

**AID TO LOCALITIES BUDGET BILL
(Senate 1503 and Assembly 2003)**

SECTION 1 OF THE BUDGET BILL

The amendments provides for two new sections:

- One section to complement FY 2020 Executive Budget provisions included with Article VII legislation that directs the Budget Director to implement uniform reductions to address shortfalls in tax receipts which reach or exceed \$500 million; and
- One section that is designed to mitigate the financial impact of legislative action taken outside the enacted budget process.

OFFICE FOR THE AGING

Community Services Program

The amendment makes a technical correction.

DEPARTMENT OF AGRICULTURE AND MARKETS

Agricultural Business Services Program

The amendments make various technical changes and authorize the director of the budget to suballocate any portion of the appropriation to any state department, agency, public authority or to transfer State Operations.

DIVISION OF CRIMINAL JUSTICE SERVICES

Crime Prevention and Reduction Strategies Program

The amendments make various technical corrections.

DEPARTMENT OF ECONOMIC DEVELOPMENT

Marketing and Advertising Program

The amendments make various technical corrections to the "Taste NY" appropriation language to amend the breakout of the specific appropriated funds to named entities and authorize the director of the budget to suballocate any portion of the appropriation to any state department, agency, public authority or to transfer State Operations.

Training and Business Assistance Program

The amendment makes a technical correction.

EDUCATION DEPARTMENT

Office of Prekindergarten Through Grade Twelve Education Program

The amendments make various technical corrections, in addition to the changes described below:

- Amends the language for the General Support for Public Schools appropriation regarding School Funding Equity Plans in relation to the interaction between such plans and statutory budgetary requirements.

- Updates the lapse date of the School District Performance Incentive reappropriation from March 31, 2019 to March 31, 2020.
- Updates the lapse date of the School District Management Efficiency reappropriation from March 31, 2019 to March 31, 2020.

OFFICE OF CHILDREN AND FAMILY SERVICES

Child Care Program

The amendment makes a technical correction to authorize remediation efforts once lead test results are received as an eligible cost under the federal appropriation.

New York State Commission For The Blind Program

The amendment makes a technical correction.

Training and Development Program

The amendment makes a technical correction.

Family and Children's Services Program

The amendment makes a technical correction.

OFFICE OF TEMPORARY AND DISABILITY ASSISTANCE

Employment and Income Support Program

The amendments make various technical corrections.

DEPARTMENT OF FINANCIAL SERVICES

Insurance Program

The amendment eliminates excess appropriation authority by reducing the appropriated amount to match the planned level of disbursements for the program.

NEW YORK STATE GAMING COMMISSION

Tribal State Compact Revenue Program

The amendments clarify that funds appropriated to localities from Oneida Nation casino payments made to the State are from the negotiated net drop of electronic gaming devices located at all Oneida Nation casinos, not just Turning Stone Casino.

DEPARTMENT OF HEALTH

AIDS Institute Program

The amendment adds new language to authorize spending on a new Federal grant recently awarded to the Department of Health.

Center for Community Health Program

The amendments makes various technical corrections, in addition to changing appropriation language to refer to "Infant Safe Sleep" instead of "Sudden Infant Death Syndrome Centers".

Medical Assistance Administration Program

The amendments make various technical corrections, in addition to including a portion of the costs associated with the minimum wage in FY 2020 and FY 2021 and the corresponding spending reductions required to stay within the Medicaid Global Cap.

Medical Assistance Program

The amendments make various technical correction, in addition to including a portion of the costs associated with the minimum wage in FY 2020 and FY 2021 and the corresponding spending reductions required to stay within the Medicaid Global Cap.

OFFICE OF INDIGENT LEGAL SERVICES

Hurrell-Harring Settlement Program

The amendments make various technical corrections.

DEPARTMENT OF LABOR

Employment and Training Program

The amendment makes a technical correction.

OFFICE OF MENTAL HEALTH

Adult Services Program

The amendment makes a technical correction.

DIVISION OF VETERANS' AFFAIRS

The amendments change the agency name from "Division of Veterans' Affairs" to "Division of Veterans' Services" to avoid confusion with the Federal agency.

Veterans' Benefits Advising Program

The amendments make technical corrections to reflect the new agency name.

DEPARTMENT OF STATE

Local Government and Community Services Program

The amendment makes a technical correction to remove the law reference since that section of law no longer exists.

OFFICE OF VICTIM SERVICES

Victim and Witness Assistance Program

The amendment makes a technical correction.

MISCELLANEOUS - ALL STATE DEPARTMENTS AND AGENCIES

LOCAL GOVERNMENT ASSISTANCE

Aid and Incentives for Municipalities

The amendment makes a technical correction.

NATIONAL AND COMMUNITY SERVICE

Operations Program

This amendment makes various technical corrections by increasing the Local Assistance appropriation, which is offset by an equal decrease in the State Operations appropriation, and subsequent program/fund totals.

**Amendments to the
AID TO LOCALITIES BUDGET BILL
(Senate 1503 and Assembly 2003)**

SECTION 1 OF THE BUDGET BILL

Page 1, Between lines
 33 and 34, Insert

"e) Notwithstanding any other provision of law to the contrary, to maintain a balanced budget in the event that the annual estimate for tax receipts for fiscal year 2019-20 is reduced by \$500,000,000 or more compared to estimate in the fiscal year 2019-20 executive budget financial plan, the appropriations and related cash disbursements for all general fund and state special revenue fund aid to localities appropriations made by this chapter shall be uniformly reduced by the percentage set forth in a written allocation plan prepared by the director of the budget, provided, however, that the uniform percentage reduction shall not exceed 3 percent. The following types of appropriations shall be exempt from such uniform reduction: (a) public assistance payments for families and individuals and payments for eligible aged, blind and disabled persons related to supplemental social security; (b) any reductions that would violate federal law; (c) payments of debt service and related expenses for which the state is constitutionally obligated to pay debt service or is contractually obligated to pay debt service, subject to an appropriation, including where the state has a contingent contractual obligation; (d) payments the state is obligated to make pursuant to court orders or judgments; (e) payments for CUNY senior colleges; (f) school aid, (g) medicaid and (h) payments from the community projects fund. Such reductions to the general fund and special revenue fund appropriations made by this chapter and related cash disbursements shall commence within 10 days following the publication of a financial plan required under sections 22 or 23 of the state finance law stating that the annual estimate for tax receipts for fiscal year 2019-20 is reduced by \$500,000,000 or more compared to estimate in the fiscal year 2019-20 executive budget financial plan, and shall be uniformly reduced in accordance with a written allocation plan prepared by the director of the budget, which shall be filed with the state comptroller, the chairman of the senate finance committee and the chairman of the assembly ways and means committee. Such written allocation plan shall include a summary of the methodology for calculating the percentage reductions to the payments from non-exempt appropriations and cash disbursements and the reasons for any exemptions, and a detailed schedule of the reductions and exemptions. The director of the budget shall prepare appropriately reduced certificates, which shall be filed with the state comptroller, the chair of the senate finance committee and the chair of the assembly ways and means committee. On March 31, 2020, the director of the budget shall calculate the difference, if any, between the annual estimate in tax receipts contained in the fiscal year 2020 executive budget financial plan and actual tax collections for fiscal year 2019-20. If actual tax receipts for fiscal year 2019-20 were not less than \$500,000,000 below the annual estimate in tax receipts contained in the executive budget financial plan for fiscal year 2019-20, then the amounts withheld pursuant to the written allocation plan prepared by the director shall be payable as soon as practicable thereafter in the fiscal year 2021-22. Notwithstanding any inconsistent provision of law, rule or regulation, the effectiveness of the provisions of sections 2807 and 3614 of the public health law, section 18 of chapter 2 of the laws of 1988, and subdivision (h) of section 505.14 of title 18 of the NYCRR, as they relate to time frames for notice, approval or certification of

rates of payment, are hereby suspended and without force or effect for purposes of implementing the written allocation plan prepared by the director to reduce the general fund and special revenue fund appropriations made by this chapter and related cash disbursements.

(f) Notwithstanding any other provision of law to the contrary, if at any time during the 2019-20 state fiscal year the budget director determines that the general fund is reasonably calculated to end such state fiscal year out of balance, the budget director is hereby authorized to implement a plan to unilaterally reduce appropriation authority contained herein and concomitant cash disbursements therefore in a manner which the budget director determines would bring the general fund into balance. Provided however, that such reductions shall not be made to (a) appropriations or payments which the budget director determines are public assistance payments for families and individuals, and payments for eligible aged, blind and disabled persons related to supplemental social security; (b) any reductions which the budget director determines would violate federal law; (c) payments of debt service and related expenses for which the budget director determines the state is constitutionally obligated to pay debt service or is contractually obligated to pay debt service, subject to an appropriation, including where the state has a contingent contractual obligation; and (d) payments which the budget director determines the state is obligated to make pursuant to court orders or judgments. To the extent any individual or entity is entitled to any cash disbursement authorized by any appropriation contained herein, such entitlement shall be reduced commensurate with reductions made by the budget director in accordance with this provision. Provided however, that this provision shall have no force and effect in the event the (i) legislature enacts the chapter or chapters of law identical to the legislation amending the state finance law and referred to as the temporary offset of deficit drivers act as submitted by the governor pursuant to article VII of the New York state constitution as legislative bill numbers S.1505 and A.2005, and (ii) the budget director notifies the office of the state comptroller in writing that the legislature enacted the legislation referenced in (i) on or before April 1, 2019."

Page 1,	Line 34,	Strike out and insert	"e)" "g)"
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OFFICE FOR THE AGING

Page 3,	Lines 28-29,	Strike out	
		"increased or decreased by interchange or transfer"	
		and insert	
		"interchanged or transferred"	

DEPARTMENT OF AGRICULTURE AND MARKETS

Page 14,	Line 35,	Strike out and insert	"All"
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"At the direction of the director of the budget, all"

Page 14,	Line 38,	After "authority", insert	
		"or transferred to state operations"	

Page 20,	Line 19,	Strike out first	"\$"
Page 25,	Line 50,	Strike out	"(10902)"
Page 25,	Line 50	Strike out and insert	"(re.304,000)" "(re. \$304,000)"

DIVISION OF CRIMINAL JUSTICE SERVICES

Page 52,	Line 9,	Strike out and insert	"25300 (M)" "25540"
Page 73,	Line 47,	Strike out and insert	"25300 (M)" "25540"
Page 74,	Between lines 23 and 24,	Insert	

"Special Revenue Funds - Federal
Federal Miscellaneous Operating Grants Fund
Edward Byrne Memorial Grant Account - 25300 (M)"

DEPARTMENT OF ECONOMIC DEVELOPMENT

Page 86,	Line 57,	Strike out and insert	"\$415,000" "\$375,000"
Page 86,	Line 60,	Strike out and insert	"\$550,000" "\$500,000"
Page 87,	Line 5,	Strike out and insert	"\$550,000" "\$450,000"
Page 86,	Line 7,	Strike out	"and"
Page 87,	Line 7,	Strike out and insert	"\$600,000" "\$485,000"
Page 87,	Line 8,	Strike out and insert	". All"

" , up to \$400,000 for the Thousand Islands Bridge Authority, and up to \$190,000 for Cornell Cooperative Extension of Tompkins County. At the direction of the director of the budget, all"

Page 87,	Line 11,	After "authority", insert "or transferred to state operations"	
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Page 87,	Line 24	Strike out and insert	"9,470,000" "13,470,000"
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EDUCATION DEPARTMENT

Page 120,	Line 14,	Strike out and insert	"paragraphs" "paragraph"
Page 120,	Line 15,	Strike out and insert	"one" "1"

Pages 122-123, Lines 61-2, Strike out

"Provided further that nothing in this appropriation shall alter or suspend statutory school district budget and voting requirements."

Page 139, Line 40, Strike out and insert "a"
" (a) "

Page 148, Line 10, Strike out and insert "i"
" (i) "

Page 212, Line 58, Strike out and insert "2019"
" [2019] 2020 "

Page 224, Line 57, Strike out and insert "2019"
" [2019] 2020 "

OFFICE OF CHILDREN AND FAMILY SERVICES

Page 254, Line 47, After "testing", insert "and remediation"

Page 288, Lines 48-49 Strike out

"Program account subtotal 350,000
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Page 289, Line 45, Strike out and insert "2018-19"
"2019-20"

Page 352, Line 27, After "(re. \$487,000", insert ")"

OFFICE OF TEMPORARY AND DISABILITY ASSISTANCE

Page 405, Line 20, Strike out and insert "4,999,261,000"
"4,999,761,000"

Page 408, Line 37, Strike out and insert "section 17(i)"
"subdivision (i)
of section 17"

Page 408, Lines 40-41, Strike out and insert "section 17(i)"
"subdivision (i)
of section 17"

Page 408, Line 48, Strike out and insert "section 17(i)"
"subdivision (i)
of section 17"

Page 414, Line 33, Strike out and insert "section 17(i)"
"subdivision (i)
of section 17"

Page 414, Line 37, Strike out and insert "section 17(i)"
"subdivision (i)
of section 17"

Page 414, Line 44, Strike out and insert "section 17(i)"
"subdivision (i)
of section 17"

DEPARTMENT OF FINANCIAL SERVICES

Page 469,	Line 5,	Strike out and insert	"61,912,000" "58,912,000"
Page 469,	Line 7,	Strike out and insert	"61,912,000" "58,912,000"
Page 469,	Line 36,	Strike out and insert	"61,062,000" "58,062,000"
Page 470,	Line 13,	Strike out and insert	"22,914,000" "19,914,000"

NEW YORK STATE GAMING COMMISSION

Page 474,	Lines 37-38,	Strike out and insert	"the Oneida Turning Stone casino" "Oneida Nation casinos"
Page 474,	Lines 49-50,	Strike out and insert	"the Oneida Turning Stone casino" "Oneida Nation casinos"

DEPARTMENT OF HEALTH

Page 475	Line 5	Strike out and insert	"44,932,063,100" "43,676,063,100"
Page 475	Line 6	Strike out and insert	"99,304,050,000" "99,304,650,000"
Page 475,	Line 7,	Strike out and insert	"12,146,706,000" "12,246,706,000"
Page 475	Line 9	Strike out and insert	"156,382,819,100" "155,227,419,100"
Page 475,	Line 28,	Strike out and insert	"103,255,700" "103,855,700"
Page 476,	Between lines 27 and 28,	Insert	

"Program account subtotal 103,255,700

Special Revenue Funds - Federal
Federal Health and Human Services Fund
SAMHSA Account - 25170

For services and expenses, including grants,
to provide training and resources to first
responders and members of other key
community sectors at the state, tribal and
local governmental levels related to
emergency treatment of suspected opioid
overdose 600,000

Program account subtotal 600,000
-----"

Page 476,	Line 60,	Strike out and insert	"one" "1"
Page 477,	Line 11,	Strike out and insert	"one" "1"
Page 479,	Lines 12-13,	Strike out	
		"grants to sudden infant death syndrome centers (29964)"	
		and insert	
		"services and expenses to promote infant safe sleep"	
Page 491,	Line 42,	Strike out and insert	"\$22,251,148,000" "\$21,701,148,000"
Page 491,	Line 46,	Strike out and insert	"\$23,256,018,000" "\$22,650,018,000"
Page 491,	Line 50,	Strike out and insert	"\$45,507,166,000" "\$44,351,166,000"
Page 499,	Line 42,	Strike out and insert	"143,547,439,000" "142,391,439,000"
Page 500,	Line 15,	Strike out and insert	"\$22,251,148,000" "\$21,701,148,000"
Page 500,	Line 19,	Strike out and insert	"\$23,256,018,000" "\$22,650,018,000"
Page 500,	Line 23,	Strike out and insert	"\$45,507,166,000" "\$44,351,166,000"
Page 506,	Line 26,	Strike out and insert	"(35)" "35"
Page 506,	Lines 48-49,	Strike out	
		"public health law section 2807-c(b)(35)(xiv)"	
		and insert	
		"subparagraph (xiv) of paragraph (b) of subdivision 35 of section 2807-c of the public health law"	
Page 506,	Line 61,	Strike out and insert	"1,315,625,000" "712,890,000"
Page 507,	Line 24,	Strike out and insert	"597,863,000" "589,733,000"
Page 507,	Line 36,	Strike out and insert	"1,517,574,000" "1,275,901,000"
Pages 509-514,	Lines 4-18,	Strike out	
		"all eligible individuals receiving home care shall be provided notice of the	

availability of the consumer directed personal assistance program, and no less frequently than annually thereafter, shall have the opportunity to apply for participation in the program. Each social services district shall file an implementation plan with the commissioner of the department of health, which shall be updated annually. Such updates shall be submitted no later than November thirtieth of each year. The plans and updates submitted by districts shall require the approval of the department. Implementation plans shall include district enrollment targets, describe methods for the provision of notice and assistance to interested individuals eligible for enrollment in the program, and shall contain such other information as shall be required by the department. An "eligible individual" is a person who:

- (a) is eligible for long term care and services provided by a certified home health agency, long term home health care program or AIDS home care program authorized pursuant to article thirty-six of the public health law, or is eligible for personal care services provided pursuant to Article 5, Title 11 of the social services law;
- (b) is eligible for medical assistance;
- (c) has been determined by the social services district or an entity certified under article forty-four of the public health law, pursuant to an assessment of the person's appropriateness for the program, conducted with an appropriate long term home health care program, a certified home health agency, or an AIDS home care program or pursuant to the personal care program, as being in need of home care services or private duty nursing and is able and willing or has a designated representative, including a legal guardian able and willing to make informed choices, or a designated relative or other adult who is able and willing to assist in making informed choices, as to the type and quality of services, including but not limited to such services as nursing care, personal care, transportation and respite services; and
- (d) meets such other criteria, as may be established by the commissioner, which are necessary to effectively implement the objectives established herein;

And, further, eligible individuals who elect to participate in the program assume the responsibility for services under such program as mutually agreed to by the eligible individual and provider and as documented in the eligible individual's record, including, but not limited to, recruiting, hiring and supervising their personal assistants. Personal assistant shall mean an adult who provides services

to the eligible individual under the eligible individual's instruction, supervision and direction or under the instruction, supervision and direction of the eligible individual's designated representative, provided that a person legally responsible for an eligible individual's care and support, an eligible individual's spouse or designated representative may not be the personal assistant for the eligible individual; however, a personal assistant may include any other adult relative of the eligible individual, provided, however, that the program determines that the services provided by such relative are consistent with an individual's plan of care and that the aggregate cost for such services does not exceed the aggregate costs for equivalent services provided by a non-relative personal assistant. Such individuals shall be assisted as appropriate with service coverage, supervision, advocacy and management. Providers shall not be liable for fulfillment of responsibilities agreed to be undertaken by the eligible individual. These requirements, however, shall not diminish the participating provider's liability for failure to exercise reasonable care in properly carrying out its responsibilities under this program, which shall include monitoring such individual's continuing ability to fulfill those responsibilities documented in his or her records. Failure of the individual to carry out his or her agreed to responsibilities may be considered in determining such individual's continued appropriateness for the program;

And, further, all agencies or individuals who meet the qualifications to provide home health, personal care or nursing services and who elect to provide such services to persons receiving medical assistance may participate in the program. Any agency or individuals providing services under a patient managed home care program authorized under the former section thirty-six hundred twenty-two of the public health law or the former sections three hundred sixty-five-f of the social services law may continue to provide such services;

And, further, "fiscal intermediary" shall mean:

- (i) an entity that has a contract with the department of health to provide fiscal intermediary services; or
- (ii) an entity authorized by the commissioner upon application with a history of providing fiscal intermediary services that:
 - (A) is a service center for independent living under section one thousand one

hundred and twenty-one of the education law; or

- (B) has experience providing fiscal intermediary services for persons with disabilities, in accordance with such criteria as the department may develop, as demonstrated by having a continuous history of arrangements with local departments of social services beginning no later than January 1, 2012.

An application for authorization as a fiscal intermediary as referenced herein shall be filed with the commissioner, together with such other forms and information as shall be prescribed by, or acceptable to the commissioner.

Fiscal intermediary services shall include the following services, performed on behalf of the consumer to facilitate his or her role as the employer:

- (i) wage and benefit processing for consumer directed personal assistants;
- (ii) processing all income tax and other required wage withholdings;
- (iii) complying with workers' compensation, disability and unemployment requirements;
- (iv) maintaining personnel records for each consumer directed personal assistant, including time sheets and other documentation needed for wages and benefit processing and a copy of the medical documentation required pursuant to regulations established by the commissioner;
- (v) ensuring that the health status of each consumer directed personal assistant is assessed prior to service delivery pursuant to regulations issued by the commissioner;
- (vi) maintaining records of service authorizations or reauthorizations;
- (vii) monitoring the consumer's or, if applicable, the designated representative's continuing ability to fulfill the consumer's responsibilities under the program and promptly notifying the authorizing entity of any circumstance that may affect the consumer's or, if applicable, the designated representative's ability to fulfill such responsibilities;
- (viii) complying with regulations established by the commissioner specifying the responsibilities of fiscal intermediaries providing services under the social services law; and
- (ix) entering into a department approved memorandum of understanding with the consumer that describes the parties' responsibilities under this program.

Fiscal intermediaries are not responsible for, and fiscal intermediary services shall not include, fulfillment of the responsibilities of the consumer or, if applicable, the consumer's designated representative as established by the

commissioner. A fiscal intermediary's responsibilities shall not include, and a fiscal intermediary shall not engage in: managing the plan of care including recruiting and hiring a sufficient number of individuals who meet the definition of consumer directed personal assistant, as such term is defined by the commissioner, to provide authorized services that are included on the consumer's plan of care; training, supervising and scheduling each consumer directed personal assistant; terminating the consumer directed personal assistant's employment; or assuring that each consumer directed personal assistant competently and safely performs the personal care services, home health aide services and skilled nursing tasks that are included on the consumer's plan of care. A fiscal intermediary shall exercise reasonable care in properly carrying out its responsibilities under the program.

Notwithstanding any inconsistent provision of sections one hundred twelve and one hundred sixty-three of the state finance law, or section one hundred forty-two of the economic development law, or any other law, the commissioner is authorized to enter into a contract or with an entity or entities without a competitive bid or request for proposal process, provided, however, that:

- (i) the department shall post on its website, for a period of no less than thirty days:
 - (A) a description of the proposed services to be provided pursuant to the contract or contracts;
 - (B) the criteria for selection of a contractor or contractors;
 - (C) the period of time during which a prospective contractor may seek selection, which shall be no less than thirty days after such information is first posted on the website; and
 - (D) the manner by which a prospective contractor may seek such selection, which may include submission by electronic means;
- (ii) all reasonable and responsive submissions that are received from prospective contractors in timely fashion shall be reviewed by the commissioner; and
- (iii) the commissioner shall select such contractor or contractors that, in his or her discretion, are best suited to serve the purposes established herein;

And, further, a fiscal intermediary's authorization as described above may be revoked, suspended, limited or annulled upon thirty day's written notice to the fiscal intermediary, if the commissioner finds that the fiscal intermediary has failed to comply with the provisions established herein or regulations promulgated hereunder. Notwithstanding the

foregoing, upon determining that the public health or safety would be imminently endangered by the continued authorization of the fiscal intermediary, the commissioner may revoke, suspend, limit or annul the fiscal intermediary's authorization immediately.

All such orders or determinations shall be subject to review as provided in article seventy-eight of the civil practice law and rules;

And, further, the commissioner may, subject to the approval of the director of budget, file for such federal waivers as may be needed for the implementation of the program.

(b) Notwithstanding any other provision of law, the commissioner is authorized to waive any provision of section three hundred sixty-seven-b of the social services law related to payment and may promulgate regulations necessary to carry out the objectives of the program, and which describe the responsibilities of the eligible individuals in arranging and paying for services and the protections assured such individuals if they are unable or no longer desire to continue in the program;

And, further, notwithstanding any inconsistent provision above or any other contrary provision of law, managed care programs established pursuant to section three hundred sixty-four-j of the social services law and managed long term care plans and other care coordination models established pursuant to section four thousand four hundred three-f of the public health law shall offer consumer directed personal assistance programs to enrollees;

And, further, notwithstanding any inconsistent provision above or any other contrary provision of law, the foregoing provisions shall only be available if the commissioner of health determines that there is adequate federal financial participation to fund expenditures for such programs and/or entities incurred under the provisions herein;

And, further, subject to the availability of federal financial participation, the foregoing provisions governing consumer directed personal assistance services shall also apply to such services when offered under the home and community-based attendant services and supports state plan option (Community First Choice) pursuant to 42 U.S.C. § 1396n(k);"

and insert

"for the purposes of section 365-f of the social services law, the term "fiscal intermediary" shall mean an entity that provides fiscal intermediary services and

has a contract for providing such services with the department of health and is selected through a procurement process described below, or by authorization upon application in accordance with such criteria as the department may develop together with such other forms and information prescribed by, or acceptable to, the commissioner. Eligible applicants for such authorization shall be limited to entities that: (A) are a service center for independent living under section 1121 one of the education law; or (B) have a history of providing fiscal intermediary services for persons with disabilities, as demonstrated by having a continuous history of arrangements with local departments of social services beginning no later than January 1, 2012.

