other federal approval, including waiver
27 authority, to implement the provisions of
28 the medicaid savings allocation adjustment
29 that meets the other criteria set forth
30 herein; (3) reductions shall be made in a
31 manner that maximizes federal financial
32 participation, to the extent practicable,
33 including any federal financial partic-
34 ipation that is available or is reasonably
35 expected to become available, in the
36 discretion of the commissioner, under the
37 Affordable Care Act; (4) reductions shall
38 be made uniformly among categories of
39 services and geographic regions of the
40 state, to the extent practicable, and
41 shall be made uniformly within a category
42 of service, to the extent practicable,
43 except where the commissioner determines
44 that there are sufficient grounds for
45 non-uniformity, including but not limited
46 to: the extent to which specific catego-
47 ries of services contributed to department
48 of health medicaid state funds spending in
49 excess of the limits specified herein; the
50 need to maintain safety net services in
51 underserved communities; or the potential
52 benefits of pursuing innovative payment
53 models contemplated by the Affordable Care
54 Act, in which case such grounds shall be
55 set forth in the medicaid savings allo-
56 cation adjustment; and (5) reductions

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1 shall be made in a manner that does not
2 unnecessarily create administrative
3 burdens to medicaid applicants and recipi-
4 ents or providers.

5 The commissioner shall seek the input of the
6 legislature, as well as organizations
7 representing health care providers,
8 consumers, businesses, workers, health
9 insurers, and others with relevant exper-
10 tise, in developing such medicaid savings
11 allocation adjustment, to the extent that
12 all or part of such adjustment, in the
13 discretion of the commissioner, is likely
14 to have a material impact on the overall
15 medicaid program, particular categories of
16 service or particular geographic regions
17 of the state.

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

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

35 Notwithstanding the provisions of paragraphs
36 (a) and (b) of this subdivision, the
37 commissioner need not seek the input
38 described in paragraph (a) of this subdivi-
39 sion or provide notice pursuant to para-
40 graph (b) of this subdivision if, in the
41 discretion of the commissioner, expedited
42 development and implementation of a medi-
43 caid savings allocation adjustment is
44 necessary due to a public health emergen-
45 cy.

46 For purposes of this section, a public
47 health emergency is defined as: (i) a
48 disaster, natural or otherwise, that
49 significantly increases the immediate need
50 for health care personnel in an area of
51 the state; (ii) an event or condition that
52 creates a widespread risk of exposure to a
53 serious communicable disease, or the
54 potential for such widespread risk of
55 exposure; or (iii) any other event or
56 condition determined by the commissioner

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1 to constitute an imminent threat to public
2 health.

3 Nothing in this paragraph shall be deemed to
4 prevent all or part of such medicaid
5 savings allocation adjustment from taking
6 effect retroactively to the extent permit-
7 ted by the federal centers for medicare
8 and medicaid services.

9 In accordance with the medicaid savings
10 allocation adjustment, the commissioner of
11 the department of health shall reduce
12 department of health state funds medicaid
13 spending by the amount of the projected
14 overspending through, actions including,
15 but not limited to modifying or suspending
16 reimbursement methods, including but not
17 limited to all fees, premium levels and
18 rates of payment, notwithstanding any
19 provision of law that sets a specific
20 amount or methodology for any such
21 payments or rates of payment; modifying or
22 discontinuing medicaid program benefits;
23 seeking all necessary federal approvals,
24 including, but not limited to waivers,
25 waiver amendments; and suspending time
26 frames for notice, approval or certif-
27 ication of rate requirements, notwith-
28 standing any provision of law, rule or
29 regulation to the contrary, including but
30 not limited to sections 2807 and 3614 of
31 the public health law, section 18 of chap-
32 ter 2 of the laws of 1988, and 18 NYCRR
33 505.14(h).

34 The department of health shall prepare a
35 quarterly report that sets forth: (a)
36 known and projected department of health
37 medicaid expenditures as described in
38 subdivision (1) of this section, and
39 factors that could result in medicaid
40 disbursements for the relevant state
41 fiscal year to exceed the projected
42 department of health state funds disburse-
43 ments in the enacted budget financial plan
44 pursuant to subdivision 3 of section 23 of
45 the state finance law, including spending
46 increases or decreases due to: enrollment
47 fluctuations, rate changes, utilization
48 changes, MRT investments, and shift of
49 beneficiaries to managed care; and vari-
50 ations in offline medicaid payments; and
51 (b) the actions taken to implement any
52 medicaid savings allocation adjustment
53 implemented pursuant to subdivision (4) of
54 this section, including information
55 concerning the impact of such actions on
56 each category of service and each

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1 geographic region of the state. Each such
2 quarterly report shall be provided to the
3 chairs of the senate finance and the
4 assembly ways and means committees and
5 shall be posted on the department of
6 health's website in a timely manner.

7 The money hereby appropriated is to be
8 available for payment of aid heretofore
9 accrued or hereafter accrued to munici-
10 palities, and to providers of medical
11 services pursuant to section 367-b of the
12 social services law, and for payment of
13 state aid to municipalities and to provid-
14 ers of family care where payment systems
15 through the fiscal intermediaries are not
16 operational.