And, further, notwithstanding any inconsistent provision of sections one 112 and 163 of the state finance law, or section 142 of the economic development law, or any other law, the commissioner is authorized to enter into a contract or contracts with an entity or entities without a competitive bid or request for proposal process, provided, however, that:

- (i) the department shall post on its website, for a period of no less than thirty days:
 - (A) a description of the proposed services to be provided pursuant to the contract or contracts;
 - (B) the criteria for selection of a contractor or contractors;
 - (C) the period of time during which a prospective contractor may seek selection, which shall be no less than thirty days after such information is first posted on the website; and
 - (D) the manner by which a prospective contractor may seek such selection, which may include submission by electronic means;
- (ii) all reasonable and responsive submissions that are received from prospective contractors in timely fashion shall be reviewed by the commissioner; and
- (iii) the commissioner shall select such contractor or contractors that, in the commissioner's discretion, are best suited to serve the purposes of this section."

Page 514,	Line 36	Strike out and insert	"9,447,761,000" "9,244,044,000"
Page 514,	Line 58,	Strike out and insert	"(35)" "35"
Page 515,	Line 18-19,	Strike out	
		"public health law section 2807-c(b) (35) (xiv)"	

and insert

"subparagraph (xiv) of paragraph (b) of subdivision 35 of section 2807-c of the public health law"

Page 518,	Line 40,	Strike out and insert	"8,701,978,000" "8,441,151,000"
Page 519,	Line 20	Strike out and insert	"(2)" "2"
Page 519,	Line 32,	Strike out and insert	"(2)" "2"
Page 523,	Line 41,	Strike out and insert	"3,258,815,000" "3,231,897,000"
Page 523,	Line 59,	Strike out and insert	"(26819)" "(29572)"
Page 524,	Line 15,	Strike out and insert	"(26819)" "(29573)"
Page 524,	Lines 23-24,	Strike out	
		"paragraphs (i) and (ii) of subdivision (a)"	
		and insert	
		"subparagraphs (i) and (ii) of paragraph (a) of subdivision 34"	
Page 524,	Lines 43-44,	Strike out	
		"paragraphs (iii) and (iv) of subdivision (a)"	
		and insert	
		"subparagraphs (iii) and (iv) of paragraph (a) of subdivision 34"	
Page 525,	Line 57,	Strike out and insert	"98,700,000" "186,700,000"
Page 526,	Line 44,	Strike out and insert	"chapter" "chapters"
Page 529,	Line 14,	Strike out and insert	"42,449,334,000" "41,193,334,000"
Page 530,	Lines 26-27,	Strike out	
		", department of corrections and community supervision"	
Page 531,	Line 38,	Strike out and insert	"(35)" "35"
Page 531,	Lines 60-61,	Strike out	
		"public health law section 2807-c(b)(35)(xiv)"	

and insert

"subparagraph (xiv) of paragraph (b) of subdivision 35 of section 2807-c of the public health law"

Pages 533-539, Lines 52-3, Strike out

"all eligible individuals receiving home care shall be provided notice of the availability of the consumer directed personal assistance program, and no less frequently than annually thereafter, shall have the opportunity to apply for participation in the program. Each social services district shall file an implementation plan with the commissioner of the department of health, which shall be updated annually. Such updates shall be submitted no later than November thirtieth of each year. The plans and updates submitted by districts shall require the approval of the department. Implementation plans shall include district enrollment targets, describe methods for the provision of notice and assistance to interested individuals eligible for enrollment in the program, and shall contain such other information as shall be required by the department. An "eligible individual" is a person who:

- (a) is eligible for long term care and services provided by a certified home health agency, long term home health care program or AIDS home care program authorized pursuant to article thirty-six of the public health law, or is eligible for personal care services provided pursuant to Article 5, Title 11 of the social services law;
- (b) is eligible for medical assistance;
- (c) has been determined by the social services district or an entity certified under article forty-four of the public health law, pursuant to an assessment of the person's appropriateness for the program, conducted with an appropriate long term home health care program, a certified home health agency, or an AIDS home care program or pursuant to the personal care program, as being in need of home care services or private duty nursing and is able and willing or has a designated representative, including a legal guardian able and willing to make informed choices, or a designated relative or other adult who is able and willing to assist in making informed choices, as to the type and quality of services, including but not limited to such services as nursing care, personal care, transportation and respite services; and
- (d) meets such other criteria, as may be established by the commissioner, which are necessary to effectively implement the objectives established herein;

And, further, eligible individuals who elect to participate in the program assume the responsibility for services under such program as mutually agreed to by the eligible individual and provider and as documented in the eligible individual's record, including, but not limited to, recruiting, hiring and supervising their personal assistants. Personal assistant shall mean an adult who provides services to the eligible individual under the eligible individual's instruction, supervision and direction or under the instruction, supervision and direction of the eligible individual's designated representative, provided that a person legally responsible for an eligible individual's care and support, an eligible individual's spouse or designated representative may not be the personal assistant for the eligible individual; however, a personal assistant may include any other adult relative of the eligible individual, provided, however, that the program determines that the services provided by such relative are consistent with an individual's plan of care and that the aggregate cost for such services does not exceed the aggregate costs for equivalent services provided by a non-relative personal assistant. Such individuals shall be assisted as appropriate with service coverage, supervision, advocacy and management. Providers shall not be liable for fulfillment of responsibilities agreed to be undertaken by the eligible individual. These requirements, however, shall not diminish the participating provider's liability for failure to exercise reasonable care in properly carrying out its responsibilities under this program, which shall include monitoring such individual's continuing ability to fulfill those responsibilities documented in his or her records. Failure of the individual to carry out his or her agreed to responsibilities may be considered in determining such individual's continued appropriateness for the program;

And, further, all agencies or individuals who meet the qualifications to provide home health, personal care or nursing services and who elect to provide such services to persons receiving medical assistance may participate in the program. Any agency or individuals providing services under a patient managed home care program authorized under the former section thirty-six hundred twenty-two of the public health law or the former sections three hundred sixty-five-f of the social services law may continue to provide such services;

And, further, "fiscal intermediary" shall mean:

- (i) an entity that has a contract with the department of health to provide fiscal intermediary services; or
- (ii) an entity authorized by the commissioner upon application with a history of providing fiscal intermediary services that:
 - (A) is a service center for independent living under section one thousand one hundred and twenty-one of the education law; or
 - (B) has experience providing fiscal intermediary services for persons with disabilities, in accordance with such criteria as the department may develop, as demonstrated by having a continuous history of arrangements with local departments of social services beginning no later than January 1, 2012.

An application for authorization as a fiscal intermediary as referenced herein shall be filed with the commissioner, together with such other forms and information as shall be prescribed by, or acceptable to the commissioner.

Fiscal intermediary services shall include the following services, performed on behalf of the consumer to facilitate his or her role as the employer:

- (i) wage and benefit processing for consumer directed personal assistants;
- (ii) processing all income tax and other required wage withholdings;
- (iii) complying with workers' compensation, disability and unemployment requirements;
- (iv) maintaining personnel records for each consumer directed personal assistant, including time sheets and other documentation needed for wages and benefit processing and a copy of the medical documentation required pursuant to regulations established by the commissioner;
- (v) ensuring that the health status of each consumer directed personal assistant is assessed prior to service delivery pursuant to regulations issued by the commissioner;
- (vi) maintaining records of service authorizations or reauthorizations;
- (vii) monitoring the consumer's or, if applicable, the designated representative's continuing ability to fulfill the consumer's responsibilities under the program and promptly notifying the authorizing entity of any circumstance that may affect the consumer's or, if applicable, the designated representative's ability to fulfill such responsibilities;
- (viii) complying with regulations established by the commissioner specifying the responsibilities of fiscal intermediaries providing services under the social services law; and

(ix) entering into a department approved memorandum of understanding with the consumer that describes the parties' responsibilities under this program.

Fiscal intermediaries are not responsible for, and fiscal intermediary services shall not include, fulfillment of the responsibilities of the consumer or, if applicable, the consumer's designated representative as established by the commissioner. A fiscal intermediary's responsibilities shall not include, and a fiscal intermediary shall not engage in: managing the plan of care including recruiting and hiring a sufficient number of individuals who meet the definition of consumer directed personal assistant, as such term is defined by the commissioner, to provide authorized services that are included on the consumer's plan of care; training, supervising and scheduling each consumer directed personal assistant; terminating the consumer directed personal assistant's employment; or assuring that each consumer directed personal assistant competently and safely performs the personal care services, home health aide services and skilled nursing tasks that are included on the consumer's plan of care. A fiscal intermediary shall exercise reasonable care in properly carrying out its responsibilities under the program.

Notwithstanding any inconsistent provision of sections one hundred twelve and one hundred sixty-three of the state finance law, or section one hundred forty-two of the economic development law, or any other law, the commissioner is authorized to enter into a contract or with an entity or entities without a competitive bid or request for proposal process, provided, however, that:

- (i) the department shall post on its website, for a period of no less than thirty days:
 - (A) a description of the proposed services to be provided pursuant to the contract or contracts;
 - (B) the criteria for selection of a contractor or contractors;
 - (C) the period of time during which a prospective contractor may seek selection, which shall be no less than thirty days after such information is first posted on the website; and
 - (D) the manner by which a prospective contractor may seek such selection, which may include submission by electronic means;
- (ii) all reasonable and responsive submissions that are received from prospective contractors in timely fashion shall be reviewed by the commissioner; and
- (iii) the commissioner shall select such contractor or contractors that, in his or

her discretion, are best suited to serve the purposes established herein;

And, further, a fiscal intermediary's authorization as described above may be revoked, suspended, limited or annulled upon thirty day's written notice to the fiscal intermediary, if the commissioner finds that the fiscal intermediary has failed to comply with the provisions established herein or regulations promulgated hereunder. Notwithstanding the foregoing, upon determining that the public health or safety would be imminently endangered by the continued authorization of the fiscal intermediary, the commissioner may revoke, suspend, limit or annul the fiscal intermediary's authorization immediately.

All such orders or determinations shall be subject to review as provided in article seventy-eight of the civil practice law and rules;

And, further, the commissioner may, subject to the approval of the director of budget, file for such federal waivers as may be needed for the implementation of the program.

(b) Notwithstanding any other provision of law, the commissioner is authorized to waive any provision of section three hundred sixty-seven-b of the social services law related to payment and may promulgate regulations necessary to carry out the objectives of the program, and which describe the responsibilities of the eligible individuals in arranging and paying for services and the protections assured such individuals if they are unable or no longer desire to continue in the program;

And, further, notwithstanding any inconsistent provision above or any other contrary provision of law, managed care programs established pursuant to section three hundred sixty-four-j of the social services law and managed long term care plans and other care coordination models established pursuant to section four thousand four hundred three-f of the public health law shall offer consumer directed personal assistance programs to enrollees;

And, further, notwithstanding any inconsistent provision above or any other contrary provision of law, the foregoing provisions shall only be available if the commissioner of health determines that there is adequate federal financial participation to fund expenditures for such programs and/or entities incurred under the provisions herein;

And, further, subject to the availability of federal financial participation, the foregoing provisions governing consumer directed personal assistance services shall also apply to such services when

offered under the home and community-based attendant services and supports state plan option (Community First Choice) pursuant to 42 U.S.C. § 1396n(k);"

and insert

"for the purposes of section 365-f of the social services law, the term "fiscal intermediary" shall mean an entity that provides fiscal intermediary services and has a contract for providing such services with the department of health and is selected through a procurement process described below, or by authorization upon application in accordance with such criteria as the department may develop together with such other forms and information prescribed by, or acceptable to, the commissioner. Eligible applicants for such authorization shall be limited to entities that: (A) are a service center for independent living under section 1121 one of the education law; or (B) have a history of providing fiscal intermediary services for persons with disabilities, as demonstrated by having a continuous history of arrangements with local departments of social services beginning no later than January 1, 2012.

And, further, notwithstanding any inconsistent provision of sections one 112 and 163 of the state finance law, or section 142 of the economic development law, or any other law, the commissioner is authorized to enter into a contract or contracts with an entity or entities without a competitive bid or request for proposal process, provided, however, that:

- (i) the department shall post on its website, for a period of no less than thirty days:
 - (A) a description of the proposed services to be provided pursuant to the contract or contracts;
 - (B) the criteria for selection of a contractor or contractors;
 - (C) the period of time during which a prospective contractor may seek selection, which shall be no less than thirty days after such information is first posted on the website; and
 - (D) the manner by which a prospective contractor may seek such selection, which may include submission by electronic means;
- (ii) all reasonable and responsive submissions that are received from prospective contractors in timely fashion shall be reviewed by the commissioner; and
- (iii) the commissioner shall select such contractor or contractors that, in the commissioner's discretion, are best suited to serve the purposes of this section."

Page 540,	Line 6,	Strike out and insert	"(35)" "35"
Page 540,	Lines 28-29,	Strike out "public health law section 2807-c(b) (35) (xiv)" and insert "subparagraph (xiv) of paragraph (b) of subdivision 35 of section 2807-c of the public health law"	
Page 544,	Line 18,	Strike out and insert	"(2)" "2"
Page 544,	Line 30,	Strike out and insert	"(2)" "2"
Page 548,	Lines 24-25,	Strike out "paragraphs (i) and (ii) of subdivision (a)" and insert "subparagraphs (i) and (ii) of paragraph (a) of subdivision 34"	
Page 548,	Lines 44-45,	Strike out "paragraphs (iii) and (iv) of subdivision (a)" and insert "subparagraphs (iii) and (iv) of paragraph (a) of subdivision 34"	
Page 550,	Line 9,	Strike out and insert	"\$22,251,148,000" "\$21,701,148,000"
Page 550,	Line 13,	Strike out and insert	"\$23,256,018,000" "\$22,650,018,000"
Page 550,	Line 17,	Strike out and insert	"\$45,507,166,000" "\$44,351,166,000"
Page 554,	Line 51,	Strike out and insert	"\$22,251,148,000" "\$21,701,148,000"
Page 554,	Line 55,	Strike out and insert	"\$23,256,018,000" "\$22,650,018,000"
Page 554,	Line 59,	Strike out and insert	"\$45,507,166,000" "\$44,351,166,000"
Page 558,	Line 48	Strike out and insert	"7,205,215,000" "7,305,215,000"
Page 559,	Line 39,	Strike out and insert	"7,599,615,000" "7,699,615,000"

Page 560,	Line 8,	Strike out and insert	"\$22,251,148,000" "\$21,701,148,000"
Page 560,	Line 12,	Strike out and insert	"\$23,256,018,000" "\$22,650,018,000"
Page 560,	Line 16,	Strike out and insert	"\$45,507,166,000" "\$44,351,166,000"
Page 575,	Line 28,	Strike out and insert	"\$22,251,148,000" "\$21,701,148,000"
Page 575,	Line 31,	Strike out and insert	"\$23,256,018,000" "\$22,650,018,000"
Page 575,	Line 34,	Strike out and insert	"\$45,507,166,000" "\$44,351,166,000"
Page 582,	Line 37,	Strike out and insert	"\$22,251,148,000" "\$21,701,148,000"
Page 582,	Line 40,	Strike out and insert	"\$23,256,018,000" "\$22,650,018,000"
Page 582,	Line 43,	Strike out and insert	"\$45,507,166,000" "\$44,351,166,000"
Page 600,	Line 10,	Strike out and insert	"\$22,251,148,000" "\$21,701,148,000"
Page 600,	Line 13,	Strike out and insert	"\$23,256,018,000" "\$22,650,018,000"
Page 600,	Line 16,	Strike out and insert	"\$45,507,166,000" "\$44,351,166,000"
Page 603,	Line 10,	Strike out and insert	"\$22,251,148,000" "\$21,701,148,000"
Page 603,	Line 13,	Strike out and insert	"\$23,256,018,000" "\$22,650,018,000"
Page 603,	Line 16,	Strike out and insert	"\$45,507,166,000" "\$44,351,166,000"
Page 606,	Line 38,	Strike out and insert	"\$22,251,148,000" "\$21,701,148,000"
Page 606,	Line 40,	Strike out and insert	"2021" "\$2021"
Page 606,	Line 41,	Strike out and insert	"\$23,256,018,000" "\$22,650,018,000"
Page 606,	Line 44,	Strike out and insert	"\$45,507,166,000" "\$44,351,166,000"

OFFICE OF INDIGENT LEGAL SERVICES

Page 648,	Line 5,	Strike out and insert	"county law article 18-B" "article 18-B of the county law"
Page 648,	Lines 14-15,	Strike out and insert	"county law article 18-B" "article 18-B of the county law"
Page 648,	Lines 24-25,	Strike out and insert	"county law article 18-B" "article 18-B of the county law"

DEPARTMENT OF LABOR

Page 660,	Line 36,	After "chapter" and before ",", insert	"53"
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OFFICE OF MENTAL HEALTH

Page 690,	Line 24,	After "to", insert	"paragraph (c) of"
Page 690	Line 24	After "9", strike out	"(c)"

DEPARTMENT OF STATE

Page 732,	Line 27-28,	Strike out	
			"as required by section 159-j of the executive law"

DIVISION OF VETERANS' AFFAIRS

Page 789,	Header,	Strike out and insert	"AFFAIRS" "SERVICES"
Page 790,	Header,	Strike out and insert	"AFFAIRS" "SERVICES"
Page 790,	Line 26,	Strike out and insert	"affairs" "services"
Page 791,	Header,	Strike out and insert	"AFFAIRS" "[AFFAIRS] <u>SERVICES</u> "
Page 791,	Lines 42-54,	Strike out	

"For services and expenses of veteran-to-veteran support services. These monies may be used for the following purposes: to support veteran-to-veteran programs maintained by veterans service organizations; to connect veteran defendants to treatment and support services directed by the criminal justice system; to support such treatment and support services; to provide services to support veterans to avoid involvement with the criminal justice system; to support programs providing counseling and advocacy activities for veterans, and to provide assistance in securing linkages at the national, state, and local level. Funds are to be made available pursuant to a plan prepared by the division of veterans' affairs and approved by the director of the budget (54626) ... 1,000,000 (re. \$1,000,000)"

Page 792, Header, Strike out "AFFAIRS"
and insert "[AFFAIRS] SERVICES"

Page 792, Between lines
28 and 29, Insert

"For services and expenses of veteran-to-veteran support services. These monies may be used for the following purposes: to support veteran-to-veteran programs maintained by veterans service organizations; to connect veteran defendants to treatment and support services directed by the criminal justice system; to support such treatment and support services; to provide services to support veterans to avoid involvement with the criminal justice system; to support programs providing counseling and advocacy activities for veterans, and to provide assistance in securing linkages at the national, state, and local level.

Funds are to be made available pursuant to a plan prepared by the division of veterans' [affairs] services and approved by the director of the budget (54626) ... 1,000,000 (re. \$1,000,000)"

Page 792, Lines 45-57, Strike out

"For services and expenses of veteran-to-veteran support services. These monies may be used for the following purposes: to support veteran-to-veteran programs maintained by veterans service organizations; to connect veteran defendants to treatment and support services directed by the criminal justice system; to support such treatment and support services; to provide services to support veterans to avoid involvement with the criminal justice system; to support programs providing counseling and advocacy activities for veterans, and to provide assistance in securing linkages at the national, state, and local level.

Funds are to be made available pursuant to a plan prepared by the division of veterans' affairs and approved by the director of the budget (54626) ... 1,000,000 (re. \$1,000,000)"

Page 793, Header, Strike out "AFFAIRS"
and insert "[AFFAIRS] SERVICES"

Page 793, Between lines
7 and 8, Insert

"For services and expenses of veteran-to-veteran support services. These monies may be used for the following purposes: to support veteran-to-veteran programs maintained by veterans service organizations; to connect veteran defendants to treatment and support services directed by the criminal justice system; to support such treatment and support services; to provide services to support veterans to avoid involvement with the criminal justice system; to support programs providing counseling and advocacy activities for veterans, and to provide assistance in securing linkages at the national, state, and local level.

Funds are to be made available pursuant to a plan prepared by the division of veterans' [affairs] services and approved by the director of the budget (54626) ... 1,000,000 (re. \$1,000,000)"

OFFICE OF VICTIM SERVICES

Page 796, Line 5, Strike out "(19906)"
and Insert "(19900)"

MISCELLANEOUS - ALL STATE DEPARTMENTS AND AGENCIES

LOCAL GOVERNMENT ASSISTANCE

Page 806,	Line 56,	Strike out and insert	"511,000" "\$511,000"
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NATIONAL AND COMMUNITY SERVICE

Page 810,	Line 5,	Strike out and insert	"350,000" "432,000"
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Page 810,	Line 7,	Strike out and insert	"350,000" "432,000"
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Page 810,	Line 12,	Strike out and insert	"350,000" "432,000"
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Page 810,	Line 33,	Strike out and insert	"350,000" "432,000"
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STATE OF NEW YORK

S. 1503

A. 2003

SENATE - ASSEMBLY

January 15, 2019

IN SENATE -- A BUDGET BILL, submitted by the Governor pursuant to article seven of the Constitution -- read twice and ordered printed, and when printed to be committed to the Committee on Finance

IN ASSEMBLY -- A BUDGET BILL, submitted by the Governor pursuant to article seven of the Constitution -- read once and referred to the Committee on Ways and Means

AN ACT making appropriations for the support of government

AID TO LOCALITIES BUDGET

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

1 Section 1. a) The several amounts specified in this chapter for aid to
2 localities, or so much thereof as shall be sufficient to accomplish the
3 purposes designated by the appropriations, are hereby appropriated and
4 authorized to be paid as hereinafter provided, to the respective public
5 officers and for the several purposes specified.

6 b) Where applicable, appropriations made by this chapter for expendi-
7 tures from federal grants for aid to localities may be allocated for
8 spending from federal grants for any grant period beginning, during, or
9 prior to, the state fiscal year beginning on April 1, 2019 except as
10 otherwise noted.

11 c) The several amounts named herein, or so much thereof as shall be
12 sufficient to accomplish the purpose designated, being the undisbursed
13 and/or unexpended balances of the prior year's appropriations, are here-
14 by reappropriated from the same funds and made available for the same
15 purposes as the prior year's appropriations, unless herein amended, for
16 the fiscal year beginning April 1, 2019. Certain reappropriations in
17 this chapter are shown using abbreviated text, with three leader dots
18 (an ellipsis) followed by three spaces (...) used to indicate where
19 existing law that is being continued is not shown. However, unless a
20 change is clearly indicated by the use of brackets [] for deletions and
21 underscores for additions, the purposes, amounts, funding source and all
22 other aspects pertinent to each item of appropriation shall be as last
23 appropriated.

24 For the purpose of complying with the state finance law, the year,
25 chapter and section of the last act reappropriating a former original
26 appropriation or any part thereof is, unless otherwise indicated, chap-
27 ter 53, section 1, of the laws of 2018 and, for the education depart-
28 ment, chapter 54, section 2, of the laws of 2018.

29 d) No moneys appropriated by this chapter shall be available for
30 payment until a certificate of approval has been issued by the director
31 of the budget, who shall file such certificate with the department of
32 audit and control, the chairperson of the senate finance committee and
33 the chairperson of the assembly ways and means committee.

34 ~~e)~~ The appropriations contained in this chapter shall be available for
35 the fiscal year beginning on April 1, 2019 except as otherwise noted.

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

"e) Notwithstanding any other provision of law to the contrary, to maintain a balanced budget in the event that the annual estimate for tax receipts for fiscal year 2019-20 is reduced by \$500,000,000 or more compared to estimate in the fiscal year 2019-20 executive budget financial plan, the appropriations and related cash disbursements for all general fund and state special revenue fund aid to localities appropriations made by this chapter shall be uniformly reduced by the percentage set forth in a written allocation plan prepared by the director of the budget, provided, however, that the uniform percentage reduction shall not exceed 3 percent. The following types of appropriations shall be exempt from such uniform reduction: (a) public assistance payments for families and individuals and payments for eligible aged, blind and disabled persons related to supplemental social security; (b) any reductions that would violate federal law; (c) payments of debt service and related expenses for which the state is constitutionally obligated to pay debt service or is contractually obligated to pay debt service, subject to an appropriation, including where the state has a contingent contractual obligation; (d) payments the state is obligated to make pursuant to court orders or judgments; (e) payments for CUNY senior colleges; (f) school aid, (g) medicaid and (h) payments from the community projects fund. Such reductions to the general fund and special revenue fund appropriations made by this chapter and related cash disbursements shall commence within 10 days following the publication of a financial plan required under sections 22 or 23 of the state finance law stating that the annual estimate for tax receipts for fiscal year 2019-20 is reduced by \$500,000,000 or more compared to estimate in the fiscal year 2019-20 executive budget financial plan, and shall be uniformly reduced in accordance with a written allocation plan prepared by the director of the budget, which shall be filed with the state comptroller, the chairman of the senate finance committee and the chairman of the assembly ways and means committee. Such written allocation plan shall include a summary of the methodology for calculating the percentage reductions to the payments from non-exempt appropriations and cash disbursements and the reasons for any exemptions, and a detailed schedule of the reductions and exemptions. The director of the budget shall prepare appropriately reduced certificates, which shall be filed with the state comptroller, the chair of the senate finance committee and the chair of the assembly ways and means committee. On March 31, 2020, the director of the budget shall calculate the difference, if any, between the annual estimate in tax receipts contained in the fiscal year 2020 executive budget financial plan and actual tax collections for fiscal year 2019-20. If actual tax receipts for fiscal year 2019-20 were not less than \$500,000,000 below the annual estimate in tax receipts contained in the executive budget financial plan for fiscal year 2019-20, then the amounts withheld pursuant to the written allocation plan prepared by the director shall be payable as soon as practicable thereafter in the fiscal year 2021-22. Notwithstanding any inconsistent provision of law, rule or regulation, the effectiveness of the provisions of sections 2807 and 3614 of the public health law, section 18 of chapter 2 of the laws of 1988, and subdivision (h) of section 505.14 of title 18 of the NYCRR, as they relate to time frames for notice, approval or certification of rates of payment, are hereby suspended and without force or effect for purposes of implementing the written allocation plan prepared by the director to reduce the general fund and special revenue fund appropriations made by this chapter and related cash disbursements.