17 Notwithstanding any inconsistent provision
18 of law to the contrary, funds may be used
19 by the department for outside legal
20 assistance on issues involving the federal
21 government, the conduct of preadmission
22 screening and annual resident reviews
23 required by the state's medicaid program,
24 computer matching with insurance carriers
25 to insure that medicaid is the payer of
26 last resort and activities related to the
27 management of the pharmacy benefit avail-
28 able under the medicaid program.

29 Notwithstanding any inconsistent provision
30 of law, in lieu of payments authorized by
31 the social services law, or payments of
32 federal funds otherwise due to the local
33 social services districts for programs
34 provided under the federal social security
35 act or the federal food stamp act, funds
36 herein appropriated, in amounts certified
37 by the state commissioner of temporary and
38 disability assistance or the state commis-
39 sioner of health as due from local social
40 services districts each month as their
41 share of payments made pursuant to section
42 367-b of the social services law may be
43 set aside by the state comptroller in an
44 interest-bearing account in order to
45 ensure the orderly and prompt payment of
46 providers under section 367-b of the
47 social services law pursuant to an esti-
48 mate provided by the commissioner of
49 health of each local social services
50 district's share of payments made pursuant
51 to section 367-b of the social services
52 law.

53 Notwithstanding any inconsistent provision
54 of law, funding made available by these
55 appropriations shall support direct salary
56 costs and related fringe benefits within

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15

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

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

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

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16

1 Notwithstanding any inconsistent provision
2 of law, the moneys hereby appropriated
3 shall not be used for any existing rates,
4 fees, fee schedule, or procedures which
5 may affect the cost of care and services
6 provided by personal care providers, case
7 managers, health maintenance organiza-
8 tions, out of state medical facilities
9 which provide care and services to resi-
10 dents of the state, providers of transpor-
11 tation services, that are altered,
12 amended, adjusted or otherwise changed by
13 a local social services district unless
14 previously approved by the department of
15 health and the director of the budget.

16 Notwithstanding any inconsistent provision
17 of law to the contrary, funds shall be
18 made available to the commissioner of the
19 office of mental health or the commis-
20 sioner of the office of addiction services and
21 supports, in consultation with the commis-
22 sioner of health and approved by the
23 director of the budget, and consistent
24 with appropriations made therefor, to
25 implement allocation adjustment developed
26 by each such commissioner which shall
27 describe mental health or substance use
28 disorder services that should be developed
29 to meet service needs resulting from the
30 reduction of inpatient behavioral health
31 services provided under the medicaid
32 program, by programs licensed pursuant to
33 article 31 or 32 of the mental hygiene
34 law. Such programs may include programs
35 that are licensed pursuant to both article
36 31 of the mental hygiene law and article
37 28 of the public health law, or certified
38 under both article 32 of the mental
39 hygiene law and article 28 of the public
40 health law.

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

47 For services and expenses of the medical
48 assistance program including hospital
49 inpatient services and general hospitals
50 that are safety-net providers that evince
51 severe financial distress, pursuant to
52 criteria determined by the commissioner,
53 shall be eligible for awards for amounts
54 appropriated herein, to enable such
55 providers to maintain operations and vital
56 services while establishing long term

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1 solutions to achieve sustainable health
2 services.

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

9 Notwithstanding any provision of law to the
10 contrary, the portion of this appropri-
11 ation covering fiscal year 2026-27 shall
12 supersede and replace any duplicative (i)
13 reappropriation for this item covering
14 fiscal year 2026-27, and (ii) appropri-
15 ation for this item covering fiscal year
16 2026-27 set forth in chapter 53 of the
17 laws of 2025 (26947) [~~193,904,000~~]

218,142,000

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

21 Notwithstanding any provision of law to the
22 contrary, the portion of this appropri-
23 ation covering fiscal year 2026-27 shall
24 supersede and replace any duplicative (i)
25 reappropriation for this item covering
26 fiscal year 2026-27, and (ii) appropri-
27 ation for this item covering fiscal year
28 2026-27 set forth in chapter 53 of the
29 laws of 2025 (26948) [~~57,992,000~~]

65,241,000

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

33 Notwithstanding any provision of law to the
34 contrary, the portion of this appropri-
35 ation covering fiscal year 2026-27 shall
36 supersede and replace any duplicative (i)
37 reappropriation for this item covering
38 fiscal year 2026-27, and (ii) appropri-
39 ation for this item covering fiscal year
40 2026-27 set forth in chapter 53 of the
41 laws of 2025 (26949) [~~113,584,000~~]

127,782,000

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

45 Notwithstanding any provision of law to the
46 contrary, the portion of this appropri-
47 ation covering fiscal year 2026-27 shall
48 supersede and replace any duplicative (i)
49 reappropriation for this item covering
50 fiscal year 2026-27, and (ii) appropri-
51 ation for this item covering fiscal year
52 2026-27 set forth in chapter 53 of the
53 laws of 2025 (26950) [~~285,480,000~~]

321,165,000

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

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18

1 Notwithstanding any provision of law to the
 2 contrary, the portion of this appropri-
 3 ation covering fiscal year 2026-27 shall
 4 supersede and replace any duplicative (i)
 5 reappropriation for this item covering
 6 fiscal year 2026-27, and (ii) appropri-
 7 ation for this item covering fiscal year
 8 2026-27 set forth in chapter 53 of the
 9 laws of 2025 (26951) [~~1,359,888,000~~] 1,529,874,000

10 For services and expenses of the medical
 11 assistance program including managed care
 12 services including regional planning
 13 activities of the finger lakes health
 14 systems agency, including statewide coor-
 15 dination and demonstration of best prac-
 16 tices. The department shall make grants
 17 within amounts appropriated therefor, to
 18 assure high-quality and accessible primary
 19 care, to provide technical assistance to
 20 support financial and business planning
 21 for integrated systems of care, and to
 22 assist primary care providers in the
 23 adoption, implementation, and meaningful
 24 use of electronic health record technolo-
 25 gy.

26 Notwithstanding any provision of law to the
 27 contrary, the portion of this appropri-
 28 ation covering fiscal year 2026-27 shall
 29 supersede and replace any duplicative (i)
 30 reappropriation for this item covering
 31 fiscal year 2026-27, and (ii) appropri-
 32 ation for this item covering fiscal year
 33 2026-27 set forth in chapter 53 of the
 34 laws of 2025 (26952) [~~1,245,680,000~~] 1,401,390,000

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

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 (29548) [~~30,160,000~~] 33,930,000

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

54 Notwithstanding any provision of law to the
 55 contrary, the portion of this appropri-
 56 ation covering fiscal year 2026-27 shall

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1 supersede and replace any duplicative (i)
 2 reappropriation for this item covering
 3 fiscal year 2026-27, and (ii) appropri-
 4 ation for this item covering fiscal year
 5 2026-27 set forth in chapter 53 of the
 6 laws of 2025 (26953) [~~575,408,000~~] 647,334,000

7 For services and expenses of the medical
 8 assistance program including transporta-
 9 tion services.

10 Notwithstanding any provision of law to the
 11 contrary, the portion of this appropri-
 12 ation covering fiscal year 2026-27 shall
 13 supersede and replace any duplicative (i)
 14 reappropriation for this item covering
 15 fiscal year 2026-27, and (ii) appropri-
 16 ation for this item covering fiscal year
 17 2026-27 set forth in chapter 53 of the
 18 laws of 2025 (26954) [~~82,656,000~~] 92,988,000

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

22 Notwithstanding any provision of law to the
 23 contrary, the portion of this appropri-
 24 ation covering fiscal year 2026-27 shall
 25 supersede and replace any duplicative (i)
 26 reappropriation for this item covering
 27 fiscal year 2026-27, and (ii) appropri-
 28 ation for this item covering fiscal year
 29 2026-27 set forth in chapter 53 of the
 30 laws of 2025 (26955) [~~632,000~~] 711,000

31 For services and expenses of the medical
 32 assistance program including non-institu-
 33 tional and other spending.

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

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

43 Notwithstanding any provision of law to the
 44 contrary, the portion of this appropri-
 45 ation covering fiscal year 2026-27 shall
 46 supersede and replace any duplicative (i)
 47 reappropriation for this item covering
 48 fiscal year 2026-27, and (ii) appropri-
 49 ation for this item covering fiscal year
 50 2026-27 set forth in chapter 53 of the
 51 laws of 2025 (26956) [~~164,832,000~~] 185,436,000

52 For services and expenses of the medical
 53 assistance program including medical
 54 services provided at state facilities
 55 operated by the office of mental health,
 56 the office for people with developmental

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20

1 disabilities and the office of addiction
2 services and supports.

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 (26961) [~~769,232,000~~]

865,386,000

12 -----
13 Special Revenue Funds - Federal
14 Federal Health and Human Services Fund
15 Medicaid Direct Account - 25106

16 For services and expenses for the medical
17 assistance program, including administra-
18 tive expenses for local social services
19 districts, pursuant to title XIX of the
20 federal social security act or its succes-
21 sor program.

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

32 Notwithstanding any inconsistent provision
33 of law, funding made available by these
34 appropriations shall support direct salary
35 costs and related fringe benefits within
36 the medical assistance program associated
37 with any minimum wage increase that takes
38 effect during the timeframe of these
39 appropriations, pursuant to section 652 of
40 the labor law. Each eligible organization
41 in receipt of funding made available by
42 these appropriations may be required to
43 submit written certification, in such form
44 and at such time the commissioner may
45 prescribe, attesting to the total amount
46 of funds used by the eligible organiza-
47 tion, how such funding will be or was used
48 for purposes eligible under these appro-
49 priations and any other reporting deemed
50 necessary by the commissioner. The amounts
51 appropriated herein may include advances
52 to organizations authorized to receive
53 such funds to accomplish this purpose.