(f) Notwithstanding any other provision of law to the contrary, if at any time during the 2019-20 state fiscal year the budget director determines that the general fund is reasonably calculated to end such state fiscal year out of balance, the budget director is hereby authorized to implement a plan to unilaterally reduce appropriation authority contained herein and concomitant cash disbursements therefore in a manner which the budget director determines would bring the general fund into balance. Provided however, that such reductions shall

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not be made to (a) appropriations or payments which the budget director determines are public assistance payments for families and individuals, and payments for eligible aged, blind and disabled persons related to supplemental social security; (b) any reductions which the budget director determines would violate federal law; (c) payments of debt service and related expenses for which the budget director determines the state is constitutionally obligated to pay debt service or is contractually obligated to pay debt service, subject to an appropriation, including where the state has a contingent contractual obligation; and (d) payments which the budget director determines the state is obligated to make pursuant to court orders or judgments. To the extent any individual or entity is entitled to any cash disbursement authorized by any appropriation contained herein, such entitlement shall be reduced commensurate with reductions made by the budget director in accordance with this provision. Provided however, that this provision shall have no force and effect in the event the (i) legislature enacts the chapter or chapters of law identical to the legislation amending the state finance law and referred to as the temporary offset of deficit drivers act as submitted by the governor pursuant to article VII of the New York state constitution as legislative bill numbers S.1505 and A.2005, and (ii) the budget director notifies the office of the state comptroller in writing that the legislature enacted the legislation referenced in (i) on or before April 1, 2019."

insert
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OFFICE FOR THE AGING

AID TO LOCALITIES 2019-20

1 the laws of 2014, for the period commencing
 2 on April 1, 2019 and ending March 31,
 3 2020 the director shall not apply any cost
 4 of living adjustment for the purpose of
 5 establishing rates of payments, contracts
 6 or any other form of reimbursement (10318) 28,933,000
 7 For planning and implementation, including
 8 the payment of liabilities incurred prior
 9 to April 1, 2019, of a program of expanded
 10 in-home, case management and ancillary
 11 community services for the elderly
 12 (EISEP).

13 Notwithstanding any inconsistent provision
 14 of law to the contrary, including but not
 15 limited to the state reimbursement and
 16 county maintenance of effort requirements
 17 specified in the elder law, up to
 18 \$15,000,000 of the funds appropriated
 19 herein shall be used to address the unmet
 20 needs of the elderly as reported to the
 21 office for the aging through the reporting
 22 requirements set forth in state elder law
 23 section 214 or through any other reporting
 24 mechanism recognized by the director of
 25 the office for the aging. Subject to the
 26 approval of the director of the budget,
 27 up to \$15,000,000 hereby appropriated may
 28 be ~~increased or decreased by interchange~~
 29 ~~or transfer~~ with any other general fund
 30 appropriation within the office for the
 31 aging to address the unmet needs of the
 32 elderly as reported to the office for the
 33 aging through the reporting requirements
 34 set forth in state elder law section 214
 35 or through any other reporting mechanism
 36 recognized by the director of the office
 37 for the aging.

interchanged or transferred

38 No expenditures shall be made from this
 39 appropriation until the director of the
 40 budget has approved a plan submitted by
 41 the office outlining the amounts and
 42 purposes of such expenditures and the
 43 allocation of funds among the counties,
 44 including the city of New York.

45 Notwithstanding any inconsistent provision
 46 of law, including section 1 of part C of
 47 chapter 57 of the laws of 2006, as amended
 48 by section 1 of part I of chapter 60 of
 49 the laws of 2014, for the period commencing
 50 on April 1, 2019 and ending March 31,
 51 2020 the director shall not apply any cost
 52 of living adjustment for the purpose of
 53 establishing rates of payments, contracts
 54 or any other form of reimbursement (10319) 65,120,000

55 For services and expenses of grants to area
 56 agencies on aging for the establishment
 57 and operation of caregiver resource
 58 centers (10321) 353,000

59 For services and expenses, including the
 60 payment of liabilities incurred prior to
 61 April 1, 2019, associated with the well-
 62 ness in nutrition (WIN) program, formerly

DEPARTMENT OF AGRICULTURE AND MARKETS

AID TO LOCALITIES 2019-20

1 For payment according to the following schedule:

	APPROPRIATIONS	REAPPROPRIATIONS
2		
3		
4		
5	General Fund	41,493,500
6	Special Revenue Funds - Federal	60,000,000
7		-----
8	All Funds	101,493,500
9		=====

10
11 SCHEDULE

12
13 AGRICULTURAL BUSINESS SERVICES PROGRAM 49,508,000

14
15
16 General Fund
17 Local Assistance Account - 10000

18
19 Notwithstanding any law to the contrary, for
20 services, expenses and grants, including
21 but not limited to (a) the New York state
22 veterinary diagnostic laboratory, (b)
23 research and development at Cornell
24 university, (c) education and outreach at
25 Cornell university, (d) the New York farm
26 viability institute, (e) the promotion of
27 agricultural economic development, and (f)
28 agricultural access, education and
29 workforce support, pursuant to a plan
30 prepared by the commissioner of the
31 department of agriculture and markets and
32 approved by the director of the budget.
33 Funds hereby appropriated shall be
34 available to the program net of refunds,
35 rebates, reimbursements and credits. ~~All~~ *At the direction of the director of the*
36 or a portion of this appropriation may be *budget, all*
37 suballocated to any state department,
38 agency, or public authority. ~~.....~~ *28,408,000* *or transferred to state*

39 For services, expenses and grants related to
40 the taste New York program, including but
41 not limited to marketing and advertising
42 to promote New York produced food and
43 beverage goods and products, including but
44 not limited to up to \$550,000 for the New
45 York wine and culinary center, provided
46 that moneys hereby appropriated shall be
47 available to the program net of refunds,
48 rebates, reimbursements and credits. All
49 or a portion of this appropriation may be
50 suballocated to any department, agency, or
51 public authority. Notwithstanding any
52 other provision of law, the director of
53 the budget is hereby authorized to
54 transfer up to \$1,100,000 of this
55 appropriation to state operations (11450)

56 1,100,000
57 -----
58 Program account subtotal 29,508,000
59 -----
60
61

DEPARTMENT OF AGRICULTURE AND MARKETS

AID TO LOCALITIES - REAPPROPRIATIONS 2019-20

1 including but not limited to up to \$550,000 for the New York wine
2 and culinary center, provided that moneys hereby appropriated shall
3 be available to the program net of refunds, rebates, reimbursements
4 and credits. All or a portion of this appropriation may be suballo-
5 cated to any department, agency, or public authority. Notwithstand-
6 ing any other provision of law, the director of the budget is hereby
7 authorized to transfer up to \$1,100,000 of this appropriation to
8 state operations (11450)
9 1,100,000 (re. \$729,000)

10 For services and expenses of a program to develop farm to school
11 initiatives that will help schools purchase more food from local
12 farmers and expand access to healthy local food for school children.
13 The funds shall be awarded through a competitive process (11405) ...
14 750,000 (re. \$678,000)

15 To the Adirondack North Country Association for a program to develop
16 farm to school initiatives that will help schools purchase more food
17 from local farmers (11415) ... 300,000 (re. \$18,000)

18 Tractor rollover protection program administered by Mary Imogene
19 Basset hospital (11473) ... 250,000 (re. ~~\$~~71,000)

20 For services and expenses of the New York State apple research and
21 development program, in consultation with the apple research and
22 development advisory board (11400) ... 500,000 (re. \$10,000)

23 Cornell university maple research (11456)
24 125,000 (re. \$13,000)

25 New York farm viability institute, for services and expenses of New
26 York State berry growers association (11462)
27 60,000 (re. \$54,000)

28 Cornell university berry research (11416)
29 260,000 (re. \$108,000)

30 Christmas tree farmers association of New York for programs to promote
31 Christmas trees (11461) ... 125,000 (re. \$31,000)

32 New York farm viability, for services and expenses of New York corn
33 and soybean growers (11454) ... 75,000 (re. \$46,000)

34 Cornell university honeybee research (11455)
35 50,000 (re. \$30,000)

36 Cornell university vegetable research (11401)
37 100,000 (re. \$70,000)

38 Suffolk county soil and water conservation district-deer fencing
39 matching grants program (11480) ... 200,000 (re. \$90,000)

40 For services and expenses of the eastern equine encephalitis program
41 administered by Oswego county, including suballocation to other
42 state departments and agencies. Notwithstanding any other provision
43 of law, the director of the budget is hereby authorized to transfer
44 up to \$175,000 of this appropriation to state operations (11467) ...
45 175,000 (re. \$175,000)

46 Genesee-Livingston-Steuben-Wyoming BOCES agricultural academy (11464)
47 ... 100,000 (re. \$100,000)

48 Grown on Long Island (11404) ... 100,000 (re. \$100,000)

49 For services and expenses of the north country low cost vaccine
50 program administered by the St. Lawrence and Jefferson county public
51 health departments. Notwithstanding any other provision of law, the
52 director of the budget is hereby authorized to transfer up to
53 \$25,000 of this appropriation to state operations (11460)
54 25,000 (re. \$25,000)

55 Northern New York agricultural development program administered by
56 Cornell cooperative extension of Jefferson County (10941)
57 600,000 (re. \$196,000)

58 For services and expenses of the wood products development council,
59 including suballocation to other state departments and agencies.
60

DEPARTMENT OF AGRICULTURE AND MARKETS

AID TO LOCALITIES - REAPPROPRIATIONS 2019-20

1 with a programmatic and financial plan submitted by the commissioner
 2 of agriculture and markets and approved by the director of the budg-
 3 et. No moneys of this appropriation shall be made available until
 4 the Genesee valley regional market authority makes a transfer to the
 5 general fund of the state, as provided for in a chapter of the laws
 6 of 2010 (11494) ... 3,000,000 (re. \$223,000)

7
 8 By chapter 55, section 1, of the laws of 2009:
 9 For services and expenses of programs to promote agricultural economic
 10 development, including but not limited to farmland viability, in
 11 accordance with a programmatic and financial plan to be approved by
 12 the director of the budget. Notwithstanding any other provision of
 13 law, the director of the budget is hereby authorized to transfer up
 14 to \$600,000 of this appropriation to state operations (10902)
 15 600,000 (re. \$218,000)
 16 New York state cattle health assurance program (10922)
 17 360,000 (re. \$31,000)
 18 Cornell university Geneva experiment station (10928)
 19 400,000 (re. \$3,000)
 20 For additional services and expenses of golden nematode control,
 21 including a contract with empire state potato growers. Notwith-
 22 standing any other provision of law, the director of the budget is
 23 hereby authorized to transfer up to \$30,000 of this appropriation to
 24 state operations (10935) ... 30,000 (re. \$5,000)

25
 26 By chapter 55, section 1, of the laws of 2009, as amended by chapter 55,
 27 section 1, of the laws of 2010:
 28 For services and expenses of an organic farming program. Notwith-
 29 standing any other provision of law, the director of the budget is
 30 hereby authorized to transfer up to 96,000 of this appropriation to
 31 state operations (10937) ... 96,000 (re. \$91,000)
 32 New York seafood council (10946) ... 25,000 (re. \$2,000)

33
 34 By chapter 55, section 1, of the laws of 2008:
 35 center for dairy excellence administered by the New York farm viabil-
 36 ity institute (10918) ... 245,000 (re. \$29,000)
 37 Cornell university onion research (10948) ... 98,000 (re. \$2,000)

38
 39 By chapter 55, section 1, of the laws of 2008, as amended by chapter
 40 496, section 6, of the laws of 2008:
 41 For services and expenses of programs to promote agricultural economic
 42 development, including but not limited to farmland viability, in
 43 accordance with a programmatic and financial plan to be approved by
 44 the director of the budget. Notwithstanding any other provision of
 45 law, the director of the budget is hereby authorized to transfer up
 46 to \$2,357,000 of this appropriation to state operations, provided,
 47 however, that the amount of this appropriation available for expend-
 48 iture and disbursement on and after September 1, 2008 shall be
 49 reduced by six percent of the amount that was undisbursed as of
 50 August 15, 2008 (10902) ~~(10902)~~ ... 1,809,000 ~~(re. 304,000)~~ (re. 8304,000)
 51 New York Beef Producers Bull Testing Program (11474)
 52 15,040 (re. \$3,000)
 53 New York Beef Producers Empire Heifer Development Program (11475)
 54 13,160 (re. \$4,000)

55
 56 By chapter 55, section 1, of the laws of 2008, as amended by chapter 1,
 57 section 4, of the laws of 2009:
 58 For services and expenses related to the marketing and promotion of
 59 New York state wine in conjunction with the New York wine and grape
 60 foundation including suballocation to other state departments and
 61 agencies, and in accordance with a programmatic and financial plan
 62 to be approved by the director of the budget. Notwithstanding any

DIVISION OF CRIMINAL JUSTICE SERVICES

AID TO LOCALITIES 2019-20

1 may be suballocated to other state agen-
 2 cies (20202) 13,000,000
 3 -----
 4 Program account subtotal 13,000,000
 5 -----

6
 7 Special Revenue Funds - Federal
 8 Federal Miscellaneous Operating Grants Fund
 9 Edward Byrne Memorial Grant Account - ~~25300~~ 25540

10
 11 For services and expenses related to the
 12 federal Edward Byrne memorial justice
 13 assistance formula program, including
 14 enhanced prosecution, enhanced defense,
 15 local law enforcement programs, youth
 16 violence and/or crime reduction programs,
 17 crime laboratories, re-entry services, and
 18 judicial diversion and alternative to
 19 incarceration programs. Funds appropriated
 20 herein shall be expended pursuant to a
 21 plan developed by the commissioner of
 22 criminal justice services and approved by
 23 the director of the budget. A portion of
 24 these funds may be transferred to state
 25 operations and/or suballocated to other
 26 state agencies (20209) 6,000,000
 27 -----
 28 Program account subtotal 6,000,000
 29 -----

30
 31 Special Revenue Funds - Federal
 32 Federal Miscellaneous Operating Grants Fund
 33 Juvenile Justice and Delinquency Prevention Formula
 34 Account - 25436

35
 36 For payment of federal aid to localities
 37 pursuant to the provisions of the federal
 38 juvenile justice and delinquency
 39 prevention act in accordance with a
 40 distribution plan determined by the juve-
 41 nile justice advisory group and affirmed
 42 by the commissioner of the division of
 43 criminal justice services. A portion of
 44 these funds may be transferred to state
 45 operations and may be suballocated to
 46 other state agencies (20213) 2,050,000

47 For payment of federal aid to localities
 48 pursuant to the provisions of title V of
 49 the juvenile justice and delinquency
 50 prevention act of 1974, as amended for
 51 local delinquency prevention programs,
 52 including sub-allocation to state oper-
 53 ations for the administration of this
 54 grant in accordance with a distribution
 55 plan determined by the juvenile justice
 56 advisory group and affirmed by the commis-
 57 sioner of the division of criminal justice
 58 services.

59 For services and expenses associated with
 60 the juvenile justice and delinquency
 61 prevention formula account. A portion of
 62 these funds may be transferred to state

DIVISION OF CRIMINAL JUSTICE SERVICES

AID TO LOCALITIES - REAPPROPRIATIONS 2019-20

1 Special Revenue Funds - Federal
2 Federal Miscellaneous Operating Grants Fund
3 DCJS Miscellaneous Discretionary Account - 25470
4

5 By chapter 53, section 1, of the laws of 2018:
6 Funds herein appropriated may be used to disburse unanticipated
7 federal grants in support of state and local programs to prevent
8 crime, support law enforcement, improve the administration of
9 justice, and assist victims. A portion of these funds may be
10 transferred to state operations and may be suballocated to other
11 state agencies (20202) ... 13,000,000 (re. \$13,000,000)
12

13 By chapter 53, section 1, of the laws of 2017:
14 Funds herein appropriated may be used to disburse unanticipated feder-
15 al grants in support of state and local programs to prevent crime,
16 support law enforcement, improve the administration of justice, and
17 assist victims. A portion of these funds may be transferred to state
18 operations and may be suballocated to other state agencies (20202)
19 ... 13,000,000 (re. \$12,958,000)
20

21 By chapter 53, section 1, of the laws of 2016:
22 Funds herein appropriated may be used to disburse unanticipated feder-
23 al grants in support of state and local programs to prevent crime,
24 support law enforcement, improve the administration of justice, and
25 assist victims. A portion of these funds may be transferred to state
26 operations and may be suballocated to other state agencies (20202)
27 ... 13,000,000 (re. \$12,189,000)
28

29 By chapter 53, section 1, of the laws of 2015:
30 Funds herein appropriated may be used to disburse unanticipated feder-
31 al grants in support of state and local programs to prevent crime,
32 support law enforcement, improve the administration of justice, and
33 assist victims. A portion of these funds may be transferred to state
34 operations and may be suballocated to other state agencies (20202)
35 ... 13,000,000 (re. \$11,596,000)
36

37 By chapter 53, section 1, of the laws of 2014:
38 Funds herein appropriated may be used to disburse unanticipated feder-
39 al grants in support of state and local programs to prevent crime,
40 support law enforcement, improve the administration of justice, and
41 assist victims. A portion of these funds may be transferred to state
42 operations and may be suballocated to other state agencies (20202)
43 ... 7,250,000 (re. \$603,000)
44

45 Special Revenue Funds - Federal
46 Federal Miscellaneous Operating Grants-Fund
47 Edward Byrne Memorial Grant Account - ~~25300 (M)~~ 25540
48

49 By chapter 53, section 1, of the laws of 2018:
50 For services and expenses related to the federal Edward Byrne memorial
51 justice assistance formula program, including enhanced prosecution,
52 enhanced defense, local law enforcement programs, youth violence
53 and/or crime reduction programs, crime laboratories, re-entry
54 services, and judicial diversion and alternative to incarceration
55 programs. Funds appropriated herein shall be expended pursuant to a
56 plan developed by the commissioner of criminal justice services and
57 approved by the director of the budget. A portion of these funds may
58 be transferred to state operations and/or suballocated to other
59 state agencies (20209) ... 5,400,000 (re. \$5,400,000)
60 For services and expenses of drug, violence, and crime control and
61 prevention programs.

DIVISION OF CRIMINAL JUSTICE SERVICES

AID TO LOCALITIES - REAPPROPRIATIONS 2019-20

1 Notwithstanding section 24 of the state finance law or any provision
 2 of law to the contrary, funds from this appropriation shall be
 3 allocated only pursuant to a plan (i) approved by the speaker of the
 4 assembly and the director of the budget which sets forth either an
 5 itemized list of grantees with the amount to be received by each, or
 6 the methodology for allocating such appropriation, and (ii) which is
 7 thereafter included in an assembly resolution calling for the
 8 expenditure of such funds, which resolution must be approved by a
 9 majority vote of all members elected to the assembly upon a roll
 10 call vote (60032) ... 300,000 (re. \$300,000)

11 For services and expenses of drug, violence, and crime control and
 12 prevention programs. Notwithstanding section 24 of the state finance
 13 law or any provision of law to the contrary, funds from this
 14 appropriation shall be allocated only pursuant to a plan (i)
 15 approved by the temporary president of the Senate and the director
 16 of the budget which sets forth either an itemized list of grantees
 17 with the amount to be received by each, or the methodology for
 18 allocating such appropriation, and (ii) which is thereafter included
 19 in a senate resolution calling for the expenditure of such funds,
 20 which resolution must be approved by a majority vote of all members
 21 elected to the senate upon a roll call vote (20997)
 22 300,000 (re. \$300,000)

23 *insert DCJS 74*

24 By chapter 53, section 1, of the laws of 2017:

25 For services and expenses related to the federal Edward Byrne memorial
 26 justice assistance formula program, including enhanced prosecution,
 27 enhanced defense, local law enforcement programs, youth violence
 28 and/or crime reduction programs, crime laboratories, re-entry
 29 services, and judicial diversion and alternative to incarceration
 30 programs. Funds appropriated herein shall be expended pursuant to a
 31 plan developed by the commissioner of criminal justice services and
 32 approved by the director of the budget. A portion of these funds may
 33 be transferred to state operations and/or suballocated to other
 34 state agencies (20209) ... 5,400,000 (re. \$5,400,000)

35 For services and expenses of drug, violence, and crime control and
 36 prevention programs. Notwithstanding section twenty-four of the
 37 state finance law or any provision of law to the contrary, funds
 38 from this appropriation shall be allocated only pursuant to a plan
 39 (i) approved by the temporary president of the Senate and the direc-
 40 tor of the budget which sets forth either an itemized list of gran-
 41 tees with the amount to be received by each, or the methodology for
 42 allocating such appropriation, and (ii) which is thereafter included
 43 in a senate resolution calling for the expenditure of such funds,
 44 which resolution must be approved by a majority vote of all members
 45 elected to the senate upon a roll call vote (20997)
 46 300,000 (re. \$300,000)

47 For services and expenses of drug, violence, and crime control and
 48 prevention programs in accordance with the following schedule:

- 49 Judicial Process Commission (39713) ... 17,500 (re. \$17,500)
- 50 Dewitt Police Department (39787) ... 20,000 (re. \$20,000)
- 51 Family Residences and Essential Enterprises, Inc (39788)
 52 17,500 (re. \$17,500)
- 53 City of Ogdensburg Police Department (39789)
 54 30,000 (re. \$30,000)
- 55 Clinton County (39790) ... 17,500 (re. \$17,500)
- 56 Schenectady County Sheriff's Department (39715)
 57 45,000 (re. \$45,000)
- 58 City of Beacon Police Department (20963) ... 10,000 (re. \$10,000)
- 59 City of Newburgh Police Department (20253) ... 17,500 .. (re. \$17,500)
- 60 City of Poughkeepsie Police Department (20255)
 61 17,500 (re. \$17,500)
- 62 Highland Falls Police Department (39750) ... 7,500 (re. \$7,500)

"Special Revenue Funds - Federal
Federal Miscellaneous Operating Grants Fund
Edward Byrne Memorial Grant Account - 25300(M)"

DCJS
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DEPARTMENT OF ECONOMIC DEVELOPMENT

AID TO LOCALITIES 2019-20

1	this appropriation until the director of	
2	the budget has approved a spending plan	
3	(21435)	921,000
4	For services and expenses related to the	
5	operation of the SUNY Polytechnic Insti-	
6	tute Colleges of Nanoscale Science and	
7	Engineering focus center and Rensselaer	
8	Polytechnic Institute focus center. No	
9	funds shall be expended from this appro-	
10	riation until the director of the budget	
11	has approved a spending plan (21434)	3,006,000
12	High technology matching grants program,	
13	including the security through advanced	
14	research and technology (START) initiative	
15	to leverage resources from federal or	
16	private sources including but not limited	
17	to the national science foundation, busi-	
18	nesses, industry consortiums, foundations,	
19	and other organizations for efforts asso-	
20	ciated with high technology economic	
21	development, including the payment of	
22	liabilities incurred prior to April 1,	
23	2018. All or portions of the funds appro-	
24	riated hereby may be suballocated or	
25	transferred to any department, agency, or	
26	public authority. No funds shall be	
27	expended from this appropriation until the	
28	director of the budget has approved a	
29	spending plan (21438)	6,000,000
30	For services and expenses, loans, and	
31	grants, related to the operation of New	
32	York state innovation hot spots and New	
33	York state incubators. All or portions of	
34	the funds appropriated hereby may be	
35	suballocated or transferred to any depart-	
36	ment, agency, or public authority (21685)	
37	5,000,000
38		-----
39		
40	MARKETING AND ADVERTISING PROGRAM	8,178,000
41		-----
42		
43	General Fund	
44	Local Assistance Account - 10000	
45		
46	For a local tourism promotion matching	
47	grants program pursuant to article 5-A of	
48	the economic development law (21417)	3,815,000
49	For operation of a gateway information	
50	center at Beekmantown, New York (21421) ..	196,000
51	For operation of a gateway information	
52	center at Binghamton, New York (21422) ...	196,000
53	For marketing, advertising, and retail oper-	
54	ations to promote local agritourism and	
55	New York produced food and beverage goods	
56	and products, including but not limited to	
57	up to \$415,000 for Cornell Cooperative	
58	Extension of Broome County, up to \$350,000	
59	for the Montgomery County Chapter of	
60	NYARC, Inc., up to \$550,000 for Cornell	
61	Cooperative Extension of Erie County, up	
62	to \$350,000 for the Lake George Regional	