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21

1 Notwithstanding any other provision of law,
2 the money hereby appropriated may be
3 increased or decreased by interchange or
4 transfer, with any appropriation of the
5 department of health and the office of
6 medicaid inspector general and may be
7 increased or decreased by transfer or
8 suballocation between these appropriated
9 amounts and appropriations of the office
10 of mental health, office for people with
11 developmental disabilities, the office of
12 addiction services and supports, the
13 department of family assistance office of
14 temporary and disability assistance,
15 office of children and family services,
16 the department of financial services,
17 department of corrections and community
18 supervision, the office of information
19 technology services, the state university
20 of New York, the state education depart-
21 ment, and the state office for the aging
22 with the approval of the director of the
23 budget, who shall file such approval with
24 the department of audit and control and
25 copies thereof with the chairman of the
26 senate finance committee and the chairman
27 of the assembly ways and means committee.

28 Notwithstanding any inconsistent provision
29 of law, in lieu of payments authorized by
30 the social services law, or payments of
31 federal funds otherwise due to the local
32 social services districts for programs
33 provided under the federal social security
34 act or the federal food stamp act, funds
35 herein appropriated, in amounts certified
36 by the state commissioner of temporary and
37 disability assistance or the state commis-
38 sioner of health as due from local social
39 services districts each month as their
40 share of payments made pursuant to section
41 367-b of the social services law may be
42 set aside by the state comptroller in an
43 interest-bearing account in order to
44 ensure the orderly and prompt payment of
45 providers under section 367-b of the
46 social services law pursuant to an esti-
47 mate provided by the commissioner of
48 health of each local social services
49 district's share of payments made pursuant
50 to section 367-b of the social services
51 law.

52 Notwithstanding any inconsistent provision
53 of law to the contrary, funds shall be
54 made available to the commissioner of the
55 office of mental health or the commis-
56 sioner of the office of addiction services and

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22

1 supports, in consultation with the commis-
 2 sioner of health and approved by the
 3 director of the budget, and consistent
 4 with appropriations made therefor, to
 5 implement allocation adjustment developed
 6 by each such commissioner which shall
 7 describe mental health or substance use
 8 disorder services that should be developed
 9 to meet service needs resulting from the
 10 reduction of inpatient behavioral health
 11 services provided under the medicaid
 12 program, by programs licensed pursuant to
 13 article 31 or 32 of the mental hygiene
 14 law. Such programs may include programs
 15 that are licensed pursuant to both article
 16 31 of the mental hygiene law and article
 17 28 of the public health law, or certified
 18 under both article 32 of the mental
 19 hygiene law and article 28 of the public
 20 health law.

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

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

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

36 Notwithstanding any provision of law to the
 37 contrary, the portion of this appropri-
 38 ation covering fiscal year 2026-27 shall
 39 supersede and replace any duplicative (i)
 40 reappropriation for this item covering
 41 fiscal year 2026-27, and (ii) appropri-
 42 ation for this item covering fiscal year
 43 2026-27 set forth in chapter 53 of the
 44 laws of 2025 (26947) [~~531,195,000~~]

607,080,000

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

48 Notwithstanding any provision of law to the
 49 contrary, the portion of this appropri-
 50 ation covering fiscal year 2026-27 shall
 51 supersede and replace any duplicative (i)
 52 reappropriation for this item covering
 53 fiscal year 2026-27, and (ii) appropri-
 54 ation for this item covering fiscal year
 55 2026-27 set forth in chapter 53 of the
 56 laws of 2025 (26948) [~~94,668,000~~]

108,192,000

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1 For services and expenses of the medical
2 assistance program including clinic
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 (26949) [~~153,279,000~~]

175,176,000

13 For services and expenses of the medical
14 assistance program including nursing home
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 (26950) [~~789,180,000~~]

901,920,000

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

28 Notwithstanding any provision of law to the
29 contrary, the portion of this appropri-
30 ation covering fiscal year 2026-27 shall
31 supersede and replace any duplicative (i)
32 reappropriation for this item covering
33 fiscal year 2026-27, and (ii) appropri-
34 ation for this item covering fiscal year
35 2026-27 set forth in chapter 53 of the
36 laws of 2025 (26951) [~~2,251,263,000~~]

2,572,872,000

37 For services and expenses of the medical
38 assistance program including managed care
39 services including regional planning
40 activities of the finger lakes health
41 systems agency, including statewide coor-
42 dination and demonstration of best prac-
43 tices. The department shall make grants
44 within amounts appropriated therefor, to
45 assure high-quality and accessible primary
46 care, to provide technical assistance to
47 support financial and business planning
48 for integrated systems of care, and to
49 assist primary care providers in the
50 adoption, implementation, and meaningful
51 use of electronic health record technolo-
52 gy.

53 Notwithstanding any inconsistent provision
54 of law, rule, or regulation to the contra-
55 ry, funds appropriated herein shall not be

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24

1 subject to article 6 of the financial
2 services law.

3 Notwithstanding any inconsistent provision
4 of law, rule, or regulation to the contra-
5 ry, funds appropriated herein shall only
6 be made available for applied behavior
7 analysis services if such services are
8 recommended by a health care or mental
9 health care practitioner authorized under
10 title eight of the education law who has
11 been designated as an applied behavior
12 analysis center of excellence provider by
13 the commissioner of health.

14 Notwithstanding any provision of law to the
15 contrary, the portion of this appropri-
16 ation covering fiscal year 2026-27 shall
17 supersede and replace any duplicative (i)
18 reappropriation for this item covering
19 fiscal year 2026-27, and (ii) appropri-
20 ation for this item covering fiscal year
21 2026-27 set forth in chapter 53 of the
22 laws of 2025 (26952) [~~2,747,276,000~~] 3,139,744,000

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

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 (26953) [~~827,533,000~~] 945,752,000

40 For services and expenses of the medical
41 assistance program including transporta-
42 tion services.

43 Notwithstanding any provision of law to the
44 contrary, the portion of this appropri-
45 ation covering fiscal year 2026-27 shall
46 supersede and replace any duplicative (i)
47 reappropriation for this item covering
48 fiscal year 2026-27, and (ii) appropri-
49 ation for this item covering fiscal year
50 2026-27 set forth in chapter 53 of the
51 laws of 2025 (26954) [~~111,174,000~~] 127,056,000

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

55 Notwithstanding any provision of law to the
56 contrary, the portion of this appropri-

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25

1 ation covering fiscal year 2026-27 shall
 2 supersede and replace any duplicative (i)
 3 reappropriation for this item covering
 4 fiscal year 2026-27, and (ii) appropri-
 5 ation for this item covering fiscal year
 6 2026-27 set forth in chapter 53 of the
 7 laws of 2025 (26955) [~~12,852,000~~] 14,688,000

8 For services and expenses of the medical
 9 assistance program including noninstitu-
 10 tional and other spending.
 11 The money hereby appropriated is available
 12 for payment of liabilities heretofore
 13 accrued or hereafter accrued.

14 Notwithstanding any provision of law to the
 15 contrary, the portion of this appropri-
 16 ation covering fiscal year 2026-27 shall
 17 supersede and replace any duplicative (i)
 18 reappropriation for this item covering
 19 fiscal year 2026-27, and (ii) appropri-
 20 ation for this item covering fiscal year
 21 2026-27 set forth in chapter 53 of the
 22 laws of 2025 (26956) [~~1,258,635,000~~] 1,438,440,000

23 Notwithstanding any inconsistent provision
 24 of law, subject to the approval of the
 25 director of the budget, upon submission of
 26 an allocation adjustment from the commis-
 27 sioner of health, the amount appropriated
 28 herein, together with any available federal
 29 matching funds, may be transferred or
 30 suballocated to the office of mental
 31 health, office of addiction services and
 32 supports, office for people with develop-
 33 mental disabilities, division of housing
 34 and community renewal, New York state
 35 housing trust fund corporation, and office
 36 of temporary and disability assistance for
 37 services and expenses related to providing
 38 affordable housing. Any such spending
 39 shall consider the geographical location
 40 of the grants.

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 (29521) [~~673,078,000~~] 769,232,000

50 -----

51 § 9. Section 6 of chapter 98 of the laws of 2026, relating to making
 52 appropriations for the support of government, as amended by chapter 117
 53 of the laws of 2026, is amended to read as follows:

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

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26

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

4 DEPARTMENT OF LABOR

5 AID TO LOCALITIES

6 UNEMPLOYMENT INSURANCE BENEFIT PROGRAM ... [~~1,710,000,000~~] 1,890,000,000
7 -----

- 8 Enterprise Funds
- 9 Unemployment Insurance Benefit Fund
- 10 Unemployment Insurance Benefit Account - 50650

11 For payment of unemployment insurance bene-
12 fits pursuant to article 18 of the labor
13 law or as authorized by the federal
14 government through the disaster unemploy-
15 ment assistance program, the emergency
16 unemployment compensation program, the
17 extended benefit program, the federal
18 additional compensation program or any
19 other federally funded unemployment bene-
20 fit program (34787) [~~1,710,000,000~~] 1,890,000,000
21 -----

22 § 10. Section 7 of chapter 98 of the laws of 2026, relating to making
23 appropriations for the support of government, as amended by chapter 117
24 of the laws of 2026, is amended to read as follows:

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

30 DEPARTMENT OF MENTAL HYGIENE

31 OFFICE FOR PEOPLE WITH DEVELOPMENTAL DISABILITIES

32 AID TO LOCALITIES

33 COMMUNITY SERVICES PROGRAM [~~1,072,593,000~~] 1,215,963,000
34 -----

- 35 General Fund
- 36 Local Assistance Account - 10000

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

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27

1 laws of 1987, chapter 729 of the laws of
2 1989, chapter 329 of the laws of 1993 and
3 other provisions of the mental hygiene
4 law. Notwithstanding any inconsistent
5 provision of law, the following appropri-
6 ation shall be net of prior and/or current
7 year refunds, rebates, reimbursements, and
8 credits.