\$375,000

\$500,000

DEPARTMENT OF ECONOMIC DEVELOPMENT

AID TO LOCALITIES 2019-20

1 Chamber of Commerce, up to \$450,000 for
2 the Cornell Cooperative Extension of
3 Columbia and Greene Counties, up to *\$450,000*
4 \$300,000 for the Thousand Islands Bridge
5 Authority, up to ~~\$550,000~~ for the Cornell
6 Cooperative Extension of Sullivan County, *\$485,000*
7 and up to ~~\$600,000~~ for Cornell Cooperative
8 Extension of Nassau County. ~~All~~ or a *insert DED 87*
9 portion of this appropriation may be
10 suballocated to any department, agency, or
11 public authority. (21672) 3,971,000
12 *or transferred*
13 *to state operations*
14 RESEARCH DEVELOPMENT PROGRAM 343,000
15 -----
16
17 General Fund
18 Local Assistance Account - 10000
19
20 For the science and technology law center
21 program (81027) 343,000
22 -----
23
24 TRAINING AND BUSINESS ASSISTANCE PROGRAM *13,470,000*
25 *9,470,000*
26 -----
27
28 General Fund
29 Local Assistance Account - 10000
30
31 For services and expenses of state matching
32 funds for the federal manufacturing exten-
33 sion partnership program.
34 Notwithstanding any inconsistent provision
35 of law, the director of the budget may
36 suballocate up to the full amount of this
37 appropriation to any department, agency or
38 authority. No funds shall be expended from
39 this appropriation until the director of
40 the budget has approved a spending plan
41 (81053) 1,470,000
42 -----
43 Program account subtotal 1,470,000
44 -----
45
46 Special Revenue Funds - Federal
47 Federal Miscellaneous Operating Grants Fund
48 Manufacturing Extension Partnership Program Account -
49 25517
50 Notwithstanding any inconsistent provision
51 of law, the director of the budget may
52 suballocate up to the full amount of this
53 appropriation to any department, agency or
54 authority (81052) 12,000,000
55 -----
56 Program account subtotal 12,000,000
57 -----
58

Q, up to \$400,000 for the Thousand Islands Bridge Authority, and up to \$190,000 for Cornell Cooperative Extension of Tompkins County. At the direction of the director of the budget, all

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EDUCATION DEPARTMENT

AID TO LOCALITIES 2019-20

1 3602 of the education law, where the tier
 2 one per pupil amount shall equal the
 3 product of \$82.63 multiplied by the tier
 4 one ratio, where the tier one ratio shall
 5 equal the difference of one less the
 6 product of the combined wealth ratio for
 7 total foundation aid multiplied by 0.64,
 8 provided that such ratio shall not be less
 9 than zero nor greater than 0.9. An
 10 "eligible school district" shall mean a
 11 school district with (i) at least one
 12 school designated as failing or
 13 persistently failing by the commissioner
 14 of education pursuant to ~~paragraphs~~ (a) or *paragraph*
 15 (b) of subdivision one of section 211-f of
 16 the education law as of January 1, 2018
 17 or, (ii) a combined wealth ratio for total
 18 foundation aid computed pursuant to
 19 paragraph c of subdivision 3 of section
 20 3602 of the education law less than 0.9,
 21 and five year ELL growth greater than the
 22 greater of 100 pupils or the growth
 23 threshold, where "five year ELL growth"
 24 shall equal the positive difference of the
 25 English language learner count for the
 26 2018-19 school year less such count for
 27 the 2013-14 school year, and where "growth
 28 threshold" shall equal the product of the
 29 English language learner count for the
 30 2013-14 school year multiplied by 0.1.

31 (B) Tier two shall equal, for all school
 32 districts with a community schools
 33 setaside pursuant to paragraph e of
 34 subdivision 4 of section 3602 of the
 35 education law greater than zero, the
 36 positive difference, if any, of \$100,000
 37 less such community schools setaside for
 38 the 2018-19 school year pursuant to
 39 paragraph e of subdivision 4 of section
 40 3602 of the education law.

41 Notwithstanding any inconsistent provision
 42 of law, the 2019-20 community schools
 43 increase shall be added to the community
 44 schools aid set-aside for the 2019-20
 45 school year pursuant to paragraph e of
 46 subdivision 4 of section 3602 of the
 47 education law, and a school district shall
 48 use such community schools increase to
 49 support the transformation of school
 50 buildings into community hubs to deliver
 51 co-located or school-linked academic,
 52 health, mental health services and
 53 personnel, after school programming, dual
 54 language programs, nutrition, counseling,
 55 legal and/or other services to students
 56 and their families, including but not
 57 limited to providing a community school
 58 site coordinator and programs for English
 59 language learners.

60 Notwithstanding any inconsistent provision
 61 of law, for any school district which
 62 contains at least four schools as reported

EDUCATION DEPARTMENT

AID TO LOCALITIES 2019-20

1 statement, such statement shall be deemed
2 approved.

3 Should the commissioner of education or the
4 director of the budget request additional
5 information from the school district to
6 determine completeness, the district shall
7 submit such requested information to the
8 commissioner of education and the director
9 of the budget within 30 days of such
10 request and the commissioner of education
11 and director of the budget's deadline for
12 review and determination shall be extended
13 by 90 days from the date of submission of
14 the additional requested information. If
15 the commissioner of education or director
16 of the budget determine a school
17 district's spending statement to be
18 noncompliant, such school district shall
19 be allowed to submit a revised spending
20 statement at any time.

21 Provided further that if a school district
22 fails to submit a statement that is
23 complete and in the format required on or
24 before August 30, 2019 or if the
25 commissioner of education or director of
26 the budget determine the school district's
27 spending statement to be noncompliant, a
28 written explanation shall be provided and
29 the school district will have 30 days to
30 cure.

31 If the school district does not cure within
32 30 days, at the joint direction of the
33 director of the budget and the
34 commissioner of education, the comptroller
35 of the city in which such school district
36 is situated, or if the city does not have
37 an elected comptroller the chief financial
38 officer of the city, or for school
39 districts not located in a city, the chief
40 financial officer of the town in which the
41 majority of the school district is
42 situated shall be authorized, at his or
43 her discretion, to obtain appropriate
44 information from the school district, and
45 shall be authorized to complete such form
46 and submit such statement to the director
47 of the budget and the commissioner of
48 education for approval.

49 Provided further that where the comptroller
50 or chief financial officer exercises the
51 authority to submit such form, such
52 submission shall occur within 60 days
53 following notification of the school
54 district's failure to cure.

55 Provided further that nothing in the
56 preceding paragraph shall preclude a
57 school district from submitting a spending
58 statement for approval by the director of
59 the budget and the commissioner of
60 education at any time.

61 ~~Provided further that nothing in this~~
62 ~~appropriation shall alter or suspend~~

EDUCATION DEPARTMENT

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AID TO LOCALITIES 2019-20

1 ~~statutory school district budget and~~
2 ~~voting requirements.~~

3 Provided further that any apportionment
4 withheld pursuant to this appropriation
5 shall not have any effect on the base year
6 calculation for use in the subsequent
7 school year.

8 Notwithstanding any inconsistent provision
9 of law to the contrary, for the 2019-20
10 school year, school districts designated
11 as requiring an equity plan shall submit
12 such plan as defined herein on or before
13 July 1, 2019 to the commissioner of
14 education for his or her approval. Such
15 plan shall specify how the school district
16 will increase per pupil expenditures, from
17 all sources, in underfunded high-need
18 schools within such district above the
19 level at which the school district would
20 have otherwise funded such schools in the
21 current year in order to maintain a level
22 of current services from the base year,
23 including but not limited to contractual
24 salary increases and other continuations.
25 Such plan shall specify how the district
26 will utilize for this purpose an amount at
27 least equal to the product of the equity
28 percentage multiplied by the increase in
29 foundation aid in the 2019-20 school year
30 pursuant to this appropriation. Provided
31 further, on or before May 1, 2019, the
32 director of the budget shall produce a
33 list of underfunded high need schools, as
34 defined herein. Provided, however, that
35 the director of the budget shall exclude
36 from this list schools within district 75
37 of the city school district of New York,
38 schools that are of the same school type
39 within a district but do not serve any
40 grade levels that overlap, schools serving
41 only students in prekindergarten, or any
42 other schools with irregular or outlying
43 properties.

44 In the event that a school district
45 designated as requiring an equity plan for
46 the 2019-20 school year has not submitted
47 an equity plan pursuant to this
48 appropriation that has been approved by
49 the commissioner of education by September
50 1, 2019, the commissioner of education
51 shall develop such plan for the school
52 district, specifying the increase in per
53 pupil expenditures required by the
54 immediately preceding paragraph of this
55 appropriation at each underfunded high-
56 need school within the school district,
57 and shall order the officers of the school
58 district to implement such plan fully and
59 faithfully.

60 Provided further, for purposes of this
61 appropriation:

EDUCATION DEPARTMENT

SED 139

AID TO LOCALITIES 2019-20

1 the final quarter of the year in which
2 services are provided as an advance on
3 subsequent school year liabilities;
4 provided further that funds appropriated
5 herein shall only be awarded to school
6 districts and/or eligible entities which
7 meet requirements provided for in section
8 3602-ee of the education law.

9 Provided further that funds appropriated
10 herein shall only be used to supplement
11 and not supplant current local
12 expenditures of federal, state or local
13 funds on pre-kindergarten programs and the
14 number of placements in such programs from
15 such sources and that current local
16 expenditures shall include any local
17 expenditures of federal, state or local
18 funds used to supplement or extend
19 services provided directly or via
20 contract to eligible children enrolled in
21 a universal pre-kindergarten program in
22 accordance with section 3602-e of the
23 education law. Notwithstanding any
24 provision of law to the contrary, the
25 funds appropriated herein shall only be
26 available for a statewide universal full-
27 day pre-kindergarten program and, as of
28 July 1, 2020, may be suballocated or
29 transferred to any other appropriation for
30 the sole purpose of administering such
31 program. Notwithstanding any provision of
32 law to the contrary, programs that provide
33 services for fewer than 180 days will be
34 subject to the provisions of subdivision
35 16 of section 3602-e of the education law
36 (56138) 340,000,000

37 For reimbursement of supplemental basic
38 tuition payments to charter schools made
39 by school districts in the 2018-19 school
40 year, as defined by paragraph a of subdivi- (a)
41 sion 1 of section 2856 of the education
42 law (55907) 151,000,000

43 For charter schools facilities aid for the
44 2018-19 school year and prior school years
45 pursuant to subdivision 6-g of section
46 3602 of the education law (55971) 31,500,000

47 For grants in aid to charter schools. The
48 state education department shall pay
49 directly to each charter school located in
50 a city with a population of one million or
51 more an amount equal to the product of (i)
52 the total number of students enrolled in
53 the charter school as reported to the
54 department on February 1, 2019, multiplied
55 by (ii) the quotient of \$24,900,000
56 divided by the total enrollment of charter
57 schools located in a city with a
58 population of one million or more.
59 Provided, however, that the funds
60 appropriated herein shall be made
61 available on or after April 1, 2020.
62 Notwithstanding section 40 of the state

EDUCATION DEPARTMENT

SED 148

AID TO LOCALITIES 2019-20

1 Provided, further, that a school district's
2 grant shall equal the product of (A) (i)
3 two multiplied by the approved number of
4 new full-day prekindergarten placements
5 plus (ii) the approved number of half-day
6 prekindergarten placement conversions and
7 the approved number of new half-day prek-
8 indergarten placements, and (B) the
9 district's selected aid per prekindergar- → (i)
10 ten pupil pursuant to subparagraph i of
11 paragraph b of subdivision 10 of section
12 3602-e of the education law; provided,
13 however, that no district shall receive a
14 grant in excess of the total actual grant
15 expenditures incurred by the district in
16 the current school year as approved by the
17 commissioner of education.

18 Provided, further, a school district shall
19 agree to adopt approved quality indicators
20 within two years, including, but not
21 limited to, valid and reliable measures of
22 environmental quality, the quality of
23 teacher-student interactions and child
24 outcomes, and ensure that any such assess-
25 ment of child outcomes shall not be used
26 to make high-stakes educational decisions
27 for individual children.

28 Provided, further, a school district shall
29 agree to maximize partnerships with
30 community-based organizations in
31 developing new pre-kindergarten slots, and
32 shall agree to maximize the inclusion of
33 students with disabilities.

34 (xxix) \$1,500,000 shall be used for the
35 refugee and immigrant student welcome
36 grants program, pursuant to a plan
37 developed by the commissioner of education
38 and approved by the director of the
39 budget, provided that such plan shall
40 prioritize awards to school districts with
41 increased refugee and immigrant
42 populations, including unaccompanied minor
43 students.

44 Provided further that such funds shall be
45 used for activities including but not
46 limited to expanded community school
47 activities, the provision of school
48 supplies for incoming students, training
49 opportunities for staff on trauma and
50 cultural sensitivity, employment of
51 counselors and psychologists, and parental
52 and family engagement and support.

53 Provided further that such funds shall only
54 be used to supplement, and not supplant,
55 current local expenditures of federal,
56 state or local funds.

57 Provided, further, that no district shall
58 receive a grant in excess of the total
59 actual grant expenditures incurred by the
60 district in the current school year as
61 approved by the commissioner of education.
62 Provided, further, that no school district

EDUCATION DEPARTMENT

AID TO LOCALITIES - REAPPROPRIATIONS 2019-20

1 budget, provided that such plan shall ensure regional diversity of
 2 grant recipients and prioritize programs serving students in academ-
 3 ically challenged school districts; provided further that the
 4 commissioner shall make available the request for proposals for such
 5 programs on or before May fifteenth and the commissioner shall issue
 6 awards on or before August fifteenth; and provided further that a
 7 portion of the payments to early college high school programs
 8 awarded funding from this appropriation shall be made on a sliding
 9 scale based upon the number of college credits earned annually by
 10 participating students, consistent with guidelines established by
 11 the commissioner. Provided further that in connection with such
 12 guidelines, the commissioner shall execute a memorandum of under-
 13 standing with the state university of New York and the city univer-
 14 sity of New York to develop common data collection, sharing and
 15 reporting mechanisms based on student-level data for students
 16 enrolled in early college high school programs. Provided further
 17 that, notwithstanding any provision of law to the contrary, higher
 18 education partners participating in an early college high school
 19 program, or the entity/entities responsible for setting tuition at
 20 the institution, shall be authorized to set a reduced rate of
 21 tuition and/or fees, or to waive tuition and/or fees entirely, for
 22 students enrolled in such an early college high school program with
 23 no reduction in other state, local or other support for such
 24 students earning college credit that such higher education partner
 25 would otherwise be eligible to receive.

26 Provided further that, notwithstanding any provision of law to the
 27 contrary, the \$500,000 appropriated herein available for career and
 28 technical education (CTE) programs shall be awarded, pursuant to a
 29 plan developed by the commissioner and approved by the director of
 30 the budget, to provide CTE programs with support and resources to
 31 eliminate barriers to students with special needs and English
 32 language learners from participating in such programs, as well as
 33 promote gender diversity in CTE programs.

34 Provided, further, that notwithstanding any provision of law to the
 35 contrary, the \$1,000,000 appropriated herein available for QUALITYs-
 36 tarsNY shall be used, pursuant to a plan approved by the director of
 37 the budget, to support implementation of a statewide system to
 38 assess, improve, and communicate the level of quality in early
 39 education and care settings throughout the state. Notwithstanding
 40 any provision of law to the contrary, upon approval of the director
 41 of the budget, the \$1,000,000 of funding appropriated herein for
 42 QUALITYstarsNY may be suballocated, interchanged, transferred or
 43 otherwise made available to the office of children and family
 44 services for the sole purpose of administering such system. Provided
 45 that, for the 2016-17 through 2019-20 school years, a portion of
 46 these funds shall be used to support programs identified by the
 47 office of children and family services, the department of health and
 48 mental hygiene of the city of New York, or the department as needing
 49 extraordinary quality support.

50 Provided further that, notwithstanding any inconsistent provision of
 51 law, subject to the approval of the director of the budget, funds
 52 appropriated herein may be interchanged with the appropriation for
 53 School District Performance Improvement grants within the general
 54 fund local assistance account office of pre-kindergarten through
 55 grade twelve education program.

56 Notwithstanding section 40 of the state finance law or any provision
 57 of law to the contrary, this appropriation shall lapse on March 31,
 58 2019 (23453) ... 250,000,000 (re. \$60,688,000)
 59 Funds appropriated herein shall be used to provide competitive grants
 60 pursuant to a request for proposals, developed by the commissioner
 61 and approved by the director of budget, to those school districts
 62 that are participating in the race to the top program and/or which

0207 [61027]

EDUCATION DEPARTMENT

AID TO LOCALITIES - REAPPROPRIATIONS 2019-20

1 grant recipients and prioritize programs serving students in academically challenged school districts; provided further that the commissioner shall make available the request for proposals for such programs on or before May fifteenth and the commissioner shall issue awards on or before August fifteenth; and provided further that a portion of the payments to early college high school programs awarded funding from this appropriation shall be made on a sliding scale based upon the number of college credits earned annually by participating students, consistent with guidelines established by the commissioner. Provided further that in connection with such guidelines, the commissioner shall execute a memorandum of understanding with the state university of New York and the city university of New York to develop common data collection, sharing and reporting mechanisms based on student-level data for students enrolled in early college high school programs. Provided further that, notwithstanding any provision of law to the contrary, higher education partners participating in an early college high school program, or the entity/entities responsible for setting tuition at the institution, shall be authorized to set a reduced rate of tuition and/or fees, or to waive tuition and/or fees entirely, for students enrolled in such an early college high school program with no reduction in other state, local or other support for such students earning college credit that such higher education partner would otherwise be eligible to receive.

25 Provided further that, notwithstanding any provision of law to the contrary, the \$500,000 appropriated herein available for career and technical education (CTE) programs shall be awarded, pursuant to a plan developed by the commissioner and approved by the director of the budget, to provide CTE programs with support and resources to eliminate barriers to students with special needs and English language learners from participating in such programs, as well as promote gender diversity in CTE programs.

33 Provided, further, that notwithstanding any provision of law to the contrary, the \$1,000,000 appropriated herein available for QUALITYstarsNY shall be used, pursuant to a plan approved by the director of the budget, to support implementation of a statewide system to assess, improve, and communicate the level of quality in early education and care settings throughout the state. Notwithstanding any provision of law to the contrary, upon approval of the director of the budget, the \$1,000,000 of funding appropriated herein for QUALITYstarsNY may be suballocated, interchanged, transferred or otherwise made available to the office of children and family services for the sole purpose of administering such system. Provided that, for the 2016-17 through 2019-20 school years, a portion of these funds shall be used to support programs identified by the office of children and family services, the department of health and mental hygiene of the city of New York, or the department as needing extraordinary quality support.

49 Provided further that, notwithstanding any inconsistent provision of law, subject to the approval of the director of the budget, funds appropriated herein may be interchanged with the appropriation for School District Management Efficiency grants within the general fund local assistance account office of pre-kindergarten through grade twelve education program.

55 Notwithstanding section 40 of the state finance law or any provision of law to the contrary, this appropriation shall lapse on March 31, 2019 (23452) ... 250,000,000 (re. \$15,699,000)

58

59

↑
[2019] 2020

OFS 254
OFS 254

DEPARTMENT OF FAMILY ASSISTANCE
OFFICE OF CHILDREN AND FAMILY SERVICES

AID TO LOCALITIES 2019-20

1 priated herein, the remainder shall be
2 used to supplement existing federal, state
3 and local funding to increase access to
4 child care assistance by low income fami-
5 lies which shall include at least \$10
6 million which shall be distributed to
7 local social services districts that agree
8 to use such funds to expand the availabil-
9 ity of subsidized child care; and may also
10 include implementing the new market-relat-
11 ed payment rates established pursuant to a
12 market rate survey that will be effective
13 on or about April 1, 2019 which may
14 include an increase in the percentile used
15 to establish such rates; and notwithstand-
16 ing any inconsistent provision of law, the
17 amount herein appropriated may be trans-
18 ferred to any other appropriation within
19 the office of children and family services
20 and/or the office of temporary and disa-
21 bility assistance and/or suballocated to
22 the office of temporary and disability
23 assistance for the purpose of paying local
24 social services districts' costs of the
25 above program and may be increased or
26 decreased by interchange with any other
27 appropriation or with any other item or
28 items within the amounts appropriated
29 within the office of children and family
30 services general fund - local assistance
31 account with the approval of the director
32 of the budget who shall file such approval
33 with the department of audit and control
34 and copies thereof with the chairman of
35 the senate finance committee and the
36 chairman of the assembly ways and means
37 committee (15260) 130,000,000
38 -----
39 Program account subtotal 438,746,000
40 -----
41
42 Special Revenue Funds - Federal
43 Federal Miscellaneous Operating Grants Fund
44 Federal Environmental Protection Agency Grants Account
45 *and remediation*
46 For services and expenses related to lead
47 testing of child day care facilities in
48 accordance with the requirements set forth
49 in the federal water infrastructure
50 improvements for the nation act 5,000,000
51 -----
52 Program account subtotal 5,000,000
53 -----
54
55 Special Revenue Funds - Other
56 Miscellaneous Special Revenue Fund
57 Quality Child Care and Protection Account - 21900
58
59 For services and expenses related to admin-
60 istering the "quality child care and
61 protection act" specifically, the

DEPARTMENT OF FAMILY ASSISTANCE
OFFICE OF CHILDREN AND FAMILY SERVICES

AID TO LOCALITIES 2019-20

1	Special Revenue Funds - Other	
2	Combined Expendable Trust Fund	
3	Children and Family Trust Fund Account - 20128	
4		
5	For services and expenses related to the	
6	administration and implementation of	
7	contracts for prevention and support	
8	service programs for victims of family	
9	violence under the William B. Hoyt memori-	
10	al children and family trust fund pursuant	
11	to article 10-A of the social services	
12	law. Funds appropriated to the children	
13	and family trust fund shall be available	
14	for expenditure for such services and	
15	expenses herein (14015)	3,459,000
16		-----
17	Program fund subtotal	3,459,000
18		-----
19		
20	Special Revenue Funds - Other	
21	Miscellaneous Special Revenue Fund	
22	Family Preservation and Federal Family Violence Services	
23	Account - 22082	
24		
25	For services and expenses associated with	
26	the home visiting program, the coordinated	
27	children's services initiative, domestic	
28	violence programs and related programs,	
29	subject to the approval of the director of	
30	the budget (13911)	10,000,000
31		-----
32	Program account subtotal	10,000,000
33		-----
34		
35	NEW YORK STATE COMMISSION FOR THE BLIND PROGRAM	350,000
36		-----
37		
38	Special Revenue Funds - Federal	
39	Federal Education Fund	
40	Rehabilitation Services/Supported Employment Account -	
41	25213	
42		
43	For services and expenses related to the New	
44	York state commission for the blind	
45	including transfer or suballocation to the	
46	state education department (13953)	350,000
47		-----
48	Program account subtotal	350,000
49		-----
50		
51	TRAINING AND DEVELOPMENT PROGRAM	4,815,800
52		-----
53		
54	General Fund	
55	Local Assistance Account - 10000	
56		
57	For state reimbursement to local social	
58	services districts for training expenses	
59	associated with title IV-a, title IV-e,	
60		

Delete
lines 48 & 49

DEPARTMENT OF FAMILY ASSISTANCE
OFFICE OF CHILDREN AND FAMILY SERVICES

AID TO LOCALITIES 2019-20

1 title IV-d, title IV-f and title XIX of
2 the federal social security act or their
3 successor titles and programs.
4 Funds appropriated herein shall be available
5 for aid to municipalities and for payments
6 to the federal government for expenditures
7 made pursuant to the social services law
8 and the state plan for individual and
9 family grant program under the disaster
10 relief act of 1974.

11 Such funds are to be available for payment
12 of aid heretofore accrued or hereafter to
13 accrue to municipalities. Subject to the
14 approval of the director of the budget,
15 such funds shall be available to the
16 office net of disallowances, refunds,
17 reimbursements, and credits.

18 Notwithstanding any inconsistent provision
19 of law, the amount herein appropriated may
20 be transferred to any other appropriation
21 and/or suballocated to any other agency
22 for the purpose of paying local social
23 services district cost or may be increased
24 or decreased by interchange with any other
25 appropriation or with any other item or
26 items within the amounts appropriated
27 within the office of children and family
28 services - local assistance account with
29 the approval of the director of the budget
30 who shall file such approval with the
31 department of audit and control and copies
32 thereof with the chairman of the senate
33 finance committee and the chairman of the
34 assembly ways and means committee.