9 Notwithstanding any other provision of law,
10 advances and reimbursement made pursuant
11 to subdivision (d) of section 41.15 and
12 section 41.18 of the mental hygiene law
13 shall be allocated pursuant to a plan and
14 in a manner prescribed by the agency head
15 and approved by the director of the budg-
16 et. The moneys hereby appropriated are
17 available to reimburse or advance locali-
18 ties and voluntary non-profit agencies for
19 expenditures made during local fiscal
20 periods commencing January 1, 2026, April
21 1, 2026 or July 1, 2026, and for advances
22 for the 3 month period beginning January
23 1, 2027.

24 Notwithstanding the provisions of article 41
25 of the mental hygiene law or any other
26 inconsistent provision of law, rule or
27 regulation, the commissioner, pursuant to
28 such contract and in the manner provided
29 therein, may pay all or a portion of the
30 expenses incurred by such voluntary agen-
31 cies arising out of loans which are funded
32 from the proceeds of bonds and notes
33 issued by the dormitory authority of the
34 state of New York.

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

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

46 Notwithstanding the provisions of section
47 16.23 of the mental hygiene law and any
48 other inconsistent provision of law, with
49 relation to the operation of certified
50 family care homes, including family care
51 homes sponsored by voluntary not-for-pro-
52 fit agencies, moneys from this appropri-
53 ation may be used for payments to purchase
54 general services including but not limited
55 to respite providers, up to a maximum of
56 14 days, at rates to be established by the

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28

1 commissioner and approved by the director
2 of the budget in consideration of factors
3 including, but not limited to, geographic
4 area and number of clients cared for in
5 the home and for payment in an amount
6 determined by the commissioner for the
7 personal needs of each client residing in
8 the family care home.

9 Notwithstanding the provisions of subdivi-
10 sion 12 of section 8 of the state finance
11 law and any other inconsistent provision
12 of law, moneys from this appropriation may
13 be used for expenses of family care homes
14 including payments to operators of certi-
15 fied family care homes for damages caused
16 by clients to personal and real property
17 in accordance with standards established
18 by the commissioner and approved by the
19 director of the budget.

20 Notwithstanding any inconsistent provision
21 of law, moneys from this appropriation may
22 be used for appropriate day program
23 services and residential services includ-
24 ing, but not limited to, direct housing
25 subsidies to individuals, start-up
26 expenses for family care providers, envi-
27 ronmental modifications, adaptive technol-
28 ogies, appraisals, property options,
29 feasibility studies and preoperational
30 expenses.

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

47 Notwithstanding section 6908 of the educa-
48 tion law and any other provision of law,
49 rule or regulation to the contrary, direct
50 support staff in programs certified or
51 approved by the office for people with
52 developmental disabilities, including the
53 home and community based services waiver
54 programs that the office for people with
55 developmental disabilities is authorized
56 to administer with federal approval pursu-

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1 ant to subdivision (c) of section 1915 of
2 the federal social security act, are
3 authorized to provide such tasks as OPWDD
4 may specify when performed under the
5 supervision, training and periodic
6 inspection of a registered professional
7 nurse and in accordance with an authorized
8 practitioner's ordered care.

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

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

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

28 Notwithstanding any inconsistent provision
29 of law, and pursuant to criteria estab-
30 lished by the commissioner of the office
31 for people with developmental disabilities
32 and approved by the director of the budg-
33 et, expenditures may be made from this
34 appropriation for residential facilities
35 which are pending recertification as
36 intermediate care facilities for people
37 with developmental disabilities.

38 Notwithstanding the provisions of section
39 41.36 of the mental hygiene law and any
40 other inconsistent provision of law,
41 moneys from this appropriation may be used
42 for payment up to \$250 per year per
43 client, at such times and in such manner
44 as determined by the commissioner on the
45 basis of financial need for the personal
46 needs of each client residing in voluntar-
47 y-operated community residences and volun-
48 tary-operated community residential alter-
49 natives, including individualized
50 residential alternatives under the home
51 and community based services waiver. The
52 commissioner shall, subject to the
53 approval of the director of the budget,
54 alter existing advance payment schedules
55 for voluntary-operated community resi-

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1 dences established pursuant to section
 2 41.36 of the mental hygiene law.
 3 Notwithstanding any inconsistent provision
 4 of law, moneys from this appropriation may
 5 be used for the operation of clinics
 6 licensed pursuant to article 16 of the
 7 mental hygiene law including, but not
 8 limited to, supportive and habilitative
 9 services consistent with the home and
 10 community based services waiver.

11 For the state and/or local share of medical
 12 assistance services expenses incurred by
 13 the department of health for the provision
 14 of medical assistance services to people
 15 with developmental disabilities (37835) ..
 16 [~~980,028,000~~] 1,120,032,000

17 For services and expenses of the community
 18 services program, net of disallowances,
 19 for community programs for people with
 20 developmental disabilities pursuant to
 21 article 41 of the mental hygiene law,
 22 and/or chapter 620 of the laws of 1974,
 23 chapter 660 of the laws of 1977, chapter
 24 412 of the laws of 1981, chapter 27 of the
 25 laws of 1987, chapter 729 of the laws of
 26 1989, chapter 329 of the laws of 1993 and
 27 other provisions of the mental hygiene
 28 law. Notwithstanding any inconsistent
 29 provision of law, the following appropri-
 30 ation shall be net of prior and/or current
 31 year refunds, rebates, reimbursements, and
 32 credits.