35 The amount appropriated herein, as may be
36 adjusted by transfer of general fund
37 moneys for administration of child
38 welfare, training and development, public
39 assistance, and food stamp programs appro-
40 priated in the office of children and
41 family services and the office of tempo-
42 rary and disability assistance, shall
43 constitute total state reimbursement for
44 all local training programs in state
45 fiscal year 2018-19 (13984)

4,815,800

Insert
2019-20

46
47

DEPARTMENT OF FAMILY ASSISTANCE
OFFICE OF CHILDREN AND FAMILY SERVICES

AID TO LOCALITIES - REAPPROPRIATIONS 2019-20

1	For services and expenses of the Brooklyn Chinese-American Association	
2	(15381) ... 100,000	(re. \$100,000)
3	For services and expenses of OHEL Children's Home and Family Services	
4	(15380) ... 200,000	(re. \$200,000)
5	For services and expenses for the NYS Alliance of Boys & Girls Clubs	
6	(13983) ... 700,000	(re. \$518,000)
7	For services and expenses of Cattaraugus Youth Bureau (15211)	
8	200,000	(re. \$200,000)
9	For services and expenses of Yeled V'Yelda Early Childhood Center	
10	(13904) ... 200,000	(re. \$137,000)
11	For services and expenses of Hamaspik of Kings County (15214)	
12	75,000	(re. \$75,000)
13	For services and expense of JCCA Healing Center (15216)	
14	100,000	(re. \$100,000)
15	For services and expenses of Riverdale Neighborhood House (15225)	
16	150,000	(re. \$50,000)
17	For services and expenses of Jewish community council of Greater Coney	
18	Island (15227) ... 52,000	(re. \$52,000)
19	For services and expenses of Big Brothers Big Sisters New York City	
20	(15233) ... 150,000	(re. \$150,000)
21	For services and expenses of Citizens Committee for New York City	
22	(15234) ... 150,000	(re. \$74,000)
23	For services and expenses of Hillside Children's Center for the Rein-	
24	vesting in Youth program (15235) ... 260,000	(re. \$6,000)
25	For services and expenses of Community Voices for Youth and Families	
26	of Long Island, pursuant to the following sub-schedule (15236)	
27	1,012,000	(re. \$487,000)
28		
29	sub-schedule	
30		
31	The Safe Center LI	30,000
32	Time Out Club of Hempstead,	
33	Inc.	30,000
34	Uniondale Community Council	30,000
35	Tempo Youth Services	15,000
36	Five Towns Community Center,	
37	Inc.	15,000
38	Hispanic Brotherhood of Rock-	
39	ville Centre, Inc.	15,000
40	Bridgehampton Child Care and	
41	Recreational Center	30,000
42	Colonial Youth & Family	
43	Services	30,000
44	Glen Cove Boys and Girls Club	
45	at Lincoln House, Inc.	49,000
46	Glen Cove Youth Bureau	49,000
47	La Fuerza Unida, Inc.	49,000
48	Nassau County Coalition	
49	Against Domestic Violence,	
50	Inc.	49,000
51	TRI Community and Youth Agency	
52	of Huntington	49,000
53	Youth & Family Counseling	
54	Agency of Oyster Bay	49,000
55	Belmont Child Care Association	49,000
56	Concerned Citizens for Roslyn	
57	Youth, Inc	49,000
58	Copay, Inc.	49,000
59	Espoir International Youth	
60	Program	49,000
61	Floral Park Youth Council	49,000

DEPARTMENT OF FAMILY ASSISTANCE
OFFICE OF TEMPORARY AND DISABILITY ASSISTANCE

AID TO LOCALITIES 2019-20

1 federal personal responsibility and work
 2 opportunity reconciliation act of 1996 may
 3 be used without state or local financial
 4 participation to provide grants or enter
 5 into contracts with courts, local public
 6 agencies, or nonprofit private entities
 7 consistent with federal law and require-
 8 ments. Such grants and/or contracts shall
 9 be made based on the results of a compet-
 10 itive procurement.
 11 Funds appropriated herein may be used for a
 12 federally approved research and demon-
 13 stration project for improved custodial
 14 cooperation. Notwithstanding any incon-
 15 sistent provision of law, these funds
 16 shall be available without local financial
 17 participation (52200) 140,000,000
 18 -----

19
 20 EMPLOYMENT AND INCOME SUPPORT PROGRAM ~~4,999,261,000~~

 4,999,761,000

21
 22
 23 General Fund
 24 Local Assistance Account - 10000
 25

26 For state reimbursement of the safety net
 27 assistance program as established pursuant
 28 to chapter 436 of the laws of 1997.
 29 Notwithstanding section 153 of the social
 30 services law or any other inconsistent
 31 provision of law, funds appropriated here-
 32 in shall reimburse 29 percent of safety
 33 net assistance expenditures, including the
 34 cost of providing shelter supplements for
 35 safety net assistance households at local
 36 option, including eligible households
 37 containing a household member who has been
 38 released from prison, in order to prevent
 39 eviction and address homelessness in
 40 accordance with social services district
 41 plans approved by the office of temporary
 42 and disability assistance and the director
 43 of the budget, provided, however, that in
 44 social services districts with a popu-
 45 lation over five million no shelter
 46 supplements other than those to prevent
 47 eviction shall be reimbursed unless such
 48 social services district has agreed to
 49 offset claims for other eligible public
 50 assistance expenditures in an amount
 51 commensurate with the cost of any such
 52 supplements, and further provided that
 53 such supplements shall not be part of the
 54 standard of need pursuant to section 131-a
 55 of the social services law. Funds appro-
 56 priated herein shall also reimburse 29
 57 percent of safety net assistance expendi-
 58 tures, in social services districts with a
 59 population over five million, for emergen-
 60 cy shelter, transportation, or nutrition
 61 payments which the district determines are

DEPARTMENT OF FAMILY ASSISTANCE
OFFICE OF TEMPORARY AND DISABILITY ASSISTANCE

AID TO LOCALITIES 2019-20

1 ance and the director of the budget.
2 Provided, however, notwithstanding section
3 153 of the social services law or any
4 other inconsistent provision of law, if
5 necessary funding, as determined by the
6 director of the budget, is secured in a
7 social services district from the medical
8 assistance program by reducing the capita-
9 tion rates paid to medicaid managed care
10 organizations by the amount of savings
11 resulting from stably housing individuals
12 living with medically diagnosed HIV
13 infection as defined by the AIDS institute
14 of the state department of health, the
15 social services district shall make such
16 payments of additional rental costs, for
17 cases reimbursed under the safety net
18 assistance and family assistance program,
19 and the savings shall be used to reimburse
20 100 percent of the cost of the additional
21 rental costs determined based on limiting
22 such person's earned and/or unearned
23 income contribution to 30 percent in
24 social services districts with a popu-
25 lation of five million or fewer, in
26 accordance with a plan approved by the
27 office of temporary and disability assist-
28 ance and the director of the budget;
29 provided further that reimbursement shall
30 be provided to medicaid managed care
31 organizations through adjustments to capi-
32 tation rates should actual gross savings
33 not be realized as determined by the
34 director of the budget.

35 Amounts appropriated herein may be used to
36 enter into contracts with persons or enti-
37 ties authorized pursuant to ~~section 17(i)~~
38 of the social services law consistent with
39 federal law and requirements. Such
40 contracts will be consistent with ~~section~~
41 ~~17(i)~~ of the social services law.
42 Notwithstanding section 153 of the social
43 services law or any other inconsistent
44 provision of law, the office may reduce
45 reimbursement otherwise payable to social
46 services districts to recover 29 percent
47 of costs incurred by the office for
48 expenditures related to ~~section 17(1)~~ of
49 the social services law.

50 Such funds are to be available for payment
51 of aid heretofore accrued or hereafter to
52 accrue to municipalities. Subject to the
53 approval of the director of the budget,
54 such funds shall be available to the
55 office of temporary and disability assist-
56 ance, net of disallowances, refunds,
57 reimbursements, and credits, including
58 those related to title IV-E of the social
59 security act; and including, but not
60

Subdivision (i) of section 17

DEPARTMENT OF FAMILY ASSISTANCE
OFFICE OF TEMPORARY AND DISABILITY ASSISTANCE

AID TO LOCALITIES 2019-20

1 be part of the standard of need pursuant
2 to section 131-a of the social services
3 law.
4 Funds appropriated herein shall also reim-
5 burse for family assistance expenditures
6 for emergency shelter, transportation, or
7 nutrition payments which the district
8 determines are necessary to establish or
9 maintain independent living arrangements
10 among persons living with medically diag-
11 nosed HIV infection as defined by the AIDS
12 institute of the State department of
13 health and who are homeless or facing
14 homelessness and for whom no viable and
15 less costly alternative to housing is
16 available; provided, however, that funds
17 appropriated herein may only be used for
18 such purposes if the cost of such allow-
19 ances are not eligible for reimbursement
20 under medical assistance or other
21 programs.
22 For persons living with medically diagnosed
23 HIV infection as defined by the AIDS
24 institute of the state department of
25 health who are receiving public assistance
26 funds appropriated herein shall not be
27 used to reimburse the additional rental
28 costs determined based on limiting such
29 person's earned and/or unearned income
30 contribution to 30 percent.
31 Amounts appropriated herein may be used to
32 enter into contracts with persons or enti-
33 ties authorized pursuant to ~~section 17(i)~~
34 of the social services law consistent with
35 federal law and requirements. Such
36 contracts will be made consistent with
37 ~~section 17(i)~~ of the social services law.
38 Notwithstanding section 153 of the social
39 services law or any other inconsistent
40 provision of law, the office may reduce
41 reimbursement otherwise payable to social
42 services districts to recover the federal
43 share of costs incurred by the office for
44 expenditures related to ~~section 17(i)~~ of
45 the social services law.
46 Such funds are to be available for payment
47 of aid heretofore accrued or hereafter to
48 accrue to municipalities. Subject to the
49 approval of the director of the budget,
50 such funds shall be available to the
51 office of temporary and disability assist-
52 ance net of disallowances, refunds,
53 reimbursements, and credits including, but
54 not limited to, additional federal funds
55 resulting from any changes in federal cost
56 allocation methodologies.
57 Notwithstanding any inconsistent provision
58 of law, the amount herein appropriated may
59 be increased or decreased by interchange
60 with any other appropriation within the
61 office of temporary and disability assist-

Subdivision (i) of section 17

MMS

DEPARTMENT OF FINANCIAL SERVICES

AID TO LOCALITIES 2019-20

1 For payment according to the following schedule:

2
3
4
5
6
7
8
9

	APPROPRIATIONS	REAPPROPRIATIONS	
Special Revenue Funds - Other	61,912,000	0	58,912,000
All Funds	61,912,000	0	58,912,000

10

SCHEDULE

11
12
13
14
15
16
17
18

ADMINISTRATION PROGRAM 850,000

Special Revenue Funds - Other
Miscellaneous Special Revenue Fund
Settlement Account - 22045

19
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31
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33
34

For services and expenses related to the enforcement actions in accordance with the purposes outlined in the settlement under which funding is obtained. Notwithstanding any inconsistent provision of law, all or a portion of this appropriation may, subject to the approval of the director of the budget, be transferred to the special revenue funds - other / state operations, miscellaneous special revenue fund, banking department settlement account. Notwithstanding any inconsistent provision of law, the director of the budget may suballocate up to the full amount of this appropriation to any department, agency or authority (81001)

850,000

35
36

INSURANCE PROGRAM ~~61,062,000~~ 58,062,000

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Special Revenue Funds - Other
Miscellaneous Special Revenue Fund
Insurance Department Account - 21994

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For suballocation to the division of homeland security and emergency services for aid to localities payments related to municipalities fighting fires on state property, expenses incurred under the state's fire mobilization and mutual aid plan, and for payment of training costs incurred in accordance with section 209-x of the general municipal law for training of certain first-line supervisors of paid fire departments at the New York city fire training academy and in accordance with rules and regulations promulgated by the secretary of state and approved by the director of the budget. Notwithstanding any other provision of law, the amount herein made available shall constitute the state's entire obligation for all costs

DEPARTMENT OF FINANCIAL SERVICES

AID TO LOCALITIES 2019-20

1	incurred by the New York city fire train-		
2	ing academy in state fiscal year 2018-19		
3	(32423)	989,000	
4	For suballocation to the department of		
5	health for aid to localities payments for		
6	services and expenses related to state		
7	grants for a program of family planning		
8	services pursuant to article 2 of the		
9	public health law which may include cervi-		
10	cal cancer vaccine. A portion of this		
11	appropriation may be transferred to state		
12	operations for administration of the		
13	program (32424)	22,914,000	19,914,000
14	For suballocation to the department of		
15	health for aid to localities payments for		
16	services and expenses related to the		
17	administration of the immunization		
18	program. A portion of this appropriation		
19	may be transferred to state operations for		
20	administration of the program (32429)	7,520,000	
21	For suballocation to the department of		
22	health for aid to localities payments for		
23	services and expenses related to the		
24	administration of the lead poisoning		
25	prevention and assistance program. A		
26	portion of this appropriation may be		
27	transferred to state operations for admin-		
28	istration of the program (32425)	14,604,000	
29	For services and expenses related to the		
30	healthy NY program. A portion of this		
31	appropriation may be transferred to state		
32	operations appropriations (32430)	15,000,000	
33	For services and expenses related to the		
34	pilot program for entertainment industry		
35	employees (32432)	35,000	
36		-----	
37			

NEW YORK STATE GAMING COMMISSION

AID TO LOCALITIES 2019-20

1 herein may be suballocated to any depart-
2 ment, agency or public authority (80306).. 11,000,000
3 Notwithstanding any other law to the contra-
4 ry, for services and expenses of grants
5 equal to 25 percent of the negotiated
6 percentage of the net drop from electronic
7 gaming devices the state receives from
8 such devices located at the Akwesasne
9 Mohawk casino pursuant to the tribal
10 compacts for the purposes specified in
11 subdivision 3 of section 99-h of the state
12 finance law provided that the counties of
13 Franklin and St. Lawrence, and the
14 affected towns therein, shall each receive
15 50 percent of the monies appropriated
16 herein. Funds appropriated herein may be
17 suballocated to any department, agency or
18 public authority (80585) 15,000,000
19 Notwithstanding any other law to the contra-
20 ry, for payments to counties eligible to
21 receive aid equal to 10 percent of the
22 negotiated percentage of the net drop from
23 electronic gaming devices the state
24 receives from such devices located at the
25 Akwesasne casino pursuant to the tribal
26 compact for purposes specified in subdivi-
27 sion 3-a of section 99-h of the state
28 finance law. Funds appropriated herein may
29 be suballocated to any department, agency
30 or public authority (80307) 6,000,000
31 Notwithstanding any other law to the contra-
32 ry, for services and expenses of grants
33 equal to 25 percent of the negotiated
34 percentage of the net drop from electronic
35 gaming devices plus an additional sum of
36 \$6,000,000 the state receives from such
37 devices located at ~~the Oneida Turning~~
38 ~~Stone casino~~ pursuant to the tribal
39 compact for purposes specified in section
40 99-h of the state finance law. Funds
41 appropriated herein may be suballocated to
42 any department, agency or public authority
43 (80308) 32,000,000
44 Notwithstanding any other law to the contra-
45 ry, for payments to counties eligible to
46 receive aid equal to 10 percent of the
47 negotiated percentage of the net drop from
48 electronic gaming devices the state
49 receives from such devices located at ~~the~~
50 ~~Oneida Turning Stone casino~~ pursuant to
51 the tribal compact for purposes specified
52 in subdivision 3-a of section 99-h of the
53 state finance law. Funds appropriated
54 herein may be suballocated to any depart-
55 ment, agency or public authority (80309).. 10,000,000
56 -----
57
58

oneida Nation casinos

oneida Nation casinos

DEPARTMENT OF HEALTH

AID TO LOCALITIES 2019-20

1 For payment according to the following schedule:

	APPROPRIATIONS	REAPPROPRIATIONS	
	<u>43,676,063,100</u>		99,304,650,000
5 General Fund	44,932,063,100	41,827,426,000	12,246,700,000
6 Special Revenue Funds - Federal	99,304,050,000	104,786,578,000	
7 Special Revenue Funds - Other	12,146,706,000	11,355,697,000	
8			
9 All Funds	<u>156,382,819,100</u>	<u>157,969,701,000</u>	

155,227,419,100

SCHEDULE

14 ADMINISTRATION PROGRAM 266,000

17 General Fund
18 Local Assistance Account - 10000

20 For services and expenses of the office of
21 minority health including competitive
22 grants to promote community strategic
23 planning or new or improved health care
24 delivery systems and networks in minority
25 areas (29995) 266,000

103,855,400

28 AIDS INSTITUTE PROGRAM 103,255,700

31 General Fund
32 Local Assistance Account - 10000

34 For services and expenses for regional and
35 targeted HIV, STD, and hepatitis C
36 services. To ensure organizational viabil-
37 ity, agency administration may be
38 supported subject to the review and
39 approval of the department of health.
40 Notwithstanding any provision of law to the
41 contrary, the commissioner of health shall
42 be authorized to continue contracts with
43 community service programs, multiservice
44 agencies and community development initi-
45 atives for all such contracts which were
46 executed on or before March 31, 2019,
47 without any additional requirements that
48 such contracts be subject to competitive
49 bidding or a request for proposals process
50 (29819) 29,009,000

51 For services and expenses for HIV health
52 care and supportive services. A portion of
53 this appropriation may be suballocated to
54 other state agencies, authorities, or
55 accounts for expenditures related to the
56 New York/New York III supportive housing
57 agreement (26924) 32,387,000

58 For services and expenses for hepatitis C
59 programs (29817) 1,117,000

DEPARTMENT OF HEALTH

AID TO LOCALITIES 2019-20

1	For services and expenses for HIV, STD, and	
2	hepatitis C prevention. A portion of these	
3	funds may be suballocated to other state	
4	agencies (29818)	31,080,000
5	For services and expenses for HIV clinical	
6	and provider education programs (29816) ..	2,716,000
7	For services and expenses of an opioid drug	
8	addiction, prevention and treatment	
9	program (26936)	450,000
10	For services and expenses of an opioid over-	
11	dose prevention program for schools	
12	(26935)	272,000
13	For services and expenses to support the STD	
14	center of excellence (26826)	480,000
15	For services and expenses of the health and	
16	social services sexuality-related programs	
17	(26832)	4,967,000
18	For services and expenses of a statewide	
19	public health campaign for screening and	
20	education activities regarding sexually	
21	transmitted diseases, provided that any	
22	funds allocated under this appropriation	
23	shall not supplant existing local funds or	
24	state funds allocated to county health	
25	departments under article 6 of the public	
26	health law (26834)	777,700
27		-----
28	_____ Insert DOH 476	
29	CENTER FOR COMMUNITY HEALTH PROGRAM	1,499,544,400
30		-----

31
 32 General Fund
 33 Local Assistance Account - 10000
 34

35 State aid to municipalities for the
 36 operation of local health departments and
 37 laboratories and for the provision of
 38 general public health services pursuant to
 39 article 6 of the public health law for
 40 activities under the jurisdiction of the
 41 commissioner of health.

42 Notwithstanding any inconsistent provision
 43 of law, rule or regulation, for purposes
 44 of state aid reimbursement under article 6
 45 of the public health law, commencing April
 46 1, 2019 reimbursement shall be made if the
 47 municipality is providing some or all of
 48 the core public health services identified
 49 in section 602 of the public health law,
 50 pursuant to an approved application for
 51 state aid, at a rate of no less than 36
 52 per centum, except for the city of New
 53 York, which shall receive no less than 20
 54 per centum, of the difference between the
 55 amount of moneys expended by the
 56 municipality for public health services
 57 required by section 602 of the public
 58 health law during the fiscal year and the
 59 base grant provided pursuant to
 60 subdivision ~~one~~ of section 605 of the
 61 public health law. Provided, however, if
 62 the director determines that this chapter

Program account subtotal 103,255,700

Special Revenue Funds - Federal
Federal Health and Human Services Fund
SAMHSA Account - 25170

For services and expenses, including grants,
to provide training and resources to first
responders and members of other key
community sectors at the state, tribal and
local governmental levels related to
emergency treatment of suspected opioid
overdose 600,000

Program account subtotal 600,000

DOH
476

DEPARTMENT OF HEALTH

AID TO LOCALITIES 2019-20

1 appropriates sufficient additional funds
 2 to support reimbursement at a rate of no
 3 less than 36 per centum, except for the
 4 city of New York, which shall receive no
 5 less than 20 per centum, of the difference
 6 between the amount of moneys expended by
 7 the municipality for public health
 8 services required by section 602 of the
 9 public health law during the fiscal year
 10 and the base grant provided pursuant to
 11 subdivision ~~one~~ of 605 of the public
 12 health law, then this language shall be
 13 considered null and void as of March 31,
 14 2019.

15 Notwithstanding any other provision of arti-
 16 cle 6 of the public health law, a county
 17 may obtain reimbursement pursuant to this
 18 act, only after the county chief financial
 19 officer certifies, in the state aid appli-
 20 cation, that county tax levies used to
 21 fund services carried out by the county
 22 health department have not been added to
 23 or supplanted directly or indirectly by
 24 any funds obtained by the county pursuant
 25 to the Master Settlement Agreement entered
 26 into on November 23, 1998 by the state and
 27 leading United States tobacco product
 28 manufacturers, except in the case of a
 29 public health emergency, as determined by
 30 the commissioner of health.

31 Notwithstanding annual aggregate limits for
 32 bad debt and charity care allowances and
 33 any other provision of law, up to
 34 \$1,700,000 shall be transferred to the
 35 medical assistance program general fund -
 36 local assistance account for eligible
 37 publicly sponsored certified home health
 38 agencies that demonstrate losses from a
 39 disproportionate share of bad debt and
 40 charity care, pursuant to chapter 884 of
 41 the laws of 1990. Within the maximum
 42 limits specified herein, the department
 43 shall transfer only those funds which are
 44 necessary to meet the state share require-
 45 ments for disproportionate
 46 ments expected to be paid for the period
 47 January 1, 2019 through December 31, 2020.

48 The moneys hereby appropriated shall be
 49 available for payment of financial assist-
 50 ance heretofore accrued (26815) 179,334,000

51 For services and expenses related to public
 52 health emergencies as declared by the
 53 counties or the commissioner of the
 54 department of health, and approved by the
 55 director of the budget in accordance with
 56 article 6 of the public health law.
 57 Notwithstanding any provision of the law
 58 to the contrary, a portion of these funds
 59 may be transferred to any program, fund,
 60 or account within the department to
 61

DEPARTMENT OF HEALTH

AID TO LOCALITIES 2019-20

1	For services and expenses related to obesity	
2	and diabetes programs (26925)	5,970,000
3	For services and expenses of the public	
4	health management leaders of tomorrow	
5	program, provided a portion of this appro-	
6	priation shall be suballocated to univer-	
7	sity at Albany school of public health	
8	(29968)	261,600
9	For services and expenses related to state-	
10	wide health broadcasts involving local,	
11	state and federal agencies (26830)	32,000
12	For grants to sudden infant death syndrome	
13	centers (29964)	15,000
14	For services and expenses of research and	
15	prevention, and detection of Lyme disease	
16	and other tick-borne illnesses (29963) ...	69,400
17	For services and expenses of the comprehen-	
18	sive care centers for eating disorders	
19	program (29943)	118,000
20	For services and expenses of a safe mother-	
21	hood initiative to prevent maternal deaths	
22	in New York state (29942)	28,000
23	For services and expenses of health	
24	promotion initiatives (26833)	430,000
25	For services and expenses for statewide	
26	maternal mortality reviews and the devel-	
27	opment of protocols to reduce incidents of	
28	death during childbirth (29938)	25,000
29	For services and expenses of the Adelphi	
30	University breast cancer support program	
31	(29913)	283,300
32	For services and expenses of a statewide	
33	public health campaign for tuberculosis	
34	control, provided that any funds allocated	
35	under this appropriation shall not	
36	supplant existing local funds or state	
37	funds allocated to county health depart-	
38	ments under article 6 of the public health	
39	law (26839)	3,845,000
40	For services and expenses of the prenatal	
41	care assistance program. Up to 100 percent	
42	of this appropriation may be suballocated	
43	to the medical assistance program general	
44	fund - local assistance account to be	
45	matched by federal funds (26841)	1,835,000
46	For services and expenses related to tobacco	
47	enforcement, education and related activ-	
48	ities, pursuant to chapter 433 of the laws	
49	of 1997. Of amounts appropriated herein,	
50	up to \$500,000 may be used for educational	
51	programs (29916)	2,174,600
52	For services and expenses of the Maternity	
53	and Early Childhood Foundation (29915) ...	227,000
54	For grants in aid to contract for hyperten-	
55	sion prevention, screening and treatment	
56	programs (29564)	506,000
57	For services and expenses of tuberculosis	
58	treatment, detection and prevention	
59	(29912)	565,600
60	For services and expenses to implement the	
61	early intervention program act of 1992.	
62		

*Services and
expenses to promote
Infant Safe Sleep*

DEPARTMENT OF HEALTH
AID TO LOCALITIES 2019-20

1 Notwithstanding any inconsistent provision
2 of law and subject to the approval of the
3 director of budget, moneys hereby appro-
4 priated may be increased or decreased by
5 transfer or interchange between these
6 appropriated amounts and appropriations of
7 the medical assistance administration
8 program, the medical assistance program,
9 and the office of health insurance
10 programs. Funding authority from this
11 account used for state administration of
12 the medical assistance program may be
13 transferred to state operations appropri-
14 ations within the aforementioned programs
15 at amounts agreed upon by the commissioner
16 of health, and the New York state division
17 of the budget.

18 Notwithstanding section 40 of the state
19 finance law or any other law to the
20 contrary, all medical assistance appropri-
21 ations made from this account shall remain
22 in full force and effect in accordance, in
23 the aggregate, with the following sched-
24 ule: not more than 50 percent for the
25 period April 1, 2019 to March 31, 2020;
26 and the remaining amount for the period
27 April 1, 2020 to March 31, 2021.

28 Notwithstanding section 40 of the state
29 finance law or any provision of law to the
30 contrary, subject to federal approval,
31 department of health state funds medicaid
32 spending, excluding payments for medical
33 services provided at state facilities
34 operated by the office of mental health,
35 the office for people with developmental
36 disabilities and the office of alcoholism
37 and substance abuse services and further
38 excluding any payments which are not
39 appropriated within the department of
40 health, in the aggregate, for the period
41 April 1, 2019 through March 31, 2020,
42 shall not exceed ~~\$22,251,148,000~~ except as **\$21,701,148,000**
43 provided below and state share medicaid
44 spending, in the aggregate, for the period
45 April 1, 2020 through March 31, 2021,
46 shall not exceed ~~\$23,256,018,000~~ but in **\$22,650,018,000**
47 no event shall department of health state
48 funds medicaid spending for the period
49 April 1, 2019 through March 31, 2021
50 exceed ~~\$45,507,166,000~~ provided, however,
51 such aggregate limits may be adjusted by
52 the director of the budget to account for
53 any changes in the New York state federal
54 medical assistance percentage amount
55 established pursuant to the federal social
56 security act, increases in provider reven-
57 ues, reductions in local social services
58 district payments for medical assistance
59 administration, minimum wage increases and
60 beginning April 1, 2012 the operational
61 costs of the New York state medical indem-
62 nity to chapter 59 of the

\$44,351,166,000

DEPARTMENT OF HEALTH

AID TO LOCALITIES 2019-20

1 health of each local social services
2 district's share of payments made pursuant
3 to section 367-b of the social services
4 law.

5 Notwithstanding any provision of law to the
6 contrary, the portion of this appropri-
7 ation covering fiscal year 2019-20 shall
8 supersede and replace any duplicative (i)
9 reappropriation for this item covering
10 fiscal year 2019-20, and (ii) appropri-
11 ation for this item covering fiscal year
12 2019-20 set forth in chapter 53 of the
13 laws of 2018 (26993) 1,261,300,000

14 For reimbursement of administrative expenses
15 of the medical assistance program provided
16 by the office of mental health, office for
17 people with developmental disabilities,
18 and office of alcoholism and substance
19 abuse services provided pursuant to title
20 XIX of the federal social security act.
21 The money hereby appropriated is available
22 for payment of aid heretofore accrued or
23 hereafter accrued. Notwithstanding any
24 other provision of law, the money hereby
25 appropriated may be increased or decreased
26 by interchange with any other appropri-
27 ation of the department of health with the
28 approval of the director of budget.

29 Notwithstanding any provision of law to the
30 contrary, the portion of this appropri-
31 ation covering fiscal year 2019-20 shall
32 supersede and replace any duplicative (i)
33 reappropriation for this item covering
34 fiscal year 2019-20, and (ii) appropri-
35 ation for this item covering fiscal year
36 2019-20 set forth in chapter 53 of the
37 laws of 2018 (26994) 180,000,000

38
39 Program account subtotal 1,441,300,000

40
41
42 MEDICAL ASSISTANCE PROGRAM 1,421,300,000
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General Fund
Local Assistance Account - 10000

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

Notwithstanding section 40 of the state
finance law or any other law to the
contrary, all medical assistance appropri-
ations made from this account shall remain
in full force and effect in accordance, in
the aggregate, with the following sched-
ule: not more than 49 percent for the
period April 1, 2019 to March 31, 2020;
and the remaining amount for the period
April 1, 2020 to March 31, 2021.

DEPARTMENT OF HEALTH
AID TO LOCALITIES 2019-20

1 Notwithstanding section 40 of the state
 2 finance law or any provision of law to the
 3 contrary, subject to federal approval,
 4 department of health state funds medicaid
 5 spending, excluding payments for medical
 6 services provided at state facilities
 7 operated by the office of mental health,
 8 the office for people with developmental
 9 disabilities and the office of alcoholism
 10 and substance abuse services and further
 11 excluding any payments which are not
 12 appropriated within the department of
 13 health, in the aggregate, for the period
 14 April 1, 2019 through March 31, 2020,
 15 shall not exceed ~~\$22,251,148,000~~ except as
 16 provided below and state share medicaid
 17 spending, in the aggregate, for the period
 18 April 1, 2020 through March 31, 2021,
 19 shall not exceed ~~\$23,256,018,000~~ but in
 20 no event shall department of health state
 21 funds medicaid spending for the period
 22 April 1, 2019 through March 31, 2021
 23 exceed ~~\$45,507,166,000~~ provided, however,
 24 such aggregate limits may be adjusted by
 25 the director of the budget to account for
 26 any changes in the New York state federal
 27 medical assistance percentage amount
 28 established pursuant to the federal social
 29 security act, increases in provider reven-
 30 ues, reductions in local social services
 31 district payments for medical assistance
 32 administration, minimum wage increases and
 33 beginning April 1, 2012 the operational
 34 costs of the New York state medical indem-
 35 nity fund, pursuant to chapter 59 of the
 36 laws of 2011, and state costs or savings
 37 from the essential plan program. Such
 38 projections may be adjusted by the direc-
 39 tor of the budget to account for increased
 40 or expedited department of health state
 41 funds medicaid expenditures as a result of
 42 a natural or other type of disaster,
 43 including a governmental declaration of
 44 emergency. The director of the budget, in
 45 consultation with the commissioner of
 46 health, shall assess on a monthly basis
 47 known and projected medicaid expenditures
 48 by category of service and by geographic
 49 region, as defined by the commissioner,
 50 incurred both prior to and subsequent to
 51 such assessment for each such period, and
 52 if the director of the budget determines
 53 that such expenditures are expected to
 54 cause medicaid spending for such period to
 55 exceed the aggregate limit specified here-
 56 in for such period, the state medicaid
 57 director, in consultation with the direc-
 58 tor of the budget and the commissioner of
 59 health, shall develop a medicaid savings
 60 allocation plan to limit such spending to
 61 the aggregate limit specified herein for
 such period.

\$21,701,148,000

\$22,650,018,000

\$44,351,166,000

DEPARTMENT OF HEALTH

AID TO LOCALITIES 2019-20

1 mental hygiene law and article 28 of the
 2 public health law.
 3 Notwithstanding any inconsistent provision
 4 of law, the moneys hereby appropriated may
 5 be available for payments associated with
 6 the resolution by settlement agreement or
 7 judgment of rate appeals and/or litigation
 8 where the department of health is a party.
 9 For services and expenses of the medical
 10 assistance program including hospital
 11 inpatient services and general hospitals
 12 that are safety-net providers that evince
 13 severe financial distress, pursuant to
 14 criteria determined by the commissioner,
 15 shall be eligible for awards for amounts
 16 appropriated herein, to enable such
 17 providers to maintain operations and vital
 18 services while establishing long term
 19 solutions to achieve sustainable health
 20 services.

21 Notwithstanding any inconsistent provision
 22 of law, rule or regulation to the
 23 contrary, for state fiscal years 2019-2020
 24 and 2020-2021, the rates and payment
 25 methodologies set forth in the provisions
 26 of paragraph (b) of subdivision ~~(35)~~ of
 27 section 2807-c of the public health law
 28 may incorporate methodologies to reduce
 29 payments to facilities with a higher
 30 percentage of potentially avoidable
 31 inpatient services by instituting lower
 32 inpatient payment rates for both fee-for-
 33 service and managed care to incentivize
 34 the provision of preventative care to
 35 reduce preventable events and overall
 36 inpatient costs. A portion of such savings
 37 derived from the implementation of such
 38 payment methodologies shall be reinvested
 39 in initiatives to incentivize the
 40 provision of preventative care, maternity
 41 services, and other ambulatory care
 42 services to reduce preventable health care
 43 costs. Provided, however, if the director
 44 of the budget determines that this chapter
 45 appropriates sufficient additional funds
 46 to allow for the alteration of such rates
 47 and payment methodologies pursuant to
 48 ~~public health law section 2807-c (b) (35)~~
 49 ~~(xiv)~~, then the provisions of this
 50 paragraph shall not apply and shall be
 51 considered null and void as of March 31,
 52 2019.

35

Subparagraph (xiv) of paragraph
 (b) of subdivision 35 of
 Section 2807-c of the public
 health law

53 Notwithstanding any provision of law to the
 54 contrary, the portion of this appropri-
 55 ation covering fiscal year 2019-20 shall
 56 supersede and replace any duplicative (i)
 57 reappropriation for this item covering
 58 fiscal year 2019-20, and (ii) appropri-
 59 ation for this item covering fiscal year
 60 2019-20 set forth in chapter 53 of the
 61 laws of 2018 (26947)

~~1,315,625,000~~ 712,890,000

DEPARTMENT OF HEALTH

AID TO LOCALITIES 2019-20

1 For services and expenses of the medical
2 assistance program including hospital
3 outpatient and emergency room services.

4 Notwithstanding any provision of law to the
5 contrary, the portion of this appropri-
6 ation covering fiscal year 2019-20 shall
7 supersede and replace any duplicative (i)
8 reappropriation for this item covering
9 fiscal year 2019-20, and (ii) appropri-
10 ation for this item covering fiscal year
11 2019-20 set forth in chapter 53 of the
12 laws of 2018 (26948)

461,853,000

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

16 Notwithstanding any provision of law to the
17 contrary, the portion of this appropri-
18 ation covering fiscal year 2019-20 shall
19 supersede and replace any duplicative (i)
20 reappropriation for this item covering
21 fiscal year 2019-20, and (ii) appropri-
22 ation for this item covering fiscal year
23 2019-20 set forth in chapter 53 of the
24 laws of 2018 (26949)

~~597,863,000~~ 589,733,000

25 For services and expenses of the medical
26 assistance program including nursing home
27 services.

28 Notwithstanding any provision of law to the
29 contrary, the portion of this appropri-
30 ation covering fiscal year 2019-20 shall
31 supersede and replace any duplicative (i)
32 reappropriation for this item covering
33 fiscal year 2019-20, and (ii) appropri-
34 ation for this item covering fiscal year
35 2019-20 set forth in chapter 53 of the
36 laws of 2018 (26950)

~~1,517,574,000~~ 1,275,901,000

37 For services and expenses of the medical
38 assistance program including other long
39 term care services.

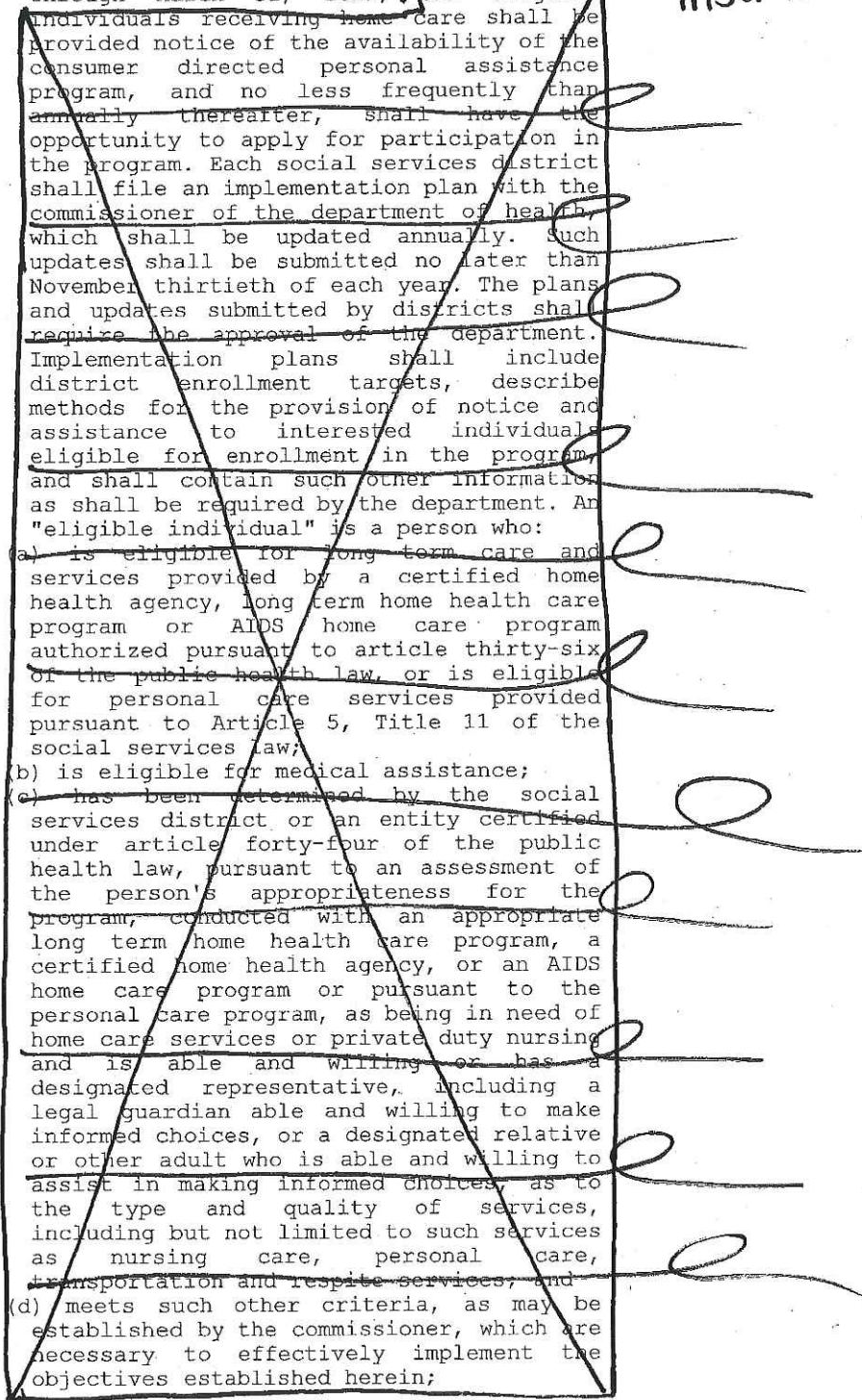
40 Notwithstanding any inconsistent provision
41 of law, rule or regulation to the
42 contrary, for the period April 1, 2019
43 through March 31, 2021, benefits under the
44 medical assistance program shall be
45 furnished to an applicant notwithstanding
46 that the applicant has a responsible
47 relative with sufficient income and
48 resources to provide medical assistance,
49 if: (a) the legally responsible relative
50 is a community spouse, as defined in
51 section 366-c of the social services law,
52 who is refusing to make his or her income
53 and/or resources available to meet the
54 cost of necessary medical care, services,
55 and supplies, and the applicant has
56 executed an assignment of support from the
57 community spouse in favor of the county
58 social services district and the
59 department of health, unless the applicant
60 is unable to execute such assignment due
61 to physical or mental impairment or to
62 deny assistance would create an undue

DEPARTMENT OF HEALTH

AID TO LOCALITIES 2019-20

1 Notwithstanding any inconsistent provision
 2 of law, rule or regulation to the
 3 contrary, for the period January 1, 2020
 4 through March 31, 2021, ~~all eligible~~
 5 ~~individuals receiving home care shall be~~
 6 ~~provided notice of the availability of the~~
 7 ~~consumer directed personal assistance~~
 8 ~~program, and no less frequently than~~
 9 ~~annually thereafter, shall have the~~
 10 ~~opportunity to apply for participation in~~
 11 ~~the program. Each social services district~~
 12 ~~shall file an implementation plan with the~~
 13 ~~commissioner of the department of health,~~
 14 ~~which shall be updated annually. Such~~
 15 ~~updates shall be submitted no later than~~
 16 ~~November thirtieth of each year. The plans~~
 17 ~~and updates submitted by districts shall~~
 18 ~~require the approval of the department.~~
 19 ~~Implementation plans shall include~~
 20 ~~district enrollment targets, describe~~
 21 ~~methods for the provision of notice and~~
 22 ~~assistance to interested individuals~~
 23 ~~eligible for enrollment in the program,~~
 24 ~~and shall contain such other information~~
 25 ~~as shall be required by the department. An~~
 26 ~~"eligible individual" is a person who:~~
 27 ~~(a) is eligible for long term care and~~
 28 ~~services provided by a certified home~~
 29 ~~health agency, long term home health care~~
 30 ~~program or AIDS home care program~~
 31 ~~authorized pursuant to article thirty-six~~
 32 ~~of the public health law, or is eligible~~
 33 ~~for personal care services provided~~
 34 ~~pursuant to Article 5, Title 11 of the~~
 35 ~~social services law;~~
 36 ~~(b) is eligible for medical assistance;~~
 37 ~~(c) has been determined by the social~~
 38 ~~services district or an entity certified~~
 39 ~~under article forty-four of the public~~
 40 ~~health law, pursuant to an assessment of~~
 41 ~~the person's appropriateness for the~~
 42 ~~program, conducted with an appropriate~~
 43 ~~long term home health care program, a~~
 44 ~~certified home health agency, or an AIDS~~
 45 ~~home care program or pursuant to the~~
 46 ~~personal care program, as being in need of~~
 47 ~~home care services or private duty nursing~~
 48 ~~and is able and willing or has a~~
 49 ~~designated representative, including a~~
 50 ~~legal guardian able and willing to make~~
 51 ~~informed choices, or a designated relative~~
 52 ~~or other adult who is able and willing to~~
 53 ~~assist in making informed choices, as to~~
 54 ~~the type and quality of services,~~
 55 ~~including but not limited to such services~~
 56 ~~as nursing care, personal care,~~
 57 ~~transportation and respite services; and~~
 58 ~~(d) meets such other criteria, as may be~~
 59 ~~established by the commissioner, which are~~
 60 ~~necessary to effectively implement the~~
 61 ~~objectives established herein;~~

Insert B DOH 509



^eFor the purposes of section 365-f of the social services law, the term "fiscal intermediary" shall mean an entity that provides fiscal intermediary services and has a contract for providing such services with the department of health and is selected through a procurement process described below, or by authorization upon application in accordance with such criteria as the department may develop together with such other forms and information prescribed by, or acceptable to, the commissioner. Eligible applicants for such authorization shall be limited to entities that: (A) are a service center for independent living under section 1121 one of the education law; or (B) have a history of providing fiscal intermediary services for persons with disabilities, as demonstrated by having a continuous history of arrangements with local departments of social services beginning no later than January 1, 2012.

6
insert A & B
DOH 509

And, further, notwithstanding any inconsistent provision of sections one 112 and 163 of the state finance law, or section 142 of the economic development law, or any other law, the commissioner is authorized to enter into a contract or contracts with an entity or entities without a competitive bid or request for proposal process, provided, however, that:

- (i) the department shall post on its website, for a period of no less than thirty days:
 - (A) a description of the proposed services to be provided pursuant to the contract or contracts;
 - (B) the criteria for selection of a contractor or contractors;
 - (C) the period of time during which a prospective contractor may seek selection, which shall be no less than thirty days after such information is first posted on the website; and
 - (D) the manner by which a prospective contractor may seek such selection, which may include submission by electronic means;
- (ii) all reasonable and responsive submissions that are received from prospective contractors in timely fashion shall be reviewed by the commissioner; and
- (iii) the commissioner shall select such contractor or contractors that, in the commissioner's discretion, are best suited to serve the purposes of this section.

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1 and, further, eligible individuals who elect
 2 to participate in the program assume the
 3 responsibility for services under such
 4 program as mutually agreed to by the
 5 eligible individual and provider and as
 6 documented in the eligible individual's
 7 record, including, but not limited to,
 8 recruiting, hiring and supervising their
 9 personal assistants. Personal assistant
 10 shall mean an adult who provides services
 11 to the eligible individual under the
 12 eligible individual's instruction,
 13 supervision and direction or under the
 14 instruction, supervision and direction of
 15 the eligible individual's designated
 16 representative, provided that a person
 17 legally responsible for an eligible
 18 individual's care and support, an eligible
 19 individual's spouse or designated
 20 representative may not be the personal
 21 assistant for the eligible individual;
 22 however, a personal assistant may include
 23 any other adult relative of the eligible
 24 individual, provided, however, that the
 25 program determines that the services
 26 provided by such relative are consistent
 27 with an individual's plan of care and that
 28 the aggregate cost for such services does
 29 not exceed the aggregate costs for
 30 equivalent services provided by a non-
 31 relative personal assistant. Such
 32 individuals shall be assisted as
 33 appropriate with service coverage,
 34 supervision, advocacy and management.
 35 Providers shall not be liable for
 36 fulfillment of responsibilities agreed to
 37 be undertaken by the eligible individual.
 38 These requirements, however, shall not
 39 diminish the participating provider's
 40 liability for failure to exercise
 41 reasonable care in properly carrying out
 42 its responsibilities under this program,
 43 which shall include monitoring such
 44 individual's continuing ability to fulfill
 45 those responsibilities documented in his
 46 or her records. Failure of the individual
 47 to carry out his or her agreed to
 48 responsibilities may be considered in
 49 determining such individual's continued
 50 appropriateness for the program;
 51 And, further, all agencies or individuals
 52 who meet the qualifications to provide
 53 home health, personal care or nursing
 54 services and who elect to provide such
 55 services to persons receiving medical
 56 assistance may participate in the program.
 57 Any agency or individuals providing
 58 services under a patient managed home care
 59 program authorized under the former
 60 section thirty-six hundred twenty-two of
 61 the public health law or the former
 62 sections three hundred sixty five f of the

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1 social services law may continue to
2 provide such services;
3 And, further, "fiscal intermediary" shall
4 mean:
5 (i) an entity that has a contract with the
6 department of health to provide fiscal
7 intermediary services; or
8 ~~(ii) an entity authorized by the~~
9 ~~commissioner upon application with a~~
10 ~~history of providing fiscal intermediary~~
11 ~~services that:~~
12 ~~(A) is a service center for independent~~
13 ~~living under section one thousand one~~
14 ~~hundred and twenty-one of the education~~
15 ~~law; or~~
16 ~~(B) has experience providing fiscal~~
17 ~~intermediary services for persons with~~
18 ~~disabilities in accordance with such~~
19 ~~criteria as the department may develop, as~~
20 ~~demonstrated by having a continuous~~
21 ~~history of arrangements with local~~
22 ~~departments of social services beginning~~
23 ~~no later than January 1, 2012.~~
24 ~~An application for authorization as a fiscal~~
25 ~~intermediary as referenced herein shall be~~
26 ~~filed with the commissioner, together with~~
27 ~~such other forms and information as shall~~
28 ~~be prescribed by, or acceptable to the~~
29 ~~commissioner.~~
30 ~~Fiscal intermediary services shall include~~
31 ~~the following services, performed on~~
32 ~~behalf of the consumer to facilitate his~~
33 ~~or her role as the employer:~~
34 ~~(i) wage and benefit processing for consumer~~
35 ~~directed personal assistants;~~
36 ~~(ii) processing all income tax and other~~
37 ~~required wage withholdings;~~
38 ~~(iii) complying with workers' compensation,~~
39 ~~disability and unemployment requirements;~~
40 ~~(iv) maintaining personnel records for each~~
41 ~~consumer directed personal assistant,~~
42 ~~including time sheets and other~~
43 ~~documentation needed for wages and benefit~~
44 ~~processing and a copy of the medical~~
45 ~~documentation required pursuant to~~
46 ~~regulations established by the~~
47 ~~commissioner;~~
48 ~~(v) ensuring that the health status of each~~
49 ~~consumer directed personal assistant is~~
50 ~~assessed prior to service delivery~~
51 ~~pursuant to regulations issued by the~~
52 ~~commissioner;~~
53 ~~(vi) maintaining records of service~~
54 ~~authorizations or reauthorizations;~~
55 ~~(vii) monitoring the consumer's or, if~~
56 ~~applicable, the designated~~
57 ~~representative's continuing ability to~~
58 ~~fulfill the consumer's responsibilities~~
59 ~~under the program and promptly notifying~~
60 ~~the authorizing entity of any circumstance~~
61 ~~that may affect the consumer's or, if~~
62 ~~applicable, the designated~~