33 Notwithstanding any other provision of law,
 34 advances and reimbursement made pursuant
 35 to subdivision (d) of section 41.15 and
 36 section 41.18 of the mental hygiene law
 37 shall be allocated pursuant to a plan and
 38 in a manner prescribed by the agency head
 39 and approved by the director of the budg-
 40 et. The moneys hereby appropriated are
 41 available to reimburse or advance locali-
 42 ties and voluntary non-profit agencies for
 43 expenditures made during local fiscal
 44 periods commencing January 1, 2026, April
 45 1, 2026 or July 1, 2026, and for advances
 46 for the 3 month period beginning January
 47 1, 2027.

48 Notwithstanding the provisions of article 41
 49 of the mental hygiene law or any other
 50 inconsistent provision of law, rule or
 51 regulation, the commissioner, pursuant to
 52 such contract and in the manner provided
 53 therein, may pay all or a portion of the
 54 expenses incurred by such voluntary agen-
 55 cies arising out of loans which are funded
 56 from the proceeds of bonds and notes

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1 issued by the dormitory authority of the
2 state of New York.

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

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

14 Notwithstanding the provisions of section
15 16.23 of the mental hygiene law and any
16 other inconsistent provision of law, with
17 relation to the operation of certified
18 family care homes, including family care
19 homes sponsored by voluntary not-for-pro-
20 fit agencies, moneys from this appropri-
21 ation may be used for payments to purchase
22 general services including but not limited
23 to respite providers, up to a maximum of
24 14 days, at rates to be established by the
25 commissioner and approved by the director
26 of the budget in consideration of factors
27 including, but not limited to, geographic
28 area and number of clients cared for in
29 the home and for payment in an amount
30 determined by the commissioner for the
31 personal needs of each client residing in
32 the family care home.

33 Notwithstanding the provisions of subdivi-
34 sion 12 of section 8 of the state finance
35 law and any other inconsistent provision
36 of law, moneys from this appropriation may
37 be used for expenses of family care homes
38 including payments to operators of certi-
39 fied family care homes for damages caused
40 by clients to personal and real property
41 in accordance with standards established
42 by the commissioner and approved by the
43 director of the budget.

44 Notwithstanding any inconsistent provision
45 of law, moneys from this appropriation may
46 be used for appropriate day program
47 services and residential services includ-
48 ing, but not limited to, direct housing
49 subsidies to individuals, start-up
50 expenses for family care providers, envi-
51 ronmental modifications, adaptive technol-
52 ogies, appraisals, property options,
53 feasibility studies and preoperational
54 expenses.

55 Notwithstanding any inconsistent provision
56 of law, moneys from this appropriation may

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1 be used to fund continuity of care
2 services, family reimbursed respite, other
3 than personal services and direct housing
4 subsidies for people who are enrolled in
5 OPWDD's self-direction program, provided
6 any or all such costs are identified in a
7 self-direction budget approved by OPWDD.

8 Notwithstanding any inconsistent provision
9 of law except pursuant to a chapter of the
10 laws of 2025 authorizing a 2.6 percent
11 targeted inflationary increase, for the
12 period commencing on April 1, 2025 and
13 ending March 31, 2026 the commissioner
14 shall not apply any other inflationary
15 increases, cost of living type increases,
16 inflation factors, or trend factors for
17 the purpose of establishing rates of
18 payments, contracts or any other form of
19 reimbursement; provided that this shall
20 not prevent the commissioner from applying
21 prior adjustments for the purpose of
22 establishing rates resulting from a rebas-
23 ing of base year costs.

24 Notwithstanding section 6908 of the educa-
25 tion law and any other provision of law,
26 rule or regulation to the contrary, direct
27 support staff in programs certified or
28 approved by the office for people with
29 developmental disabilities, including the
30 home and community based services waiver
31 programs that the office for people with
32 developmental disabilities is authorized
33 to administer with federal approval pursu-
34 ant to subdivision (c) of section 1915 of
35 the federal social security act, are
36 authorized to provide such tasks as OPWDD
37 may specify when performed under the
38 supervision, training and periodic
39 inspection of a registered professional
40 nurse and in accordance with an authorized
41 practitioner's ordered care.

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

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

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1 Notwithstanding any other provision of law
 2 to the contrary, funds appropriated herein
 3 are available to reimburse in- and
 4 out-of-state private residential schools,
 5 pursuant to subdivision (c) of section
 6 13.37-a and subdivision (g) of section
 7 13.38 of the mental hygiene law, for costs
 8 of supporting the residential and day
 9 program services available to individuals
 10 who are over the age of 21 years of age,
 11 provided that the amount paid for residen-
 12 tial services and/or maintenance costs is
 13 net of any supplemental security income
 14 benefit to which the individual receiving
 15 services is eligible, and provided further
 16 that funding for nonresidential services
 17 will be in an amount not to exceed the
 18 maximum reimbursement for appropriate day
 19 services delivered by the office for
 20 people with developmental disabilities
 21 certified or approved providers other than
 22 in- and out-of-state private residential
 23 schools, unless otherwise authorized by
 24 the director of the budget.