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1 representative's ability to fulfill such
 2 responsibilities;
 3 (iii) complying with regulations
 4 established by the commissioner specifying
 5 the responsibilities of fiscal
 6 intermediaries providing services under
 7 the social services law; and
 8 (ix) entering into a department approved
 9 memorandum of understanding with the
 10 consumer that describes the parties'
 11 responsibilities under this program.
 12 Fiscal intermediaries are not responsible
 13 for, and fiscal intermediary services
 14 shall not include, fulfillment of the
 15 responsibilities of the consumer or, if
 16 applicable, the consumer's designated
 17 representative as established by the
 18 commissioner. A fiscal intermediary's
 19 responsibilities shall not include, and a
 20 fiscal intermediary shall not engage in:
 21 managing the plan of care including
 22 recruiting and hiring a sufficient number
 23 of individuals who meet the definition of
 24 consumer directed personal assistant, as
 25 such term is defined by the commissioner,
 26 to provide authorized services that are
 27 included on the consumer's plan of care;
 28 training, supervising and scheduling each
 29 consumer directed personal assistant;
 30 terminating the consumer directed personal
 31 assistant's employment; or assuring that
 32 each consumer directed personal assistant
 33 competently and safely performs the
 34 personal care services, home health aide
 35 services and skilled nursing tasks that
 36 are included on the consumer's plan of
 37 care. A fiscal intermediary shall exercise
 38 reasonable care in properly carrying out
 39 its responsibilities under the program.
 40 Notwithstanding any inconsistent provision
 41 of sections one hundred twelve and one
 42 hundred sixty-three of the state finance
 43 law, or section one hundred forty-two of
 44 the economic development law, or any other
 45 law, the commissioner is authorized to
 46 enter into a contract or with an entity or
 47 entities without a competitive bid or
 48 request for proposal process, provided,
 49 however, that:
 50 a) the department shall post on its
 51 website, for a period of no less than
 52 thirty days:
 53 (A) a description of the proposed services
 54 to be provided pursuant to the contract or
 55 contracts;
 56 (B) the criteria for selection of a
 57 contractor or contractors;
 58 (C) the period of time during which a
 59 prospective contractor may seek selection,
 60 which shall be no less than thirty days
 61 after such information is first posted on
 62 the website; and

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1 (D) the manner by which a prospective
2 contractor may seek such selection, which
3 may include submission by electronic
4 means;
5 ~~(ii) all reasonable and responsive~~
6 ~~submissions that are received from~~
7 ~~prospective contractors in timely fashion~~
8 ~~shall be reviewed by the commissioner; and~~
9 ~~(iii) the commissioner shall select such~~
10 ~~contractor or contractors that, in his or~~
11 ~~her discretion, are best suited to serve~~
12 ~~the purposes established herein;~~
13 ~~and, further, a fiscal intermediary's~~
14 ~~authorization as described above may be~~
15 ~~revoked, suspended, limited or annulled~~
16 ~~upon thirty day's written notice to the~~
17 ~~fiscal intermediary, if the commissioner~~
18 ~~finds that the fiscal intermediary has~~
19 ~~failed to comply with the provisions~~
20 ~~established herein or regulations~~
21 ~~promulgated hereunder. Notwithstanding the~~
22 ~~foregoing, upon determining that the~~
23 ~~public health or safety would be~~
24 ~~imminently endangered by the continued~~
25 ~~authorization of the fiscal intermediary,~~
26 ~~the commissioner may revoke, suspend,~~
27 ~~limit or annul the fiscal intermediary's~~
28 ~~authorization immediately.~~
29 ~~All such orders or determinations shall be~~
30 ~~subject to review as provided in article~~
31 ~~seventy-eight of the civil practice law~~
32 ~~and rules;~~
33 ~~and, further, the commissioner may, subject~~
34 ~~to the approval of the director of budget,~~
35 ~~file for such federal waivers as may be~~
36 ~~needed for the implementation of the~~
37 ~~program.~~
38 ~~(b) Notwithstanding any other provision of~~
39 ~~law, the commissioner is authorized to~~
40 ~~waive any provision of section three~~
41 ~~hundred sixty-seven-b of the social~~
42 ~~services law related to payment and may~~
43 ~~promulgate regulations necessary to carry~~
44 ~~out the objectives of the program, and~~
45 ~~which describe the responsibilities of the~~
46 ~~eligible individuals in arranging and~~
47 ~~paying for services and the protections~~
48 ~~assured such individuals if they are~~
49 ~~unable or no longer desire to continue in~~
50 ~~the program;~~
51 ~~and, further, notwithstanding any~~
52 ~~inconsistent provision above or any other~~
53 ~~contrary provision of law, managed care~~
54 ~~programs established pursuant to section~~
55 ~~three hundred sixty-four-j of the social~~
56 ~~services law and managed long term care~~
57 ~~plans and other care coordination models~~
58 ~~established pursuant to section four~~
59 ~~thousand four hundred three-f of the~~
60 ~~public health law shall offer consumer~~
61 ~~directed personal assistance programs to~~
62 ~~enrollees;~~

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1 ~~and, further, notwithstanding any~~
 2 ~~inconsistent provision above or any other~~
 3 ~~contrary provision of law, the foregoing~~
 4 ~~provisions shall only be available if the~~
 5 ~~commissioner of health determines that~~
 6 ~~there is adequate federal financial~~
 7 ~~participation to fund expenditures for~~
 8 ~~such programs and/or entities incurred~~
 9 ~~under the provisions herein;~~
 10 ~~and, further, subject to the availability of~~
 11 ~~federal financial participation, the~~
 12 ~~foregoing provisions governing consumer~~
 13 ~~directed personal assistance services~~
 14 ~~shall also apply to such services when~~
 15 ~~offered under the home and community-based~~
 16 ~~attendant services and supports state plan~~
 17 ~~option (Community First Choice) pursuant~~
 18 ~~to 42 U.S.C. § 1396n(k);~~

19 Provided, however, if the director of the
 20 budget determines that this chapter
 21 appropriates sufficient additional funds
 22 to achieve savings related to a transition
 23 to a fiscal intermediary or intermediaries
 24 that contract directly with the state,
 25 then the provisions of this paragraph
 26 shall not apply and shall be considered
 27 null and void as of March 31, 2019.

28 Notwithstanding any provision of law to the
 29 contrary, the portion of this appropri-
 30 ation covering fiscal year 2019-20 shall
 31 supersede and replace any duplicative (i)
 32 reappropriation for this item covering
 33 fiscal year 2019-20, and (ii) appropri-
 34 ation for this item covering fiscal year
 35 2019-20 set forth in chapter 53 of the
 36 laws of 2018 (26951)

9,447,761,000

9,244,044,000

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
 42 coordination and demonstration of best
 43 practices. The department shall make
 44 grants within amounts appropriated
 45 therefor, to assure high-quality and
 46 accessible primary care, to provide
 47 technical assistance to support financial
 48 and business planning for integrated
 49 systems of care, and to assist primary
 50 care providers in the adoption,
 51 implementation, and meaningful use of
 52 electronic health record technology.

53 Notwithstanding any inconsistent provision
 54 of law, rule or regulation to the
 55 contrary, for state fiscal years 2019-2020
 56 and 2020-2021, the rates and payment
 57 methodologies set forth in the provisions
 58 of paragraph (b) of subdivision (35) of
 59 section 2807-c of the public health law
 60 may incorporate methodologies to reduce
 61 payments to facilities with a higher
 62 percentage of potentially avoidable

35

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1 inpatient services by instituting lower
 2 inpatient payment rates for both fee-for-
 3 service and managed care to incentivize
 4 the provision of preventative care to
 5 reduce preventable events and overall
 6 inpatient costs. A portion of such savings
 7 derived from the implementation of such
 8 payment methodologies shall be reinvested
 9 in initiatives to incentivize the
 10 provision of preventative care, maternity
 11 services, and other ambulatory care
 12 services to reduce preventable health care
 13 costs. Provided, however, if the director
 14 of the budget determines that this chapter
 15 appropriates sufficient additional funds
 16 to allow for the alteration of such rates
 17 and payment methodologies pursuant to
 18 ~~public health law section 2807-c (b) (35)~~
 19 ~~(xiv)~~, then the provisions of this
 20 paragraph shall not apply and shall be
 21 considered null and void as of March 31,
 22 2019. Notwithstanding any inconsistent
 23 provision of law, rule or regulation to
 24 the contrary, for the period April 1, 2019
 25 through March 31, 2021, medical assistance
 26 for needy persons shall include, as part
 27 of standard coverage, evidence-based
 28 prevention and support services recognized
 29 by the federal centers for disease control
 30 (CDC), provided by a community-based
 31 organization, and designed to prevent
 32 individuals at risk of developing diabetes
 33 from developing type 2 diabetes. Provided,
 34 however, if the director of the budget
 35 determines that this chapter appropriates
 36 sufficient additional funds to pay for
 37 such medicaid coverage, then the
 38 provisions of this paragraph shall not
 39 apply and shall be considered null and
 40 void as of March 31, 2019.

41 Notwithstanding any inconsistent provision
 42 of law, rule or regulation to the
 43 contrary, for the period April 1, 2019
 44 through March 31, 2021, the commissioner
 45 of health may by regulation specify
 46 certain drugs which may be dispensed
 47 without a prescription as required by
 48 section 6810 of the education law that
 49 shall be reimbursed by the medicaid
 50 program in accordance with a price
 51 schedule established by such commissioner.
 52 Amendments to the regulation specifying
 53 medicaid reimbursable, nonprescription
 54 drugs may be adopted by the commissioner
 55 of health on an emergency basis. The co-
 56 payment charged for drugs dispensed
 57 without a prescription as required by
 58 section 6810 of the education law but
 59 which are reimbursed by the medicaid
 60 program shall be one dollar. Provided,
 61 however, if the director of the budget
 62 determines that this chapter appropriates

Subparagraph (xiv) of
 Paragraph (b) of subdivision
 35 of section 2807-c of
 the public health law

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1 Notwithstanding any inconsistent provision
 2 of law, rule or regulation to the
 3 contrary, for state fiscal year 2019-20,
 4 the commissioners of the department of
 5 health, the office of mental health, the
 6 office for people with developmental
 7 disabilities, and the office of alcoholism
 8 and substance abuse services are
 9 authorized to waive any regulatory
 10 requirements as are necessary, consistent
 11 with applicable law, to allow providers
 12 that are involved in DSRIP projects or
 13 replication and scaling activities, as
 14 approved by the authorizing commissioner,
 15 to avoid duplication of requirements and
 16 to allow the efficient scaling and
 17 replication of DSRIP promising practices,
 18 as determined by the authorizing
 19 commissioner; provided however, that
 20 regulations pertaining to patient safety
 21 may not be waived, nor shall any
 22 regulations be waived if such waiver would
 23 risk patient safety. Provided, further,
 24 however, if the director of the budget
 25 determines that this chapter appropriates
 26 sufficient additional funds to allow the
 27 waiver of such regulatory requirements for
 28 the purposes described above, then the
 29 provisions of this paragraph shall not
 30 apply and shall be considered null and
 31 void as of March 31, 2019.

32 Notwithstanding any provision of law to the
 33 contrary, the portion of this appropri-
 34 ation covering fiscal year 2019-20 shall
 35 supersede and replace any duplicative (i)
 36 reappropriation for this item covering
 37 fiscal year 2019-20, and (ii) appropri-
 38 ation for this item covering fiscal year
 39 2019-20 set forth in chapter 53 of the
 40 laws of 2018 (26952)

~~8,701,978,000~~ 8,441,151,000

41 For services and expenses for health homes
 42 including grants to health homes.

43 Notwithstanding any provision of law to the
 44 contrary, the portion of this appropri-
 45 ation covering fiscal year 2019-20 shall
 46 supersede and replace any duplicative (i)
 47 reappropriation for this item covering
 48 fiscal year 2019-20, and (ii) appropri-
 49 ation for this item covering fiscal year
 50 2019-20 set forth in chapter 53 of the
 51 laws of 2018 (29548)

656,000,000

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

55 Notwithstanding any inconsistent provision
 56 of law, rule or regulation to the
 57 contrary, for state fiscal years 2020-21,
 58 the medicaid drug expenditure growth
 59 target shall be limited to the ten-year
 60 rolling average of the medical component
 61 of the consumer price index plus four

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1 percent and minus a pharmacy savings
2 target of \$85,000,000.
3 Further, for state fiscal years 2019-2020
4 and 2020-21: The department and the
5 division of the budget shall not be
6 required to report quarterly to the drug
7 utilization review board the projected
8 state funds medicaid drug expenditures.
9 Rebates for drugs covered by medicaid and
10 negotiated with manufactures may be based
11 on evidence-based research, including, but
12 not limited to: research operated or
13 conducted by or for other state
14 governments, the federal government, the
15 governments of other nations, third party
16 payers or multi-state coalitions.
17 In the event that the commissioner and the
18 manufacturer previously agreed to a
19 supplemental rebate for a drug pursuant to
20 paragraph (b) of subdivision ~~(2)~~ 2 of
21 section 280 of the public health law, or
22 paragraph (e) of subdivision 7 of section
23 367-a of the social services law, the drug
24 shall not be prohibited from referral to
25 the drug utilization review board for any
26 further supplemental rebate for the
27 duration of the previous rebate agreement.
28 When considering a drug's actual cost to the
29 state, including current rebate amounts,
30 prior to seeking an additional rebate
31 pursuant to paragraph (b) or (c) of
32 subdivision ~~(2)~~ 2 of section 280 of the
33 public health law, the department shall
34 not be required to take into consideration
35 whether the manufacturer of the drug is
36 providing significant discounts relative
37 to other drugs covered by the medicaid
38 program.
39 If, pursuant to section 280 of the public
40 health law, the drug utilization review
41 board recommends a target rebate amount on
42 a drug referred by the commissioner, the
43 department shall negotiate with the drug's
44 manufacturer for a supplemental rebate to
45 be paid by the manufacturer in an amount
46 not to exceed such target rebate amount. A
47 rebate requirement shall apply beginning
48 with the first day of the state fiscal
49 year during which the rebate was required,
50 without regard to the date the department
51 enters into the rebate agreement with the
52 manufacturer.
53 The commissioner shall report by July,
54 rather than February, first annually to
55 the drug utilization review board on
56 savings achieved through the drug cap in
57 the last fiscal year.
58 Provided, however, if the director of the
59 budget determines that this chapter
60 appropriates sufficient additional funds
61 to achieve commensurate savings then the
62 provisions of this paragraph shall not

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1 under part B or is a qualified medicare
 2 beneficiary minus the amount payable under
 3 part B and, further, for amounts payable
 4 for medical assistance for items and
 5 services provided to eligible persons who
 6 are also beneficiaries under part B or to
 7 qualified medicare beneficiaries by an
 8 ambulance service under the authority of
 9 an operating certificate issued pursuant
 10 to article 30 of the public health law, or
 11 a psychologist licensed under article 153
 12 of the education law, such amount shall
 13 not be limited by the amount of any co-
 14 insurance liability of such eligible
 15 persons or such qualified medicare
 16 beneficiaries, or the amount which such
 17 eligible persons or such qualified
 18 medicare beneficiaries would be liable
 19 under federal law were they not eligible
 20 for medical assistance or were they not
 21 qualified medicare beneficiaries with
 22 respect to such benefits under part B.
 23 Provided, however, if the director of the
 24 budget determines that this chapter
 25 appropriates sufficient additional funds
 26 to ensure that such fees associated with
 27 the medical assistance program do not
 28 exceed medicare fees for dual eligible
 29 members, then the provisions of this
 30 paragraph shall not apply and shall be
 31 considered null and void as of March 31,
 32 2019.

33 Notwithstanding any provision of law to the
 34 contrary, the portion of this appropri-
 35 ation covering fiscal year 2019-20 shall
 36 supersede and replace any duplicative (i)
 37 reappropriation for this item covering
 38 fiscal year 2019-20, and (ii) appropri-
 39 ation for this item covering fiscal year
 40 2019-20 set forth in chapter 53 of the
 41 laws of 2018 (26956)

~~3,258,815,000~~ 3,231,897,000

42 For services and expenses of the medical
 43 assistance program including payments to
 44 the Area Agencies on Aging, making
 45 improvements in the long term care system
 46 for the point of entry initiatives, for
 47 the purposes of expanding and promoting a
 48 more coordinated level of care for the
 49 delivery of quality services in the commu-
 50 nity.

51 Notwithstanding any provision of law to the
 52 contrary, the portion of this appropri-
 53 ation covering fiscal year 2019-20 shall
 54 supersede and replace any duplicative (i)
 55 reappropriation for this item covering
 56 fiscal year 2019-20, and (ii) appropri-
 57 ation for this item covering fiscal year
 58 2019-20 set forth in chapter 53 of the
 59 laws of 2018 (~~26819~~)

(29572)
 41,476,000

60 For services and expenses of the medical
 61 assistance program including payments to
 62 Independent Living Centers, making

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1 improvements in the long term care system
2 for the point of entry initiatives, for
3 the purposes of expanding and promoting a
4 more coordinated level of care for the
5 delivery of quality services in the commu-
6 nity.

7 Notwithstanding any provision of law to the
8 contrary, the portion of this appropri-
9 ation covering fiscal year 2019-20 shall
10 supersede and replace any duplicative (i)
11 reappropriation for this item covering
12 fiscal year 2019-20, and (ii) appropri-
13 ation for this item covering fiscal year
14 2019-20 set forth in chapter 53 of the
15 laws of 2018 ~~(26819)~~

(29573)
13,000,000

16 Notwithstanding any inconsistent provision
17 of law, subject to the approval of the
18 director of the budget, the amount appro-
19 priated herein, together with federal
20 matching funds if available, shall be
21 available for services and expenses of
22 enhanced safety net hospitals as defined
23 by ~~paragraphs (i) and (ii) of subdivision~~
24 ~~(a)~~ of section 2807-c of the public health
25 law pursuant to a methodology as deter-
26 mined by the commissioner.

Subparagraphs (i) and (ii)
of paragraph (a) of subdivision
34

27 Notwithstanding any provision of law to the
28 contrary, the portion of this appropri-
29 ation covering fiscal year 2019-20 shall
30 supersede and replace any duplicative (i)
31 reappropriation for this item covering
32 fiscal year 2019-2020, and (ii) appropri-
33 ation for this item covering fiscal year
34 2019-20 set forth in chapter 53 of the
35 laws of 2018 (26790)

50,000,000

36 Notwithstanding any inconsistent provision
37 of law, subject to the approval of the
38 director of the budget, the amount appro-
39 priated herein, together with federal
40 matching funds if available, shall be
41 available for services and expenses of the
42 enhanced safety net hospitals as defined
43 by ~~paragraph (iii) and (iv) of subdivision~~
44 ~~(a)~~ of section 2807-c of the public health
45 law pursuant to a methodology as deter-
46 mined by the commissioner.

Subparagraphs (iii) and (iv)
of paragraph (a) of subdivision
34

47 Notwithstanding any provision of law to the
48 contrary, the portion of this appropri-
49 ation covering fiscal year 2019-20 shall
50 supersede and replace any duplicative (i)
51 reappropriation for this item covering
52 fiscal year 2019-2020, and (ii) appropri-
53 ation for this item covering fiscal year
54 2019-20 set forth in chapter 53 of the
55 laws of 2018 (26791)

50,000,000

56 For services and expenses of the medical
57 assistance program including payments to
58 promote women's health and reduce the
59 adverse effects of multiple births.

60 Notwithstanding any provision of law to the
61 contrary, the portion of this appropri-
62 ation covering fiscal year 2019-20 shall

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1 supersede and replace any duplicative (i)
 2 reappropriation for this item covering
 3 fiscal year 2019-2020, and (ii) appropri-
 4 ation for this item covering fiscal year
 5 2019-20 set forth in chapter 53 of the
 6 laws of 2018 (26793) 10,000,000

7 For services and expenses of the medical
 8 assistance program including the managed
 9 long term care ombudsman program.

10 Notwithstanding any provision of law to the
 11 contrary, the portion of this appropri-
 12 ation covering fiscal year 2019-20 shall
 13 supersede and replace any duplicative (i)
 14 reappropriation for this item covering
 15 fiscal year 2019-2020, and (ii) appropri-
 16 ation for this item covering fiscal year
 17 2019-20 set forth in chapter 53 of the
 18 laws of 2018 (26800) 9,800,000

19 For services and expenses of the medical
 20 assistance program including facilitated
 21 enrollment for aged, blind and disabled.

22 Notwithstanding any provision of law to the
 23 contrary, the portion of this appropri-
 24 ation covering fiscal year 2019-20 shall
 25 supersede and replace any duplicative (i)
 26 reappropriation for this item covering
 27 fiscal year 2019-2020, and (ii) appropri-
 28 ation for this item covering fiscal year
 29 2019-20 set forth in chapter 53 of the
 30 laws of 2018 (26818) 8,000,000

31 Notwithstanding any inconsistent provision
 32 of law, subject to the approval of the
 33 director of the budget, upon submission of
 34 an allocation plan from the commissioner
 35 of health, the amount appropriated herein,
 36 together with any available federal match-
 37 ing funds, may be transferred or suballo-
 38 cated to the office of mental health,
 39 office of alcoholism and substance abuse
 40 services, office for people with develop-
 41 mental disabilities, division of housing
 42 and community renewal, New York state
 43 housing trust fund corporation, and office
 44 of temporary and disability assistance for
 45 services and expenses related to providing
 46 affordable housing. Any such spending
 47 shall consider the geographical location
 48 of the grants.

49 Notwithstanding any provision of law to the
 50 contrary, the portion of this appropri-
 51 ation covering fiscal year 2019-20 shall
 52 supersede and replace any duplicative (i)
 53 reappropriation for this item covering
 54 fiscal year 2019-2020, and (ii) appropri-
 55 ation for this item covering fiscal year
 56 2019-20 set forth in chapter 53 of the
 57 laws of 2018 (29521) ~~98,700,000~~

58 For services and expenses of the medical
 59 assistance program including essential
 60 community provider network and vital
 61 access provider services.
 62

184,700,000

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1 Notwithstanding any provision of law to the
2 contrary, the portion of this appropri-
3 ation covering fiscal year 2019-20 shall
4 supersede and replace any duplicative (i)
5 reappropriation for this item covering
6 fiscal year 2019-20, and (ii) appropri-
7 ation for this item covering fiscal year
8 2019-20 set forth in chapter 53 of the
9 laws of 2018 (29562) 132,000,000
10 For services and expenses of the medical
11 assistance program including vital access
12 provider services to preserve critical
13 access to essential behavioral health and
14 other services in targeted areas of the
15 state.

16 Notwithstanding any provision of law to the
17 contrary, the portion of this appropri-
18 ation covering fiscal year 2019-20 shall
19 supersede and replace any duplicative (i)
20 reappropriation for this item covering
21 fiscal year 2019-20, and (ii) appropri-
22 ation for this item covering fiscal year
23 2019-20 set forth in chapter 53 of the
24 laws of 2018 (26615) 50,000,000
25 For services and expenses related to
26 reducing maternal mortality within the
27 state, including, but not limited to
28 creating a maternal mortality review
29 board, developing a training curriculum on
30 implicit racial bias, expanding community
31 health workers, and building a data
32 warehouse for analysis of maternal
33 outcomes to support quality improvement .. 8,000,000
34 For services and expenses for DC37 and Team-
35 ster Local 858 health insurance coverage
36 under the family health plus (FHPlus),
37 medicaid or for payments to participating
38 health insurance plans in the New York
39 state health benefit exchange (29563) 5,620,000
40 The monies hereby appropriated shall be
41 available for the cost of housing subsi-
42 dies to certain participants in the nurs-
43 ing home transition and diversion waiver
44 program as authorized by ~~chapter 615~~ *— Chapters* and
45 627 of the laws of 2004. A portion of such
46 funds may be used for administration of
47 the housing subsidies, either by state
48 staff or a not-for-profit agency. Up to
49 100 percent of this appropriation may be
50 suballocated to the division of housing
51 and community renewal (29528) 3,684,000
52 For services and expenses related to trau-
53 matic brain injury including but not
54 limited to services rendered to individ-
55 uals enrolled in the federally approved
56 home and community based services (HCBS)
57 waiver and including personal and nonper-
58 sonal services spending originally author-
59 ized by appropriations and reappropri-
60 ations enacted prior to 1996 (29530) 22,930,000
61 For services and expenses of the medical
62 assistance program general hospitals that

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1 the office for people with developmental
 2 disabilities and the office of alcoholism
 3 and substance abuse services.
 4 Notwithstanding any provision of law to the
 5 contrary, the portion of this appropri-
 6 ation covering fiscal year 2019-20 shall
 7 supersede and replace any duplicative (i)
 8 reappropriation for this item covering
 9 fiscal year 2019-20, and (ii) appropri-
 10 ation for this item covering fiscal year
 11 2019-20 set forth in chapter 53 of the
 12 laws of 2018. (26961) 10,000,000,000
 13
 14 Program account subtotal ~~42,449,334,000~~

41,193,334,000

15
 16
 17 Special Revenue Funds - Federal
 18 Federal Health and Human Services Fund
 19 Medicaid Direct Account - 25106
 20

21 For services and expenses for the medical
 22 assistance program, including administra-
 23 tive expenses for local social services
 24 districts, pursuant to title XIX of the
 25 federal social security act or its succes-
 26 sor program.