25 Notwithstanding section 163 of the state
 26 finance law, section 142 of the economic
 27 development law, and article 41 of the
 28 mental hygiene law, the commissioner of
 29 the office for people with developmental
 30 disabilities may make the funds appropri-
 31 ated herein available as state aid, a loan
 32 or a grant, pursuant to terms and condi-
 33 tions established by the commissioner of
 34 the office for people with developmental
 35 disabilities, to cover a portion of the
 36 development costs of private, public
 37 and/or non-profit organizations, including
 38 corporations and partnerships established
 39 pursuant to the private housing finance
 40 law and/or any other statutory provisions,
 41 for supportive housing units that have
 42 been set aside for individuals with intel-
 43 lectual and developmental disabilities.
 44 Further, the office for people with devel-
 45 opmental disabilities shall have a lien on
 46 the real property developed with such
 47 state aid, loans or grants, which shall be
 48 in the amount of the loan or grant, for a
 49 maximum term of 30 years, or other longer
 50 term consistent with the requirements of
 51 another regulatory agency.

52 For services and expenses related to the
 53 provision of residential services to
 54 people with developmental disabilities
 55 (37802) [~~53,735,000~~]

55,689,000

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1	For services and expenses related to the		
2	provision of day program services to		
3	people with developmental disabilities		
4	(37803)	[13,200,000]	<u>13,680,000</u>
5	For services and expenses related to the		
6	provision of family support services to		
7	people with developmental disabilities		
8	(37804)	[14,850,000]	<u>15,390,000</u>
9	For services and expenses related to the		
10	provision of workshop, day training and		
11	employment services to people with devel-		
12	opmental disabilities. Notwithstanding any		
13	other provision of law, up to [\$126,500]		
14	<u>\$131,100</u> of this appropriation may be		
15	transferred to the New York State Educa-		
16	tion Departments' Adult Career and Contin-		
17	uing Education Services - Vocational Reha-		
18	bilitation (ACCES-VR) program to support		
19	the LongTerm Sheltered Employment program		
20	operated by FEDCAP Rehabilitation		
21	Services, Inc. (37805)	[8,580,000]	<u>8,892,000</u>
22	For other services and expenses provided to		
23	people with developmental disabilities		
24	including but not limited to hepatitis B,		
25	care at home waiver, epilepsy services,		
26	Special Olympics New York, Inc. and volun-		
27	tary fingerprinting (37806) ...	[2,200,000]	<u>2,280,000</u>
28	-----		

29 § 11. Section 8 of chapter 98 of the laws of 2026, relating to making
30 appropriations for the support of government, as amended by chapter 117
31 of the laws of 2026, is amended to read as follows:

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

37 DEPARTMENT OF VETERANS' SERVICES

38 AID TO LOCALITIES

39 BLIND VETERAN ANNUITY ASSISTANCE PROGRAM 770,000

40 -----

41 General Fund
42 Local Assistance Account - 10000

43 For payment of annuities to blind veterans
44 and eligible surviving spouses. Up to
45 \$15,000 of this appropriation may be
46 transferred to state operations for admin-
47 istrative costs associated with this
48 program (54606) 770,000
49 -----

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35

1	VETERANS' BENEFITS ADVISING PROGRAM	[330,000]	<u>342,000</u>
2		-----	
3	Special Revenue Funds - Other		
4	Homeless Veterans Assistance Fund		
5	Homeless Veterans Assistance Account - 20204		
6	For services and expenses related to home-		
7	less veterans' housing (54815) ..	[330,000]	<u>342,000</u>
8		-----	

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

16 § 13. All expenditures and disbursements made against the appropri-
17 ations in this act shall, upon final action by the legislature on appro-
18 priation bills submitted by the governor pursuant to article VII of the
19 state constitution for the support of government for the state fiscal
20 year beginning April 1, 2026, be transferred by the comptroller as
21 expenditures and disbursements to such appropriations for all state
22 departments and agencies, as applicable, in amounts equal to the amounts
23 charged against the appropriations in this act for each such department,
24 agency, and the legislature and the judiciary.

25 § 14. Severability clause. If any clause, sentence, paragraph, subdi-
26 vision, section or part of this act shall be adjudged by any court of
27 competent jurisdiction to be invalid, such judgment shall not affect,
28 impair, or invalidate the remainder thereof, but shall be confined in
29 its operation to the clause, sentence, paragraph, subdivision, section
30 or part thereof directly involved in the controversy in which such judg-
31 ment shall have been rendered. It is hereby declared to be the intent of
32 the legislature that this act would have been enacted even if such
33 invalid provisions had not been included herein.

34 § 15. This act shall take effect immediately and shall be deemed to
35 have been in full force and effect on and after April 1, 2026; provided,
36 however, that upon the transfer of expenditures and disbursements by the
37 comptroller as provided in section thirteen of this act, the appropri-
38 ations made by this act and subject to such section shall be deemed
39 repealed.