27 Notwithstanding section 40 of the state
 28 finance law or any other law to the
 29 contrary, all medical assistance appropri-
 30 ations made from this account shall remain
 31 in full force and effect in accordance, in
 32 the aggregate, with the following sched-
 33 ule: not more than 50 percent for the
 34 period April 1, 2019 to March 31, 2020;
 35 and the remaining amount for the period
 36 April 1, 2020 to March 31, 2021.

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

49 Notwithstanding any inconsistent provision
 50 of law, funding made available by these
 51 appropriations shall support direct salary
 52 costs and related fringe benefits within
 53 the medical assistance program associated
 54 with any minimum wage increase that takes
 55 effect during the timeframe of these
 56 appropriations, pursuant to section 652 of
 57 the labor law. Each eligible organization
 58 in receipt of funding made available by
 59 these appropriations may be required to
 60 submit written certification, in such form
 61 and at such time the commissioner may
 62 prescribe, attesting to the total amount

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1 of funds used by the eligible organiza-
2 tion, how such funding will be or was used
3 for purposes eligible under these appro-
4 priations and any other reporting deemed
5 necessary by the commissioner. The amounts
6 appropriated herein may include advances
7 to organizations authorized to receive
8 such funds to accomplish this purpose.

9 Notwithstanding any other provision of law,
10 the money hereby appropriated may be
11 increased or decreased by interchange,
12 with any appropriation of the department
13 of health and the office of medicaid
14 inspector general and may be increased or
15 decreased by transfer or suballocation
16 between these appropriated amounts and
17 appropriations of the office of mental
18 health, office for people with develop-
19 mental disabilities, the office of alco-
20 holism and substance abuse services, the
21 department of family assistance office of
22 temporary and disability assistance,
23 office of children and family services,
24 the department of financial services,
25 department of corrections and community
26 supervision, ~~the department of corrections~~
27 ~~and community supervision~~, the office of
28 information technology services, the state
29 university of New York, and the state
30 office for the aging with the approval of
31 the director of the budget, who shall file
32 such approval with the department of audit
33 and control and copies thereof with the
34 chairman of the senate finance committee
35 and the chairman of the assembly ways and
36 means committee.

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

61 Notwithstanding any inconsistent provision
62 of law to the contrary, funds shall be

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AID TO LOCALITIES 2019-20

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

24 Notwithstanding any inconsistent provision
 25 of law, the moneys hereby appropriated may
 26 be available for payments associated with
 27 the resolution by settlement agreement or
 28 judgment of rate appeals and/or litigation
 29 where the department of health is a party.
 30 For services and expenses of the medical
 31 assistance program including hospital
 32 inpatient services.

33 Notwithstanding any inconsistent provision
 34 of law, rule or regulation to the
 35 contrary, for state fiscal years 2019-2020
 36 and 2020-2021, the rates and payment
 37 methodologies set forth in the provisions
 38 of paragraph (b) of subdivision ~~(35)~~ ³⁵ of
 39 section 2807-c of the public health law
 40 may incorporate methodologies to reduce
 41 payments to facilities with a higher
 42 percentage of potentially avoidable
 43 inpatient services by instituting lower
 44 inpatient payment rates for both fee-for-
 45 service and managed care to incentivize
 46 the provision of preventative care to
 47 reduce preventable events and overall
 48 inpatient costs. A portion of such savings
 49 derived from the implementation of such
 50 payment methodologies shall be reinvested
 51 in initiatives to incentivize the
 52 provision of preventative care, maternity
 53 services, and other ambulatory care
 54 services to reduce preventable health care
 55 costs. Provided, however, if the director
 56 of the budget determines that this chapter
 57 appropriates sufficient additional funds
 58 to allow for the alteration of such rates
 59 and payment methodologies pursuant to
 60 ~~public health law section 2807-c (b) (35)~~
 61 ~~(xiv)~~, then the provisions of this
 62 paragraph shall not apply and shall be

subparagraph (xiv) of paragraph
 (b) of subdivision 35 of
 section 2807-c of the public
 health law

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1 who is refusing to make his or her income
 2 and/or resources available to meet the
 3 cost of necessary medical care, services,
 4 and supplies, and the applicant has
 5 executed an assignment of support from the
 6 community spouse in favor of the county
 7 social services district and the
 8 department of health, unless the applicant
 9 is unable to execute such assignment due
 10 to physical or mental impairment or to
 11 deny assistance would create an undue
 12 hardship; or (b) the income and resources
 13 of the responsible relative are not
 14 available to such applicant because of the
 15 absence of such relative and the refusal
 16 or failure of such absent relative to
 17 provide the necessary care and assistance.
 18 In such cases, however, the furnishing of
 19 such assistance shall create an implied
 20 contract with such relative; and the cost
 21 thereof may be recovered from such
 22 relative in accordance with title 6 of
 23 article 3 of the social services law and
 24 other applicable provisions of law.
 25 Provided, however, if the director of the
 26 budget determines that this chapter
 27 appropriates sufficient additional funds
 28 to allow medical assistance to be
 29 furnished in situations in which a
 30 responsible relative who is not absent
 31 from the household fails or refuses to
 32 provide necessary care and assistance,
 33 then the provisions of this paragraph
 34 shall not apply and shall be considered
 35 null and void as of March 31, 2019.

36 Notwithstanding any inconsistent provision
 37 of law, rule or regulation to the
 38 contrary, for the period April 1, 2019
 39 through December 31, 2019, in relation to
 40 fiscal intermediary services under
 41 subdivision 4-a section 365-f of the
 42 social services law, fiscal intermediary
 43 services shall not require an application
 44 for authorization, and, further, section
 45 365-f of the social services law shall not
 46 be deemed to require fiscal intermediaries
 47 to submit advertisements to the department
 48 prior to dissemination.

49 Notwithstanding any inconsistent provision
 50 of law, rule or regulation to the
 51 contrary, for the period January 1, 2020
 52 through March 31, 2021, ~~all eligible~~

~~individuals receiving home care shall be
 53 provided notice of the availability of the
 54 consumer directed personal assistance
 55 program, and no less frequently than
 56 annually thereafter shall have the
 57 opportunity to apply for participation in
 58 the program. Each social services district
 59 shall file an implementation plan with the
 60 commissioner of the department of health,
 61 which shall be updated annually. Such~~

Insert B DOH 533

^{re}for the purposes of section 365-f of the social services law, the term "fiscal intermediary" shall mean an entity that provides fiscal intermediary services and has a contract for providing such services with the department of health and is selected through a procurement process described below, or by authorization upon application in accordance with such criteria as the department may develop together with such other forms and information prescribed by, or acceptable to, the commissioner. Eligible applicants for such authorization shall be limited to entities that: (A) are a service center for independent living under section 1121 one of the education law; or (B) have a history of providing fiscal intermediary services for persons with disabilities, as demonstrated by having a continuous history of arrangements with local departments of social services beginning no later than January 1, 2012.

insert
70A 533

And, further, notwithstanding any inconsistent provision of sections one 112 and 163 of the state finance law, or section 142 of the economic development law, or any other law, the commissioner is authorized to enter into a contract or contracts with an entity or entities without a competitive bid or request for proposal process, provided, however, that:

- (i) the department shall post on its website, for a period of no less than thirty days:
 - (A) a description of the proposed services to be provided pursuant to the contract or contracts;
 - (B) the criteria for selection of a contractor or contractors;
 - (C) the period of time during which a prospective contractor may seek selection, which shall be no less than thirty days after such information is first posted on the website; and
 - (D) the manner by which a prospective contractor may seek such selection, which may include submission by electronic means;
- (ii) all reasonable and responsive submissions that are received from prospective contractors in timely fashion shall be reviewed by the commissioner; and
- (iii) the commissioner shall select such contractor or contractors that, in the commissioner's discretion, are best suited to serve the purposes of this section.

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1 updates shall be submitted no later than
 2 November thirtieth of each year. The plans
 3 and updates submitted by districts shall
 4 require the approval of the department.
 5 ~~Implementation plans shall include~~
 6 ~~district enrollment targets, describe~~
 7 ~~methods for the provision of notice and~~
 8 ~~assistance to interested individuals~~
 9 ~~eligible for enrollment in the program,~~
 10 ~~and shall contain such other information~~
 11 ~~as shall be required by the department. An~~
 12 ~~"eligible individual" is a person who:~~
 13 ~~(a) is eligible for long term care and~~
 14 ~~services provided by a certified home~~
 15 ~~health agency, long term home health care~~
 16 ~~program or AIDS home care program~~
 17 ~~authorized pursuant to article thirty-six~~
 18 ~~of the public health law, or is eligible~~
 19 ~~for personal care services provided~~
 20 ~~pursuant to Article 5, Title 11 of the~~
 21 ~~social services law;~~
 22 ~~b) is eligible for medical assistance;~~
 23 ~~c) has been determined by the social~~
 24 ~~services district or an entity certified~~
 25 ~~under article forty-four of the public~~
 26 ~~health law, pursuant to an assessment of~~
 27 ~~the person's appropriateness for the~~
 28 ~~program, conducted with an appropriate~~
 29 ~~long term home health care program, a~~
 30 ~~certified home health agency, or an AIDS~~
 31 ~~home care program or pursuant to the~~
 32 ~~personal care program, as being in need of~~
 33 ~~home care services or private duty nursing~~
 34 ~~and is able and willing or has a~~
 35 ~~designated representative, including a~~
 36 ~~legal guardian able and willing to make~~
 37 ~~informed choices, or a designated relative~~
 38 ~~or other adult who is able and willing to~~
 39 ~~assist in making informed choices, as to~~
 40 ~~the type and quality of services,~~
 41 ~~including but not limited to such services~~
 42 ~~as nursing care, personal care,~~
 43 ~~transportation and respite services; and~~
 44 ~~(d) meets such other criteria, as may be~~
 45 ~~established by the commissioner, which are~~
 46 ~~necessary to effectively implement the~~
 47 ~~objectives established herein;~~
 48 ~~And, further, eligible individuals who elect~~
 49 ~~to participate in the program assume the~~
 50 ~~responsibility for services under such~~
 51 ~~program as mutually agreed to by the~~
 52 ~~eligible individual and provider and as~~
 53 ~~documented in the eligible individual's~~
 54 ~~record, including, but not limited to,~~
 55 ~~recruiting, hiring and supervising their~~
 56 ~~personal assistants. Personal assistant~~
 57 ~~shall mean an adult who provides services~~
 58 ~~to the eligible individual under the~~
 59 ~~eligible individual's instruction,~~
 60 ~~supervision and direction or under the~~
 61 ~~instruction, supervision and direction of~~
 62 ~~the eligible individual's designated~~

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1 representative, provided that a person
 2 legally responsible for an eligible
 3 individual's care and support, an eligible
 4 individual's spouse or designated
 5 representative may not be the personal
 6 assistant for the eligible individual;
 7 however, a personal assistant may include
 8 any other adult relative of the eligible
 9 individual, provided, however, that the
 10 program determines that the services
 11 provided by such relative are consistent
 12 with an individual's plan of care and that
 13 the aggregate cost for such services does
 14 not exceed the aggregate costs for
 15 equivalent services provided by a non-
 16 relative personal assistant. Such
 17 individuals shall be assisted as
 18 appropriate with service coverage,
 19 supervision, advocacy and management.
 20 Providers shall not be liable for
 21 fulfillment of responsibilities agreed to
 22 be undertaken by the eligible individual.
 23 These requirements, however, shall not
 24 diminish the participating provider's
 25 liability for failure to exercise
 26 reasonable care in properly carrying out
 27 its responsibilities under this program,
 28 which shall include monitoring such
 29 individual's continuing ability to fulfill
 30 those responsibilities documented in his
 31 or her records. Failure of the individual
 32 to carry out his or her agreed to
 33 responsibilities may be considered in
 34 determining such individual's continued
 35 appropriateness for the program;
 36 and, further, all agencies or individuals
 37 who meet the qualifications to provide
 38 home health personal care or nursing
 39 services and who elect to provide such
 40 services to persons receiving medical
 41 assistance may participate in the program.
 42 Any agency or individuals providing
 43 services under a patient managed home care
 44 program authorized under the former
 45 section thirty-six hundred twenty-two of
 46 the public health law or the former
 47 sections three hundred sixty-five-f of the
 48 social services law may continue to
 49 provide such services;
 50 and, further, "fiscal intermediary" shall
 51 mean:
 52 (i) an entity that has a contract with the
 53 department of health to provide fiscal
 54 intermediary services; or
 55 (ii) an entity authorized by the
 56 commissioner upon application with a
 57 history of providing fiscal intermediary
 58 services that:
 59 (A) is a service center for independent
 60 living under section one thousand one
 61 hundred and twenty-one of the education
 62 law; or

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1 B) has experience providing fiscal
2 intermediary services for persons with
3 disabilities, in accordance with such
4 criteria as the department may develop as
5 demonstrated by having a continuous
6 history of arrangements with local
7 departments of social services beginning
8 no later than January 1, 2012.
9 An application for authorization as a fiscal
10 intermediary as referenced herein shall be
11 filed with the commissioner, together with
12 such other forms and information as shall
13 be prescribed by, or acceptable to the
14 commissioner.
15 Fiscal intermediary services shall include
16 the following services, performed on
17 behalf of the consumer to facilitate his
18 or her role as the employer:
19 i) wage and benefit processing for consumer
20 directed personal assistants;
21 ii) processing all income tax and other
22 required wage withholdings;
23 iii) complying with workers' compensation,
24 disability and unemployment requirements;
25 iv) maintaining personnel records for each
26 consumer directed personal assistant,
27 including time sheets and other
28 documentation needed for wages and benefit
29 processing and a copy of the medical
30 documentation required pursuant to
31 regulations established by the
32 commissioner;
33 v) ensuring that the health status of each
34 consumer directed personal assistant is
35 assessed prior to service delivery
36 pursuant to regulations issued by the
37 commissioner;
38 (vi) maintaining records of service
39 authorizations or reauthorizations;
40 (vii) monitoring the consumer's or, if
41 applicable, the designated
42 representative's continuing ability to
43 fulfill the consumer's responsibilities
44 under the program and promptly notifying
45 the authorizing entity of any circumstance
46 that may affect the consumer's or, if
47 applicable, the designated
48 representative's ability to fulfill such
49 responsibilities;
50 (viii) complying with regulations
51 established by the commissioner specifying
52 the responsibilities of fiscal
53 intermediaries providing services under
54 the social services law; and
55 (ix) entering into a department approved
56 memorandum of understanding with the
57 consumer that describes the parties'
58 responsibilities under this program.
59 Fiscal intermediaries are not responsible
60 for, and fiscal intermediary services
61 shall not include, fulfillment of the
62 responsibilities of the consumer or, if

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1 applicable, the consumer's designated
 2 representative as established by the
 3 commissioner. A fiscal intermediary's
 4 ~~responsibilities shall not include, and~~
 5 ~~fiscal intermediary shall not engage in:~~
 6 ~~managing the plan of care including~~
 7 ~~recruiting and hiring a sufficient number~~
 8 ~~of individuals who meet the definition of~~
 9 ~~consumer directed personal assistant, as~~
 10 ~~such term is defined by the commissioner,~~
 11 ~~to provide authorized services that are~~
 12 ~~included on the consumer's plan of care;~~
 13 ~~training, supervising and scheduling each~~
 14 ~~consumer directed personal assistant;~~
 15 ~~terminating the consumer directed personal~~
 16 ~~assistant's employment; or assuring that~~
 17 ~~each consumer directed personal assistant~~
 18 ~~competently and safely performs the~~
 19 ~~personal care services, home health aide~~
 20 ~~services and skilled nursing tasks that~~
 21 ~~are included on the consumer's plan of~~
 22 ~~care. A fiscal intermediary shall exercise~~
 23 ~~reasonable care in properly carrying out~~
 24 ~~its responsibilities under the program.~~
 25 Notwithstanding any inconsistent provision
 26 of sections one hundred twelve and one
 27 hundred sixty-three of the state finance
 28 law, or section one hundred forty-two of
 29 ~~the economic development law, or any other~~
 30 ~~law, the commissioner is authorized to~~
 31 ~~enter into a contract or with an entity or~~
 32 ~~entities without a competitive bid or~~
 33 ~~request for proposal process, provided,~~
 34 ~~however, that:~~
 35 ~~(i) the department shall post on its~~
 36 ~~website, for a period of no less than~~
 37 ~~thirty days:~~
 38 ~~(A) a description of the proposed services~~
 39 ~~to be provided pursuant to the contract or~~
 40 ~~contracts;~~
 41 ~~(B) the criteria for selection of a~~
 42 ~~contractor or contractors;~~
 43 ~~(C) the period of time during which a~~
 44 ~~prospective contractor may seek selection,~~
 45 ~~which shall be no less than thirty days~~
 46 ~~after such information is first posted on~~
 47 ~~the website; and~~
 48 ~~(D) the manner by which a prospective~~
 49 ~~contractor may seek such selection, which~~
 50 ~~may include submission by electronic~~
 51 ~~means;~~
 52 ~~(ii) all reasonable and responsive~~
 53 ~~submissions that are received from~~
 54 ~~prospective contractors in timely fashion~~
 55 ~~shall be reviewed by the commissioner; and~~
 56 ~~(iii) the commissioner shall select such~~
 57 ~~contractor or contractors that, in his or~~
 58 ~~her discretion, are best suited to serve~~
 59 ~~the purposes established herein;~~
 60 And, further, a fiscal intermediary's
 61 authorization as described above may be
 62 revoked, suspended, limited or annulled.

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1 upon thirty day's written notice to the
 2 fiscal intermediary, if the commissioner
 3 finds that the fiscal intermediary has
 4 failed to comply with the provisions
 5 established herein or regulations
 6 promulgated hereunder. Notwithstanding the
 7 foregoing, upon determining that the
 8 public health or safety would be
 9 imminently endangered by the continued
 10 authorization of the fiscal intermediary,
 11 the commissioner may revoke, suspend,
 12 limit or annul the fiscal intermediary's
 13 authorization immediately.
 14 All such orders or determinations shall be
 15 subject to review as provided in article
 16 seventy-eight of the civil practice law
 17 and rules;
 18 And, further, the commissioner may, subject
 19 to the approval of the director of budget,
 20 file for such federal waivers as may be
 21 needed for the implementation of the
 22 program.
 23 (b) Notwithstanding any other provision of
 24 law, the commissioner is authorized to
 25 waive any provision of section three
 26 hundred sixty-seven-b of the social
 27 services law related to payment and may
 28 promulgate regulations necessary to carry
 29 out the objectives of the program, and
 30 which describe the responsibilities of the
 31 eligible individuals in arranging and
 32 paying for services and the protections
 33 assured such individuals if they are
 34 unable or no longer desire to continue in
 35 the program;
 36 And, further, notwithstanding any
 37 inconsistent provision above or any other
 38 contrary provision of law, managed care
 39 programs established pursuant to section
 40 three hundred sixty-four-j of the social
 41 services law and managed long term care
 42 plans and other care coordination models
 43 established pursuant to section four
 44 thousand four hundred three-f of the
 45 public health law shall offer consumer
 46 directed personal assistance programs to
 47 enrollees;
 48 And, further, notwithstanding any
 49 inconsistent provision above or any other
 50 contrary provision of law, the foregoing
 51 provisions shall only be available if the
 52 commissioner of health determines that
 53 there is adequate federal financial
 54 participation to fund expenditures for
 55 such programs and/or entities incurred
 56 under the provisions herein;
 57 And, further, subject to the availability of
 58 federal financial participation, the
 59 foregoing provisions governing consumer
 60 directed personal assistance services
 61 shall also apply to such services when
 62 offered under the home and community-based

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~~attendant services and supports state plan option (Community First Choice) pursuant to 42 U.S.C. § 1396n(k);~~

4 Provided, however, if the director of the
5 budget determines that this chapter
6 appropriates sufficient additional funds
7 to achieve savings related to a transition
8 to a fiscal intermediary or intermediaries
9 that contract directly with the state,
10 then the provisions of this paragraph
11 shall not apply and shall be considered
12 null and void as of March 31, 2019.

13 Notwithstanding any inconsistent provision
14 of law, rule or regulation to the
15 contrary, for the period April 1, 2019
16 through March 31, 2021, the commissioner
17 of health is authorized to manage medicaid
18 transportation services using the
19 contracted transportation manager or
20 managers for transportation provided to
21 enrollees of managed long term care plans,
22 with the exception of a program designated
23 as a program of all-inclusive care for the
24 elderly (PACE) as authorized by federal
25 public law 105-33, subtitle I of title IV
26 of the balanced budget act of 1997.
27 Provided, however, if the director of the
28 budget determines that this chapter
29 appropriates sufficient additional funds
30 to pay for medicaid transportation
31 services provided to enrollees of managed
32 long term care plans without the use of a
33 transportation manager or managers then
34 the provisions of this paragraph shall not
35 apply and shall be considered null and
36 void as of March 31, 2019.

37 Notwithstanding any provision of law to the
38 contrary, the portion of this appropri-
39 ation covering fiscal year 2019-20 shall
40 supersede and replace any duplicative (i)
41 reappropriation for this item covering
42 fiscal year 2019-20, and (ii) appropri-
43 ation for this item covering fiscal year
44 2019-20 set forth in chapter 53 of the
45 laws of 2018 (26951) 10,958,332,000

46 For services and expenses of the medical
47 assistance program including managed care
48 services including regional planning
49 activities of the finger lakes health
50 systems agency, including statewide
51 coordination and demonstration of best
52 practices. The department shall make
53 grants within amounts appropriated
54 therefor, to assure high-quality and
55 accessible primary care, to provide
56 technical assistance to support financial
57 and business planning for integrated
58 systems of care, and to assist primary
59 care providers in the adoption,
60 implementation, and meaningful use of
61 electronic health record technology.

DEPARTMENT OF HEALTH

AID TO LOCALITIES 2019-20

1 Notwithstanding any inconsistent provision
 2 of law, rule or regulation to the
 3 contrary, for state fiscal years 2019-2020
 4 and 2020-2021, the rates and payment
 5 methodologies set forth in the provisions
 6 of paragraph (b) of subdivision ~~(35)~~ of **35**
 7 section 2807-c of the public health law
 8 may incorporate methodologies to reduce
 9 payments to facilities with a higher
 10 percentage of potentially avoidable
 11 inpatient services by instituting lower
 12 inpatient payment rates for both fee-for-
 13 service and managed care to incentivize
 14 the provision of preventative care to
 15 reduce preventable events and overall
 16 inpatient costs. A portion of such savings
 17 derived from the implementation of such
 18 payment methodologies shall be reinvested
 19 in initiatives to incentivize the
 20 provision of preventative care, maternity
 21 services, and other ambulatory care
 22 services to reduce preventable health care
 23 costs. Provided, however, if the director
 24 of the budget determines that this chapter
 25 appropriates sufficient additional funds
 26 to allow for the alteration of such rates
 27 and payment methodologies pursuant to
 28 ~~public health law section 2807-c (b) (35)~~
 29 ~~(xiv)~~, then the provisions of this
 30 paragraph shall not apply and shall be
 31 considered null and void as of March 31,
 32 2019.

33 Notwithstanding any inconsistent provision
 34 of law, rule or regulation to the
 35 contrary, for the period April 1, 2019
 36 through March 31, 2021, medical assistance
 37 for needy persons shall include, as part
 38 of standard coverage, evidence-based
 39 prevention and support services recognized
 40 by the federal centers for disease control
 41 (CDC), provided by a community-based
 42 organization, and designed to prevent
 43 individuals at risk of developing diabetes
 44 from developing type 2 diabetes. Provided,
 45 however, if the director of the budget
 46 determines that this chapter appropriates
 47 sufficient additional funds to pay for
 48 such medicaid coverage, then the
 49 provisions of this paragraph shall not
 50 apply and shall be considered null and
 51 void as of March 31, 2019.

52 Notwithstanding any inconsistent provision
 53 of law, rule or regulation to the
 54 contrary, for the period April 1, 2019
 55 through March 31, 2021, the commissioner
 56 of health may by regulation specify
 57 certain drugs which may be dispensed
 58 without a prescription as required by
 59 section 6810 of the education law that
 60 shall be reimbursed by the medicaid
 61 program in accordance with a price
 62 schedule established by such commissioner.

Subparagraph (xiv) of paragraph
 (b) of Subdivision 35 of
 Section 2807-c of the public
 health law

DEPARTMENT OF HEALTH

AID TO LOCALITIES 2019-20

1 Further, for state fiscal years 2019-2020
2 and 2020-21: The department and the
3 division of the budget shall not be
4 required to report quarterly to the drug
5 utilization review board the projected
6 state funds medicaid drug expenditures.

7 Rebates for drugs covered by medicaid and
8 negotiated with manufactures may be based
9 on evidence-based research, including, but
10 not limited to: research operated or
11 conducted by or for other state
12 governments, the federal government, the
13 governments of other nations, third party
14 payers or multi-state coalitions.

15 In the event that the commissioner and the
16 manufacturer previously agreed to a
17 supplemental rebate for a drug pursuant to
18 paragraph (b) of subdivision ~~(2)~~ ² of
19 section 280 of the public health law, or
20 paragraph (e) of subdivision 7 of section
21 367-a of the social services law, the drug
22 shall not be prohibited from referral to
23 the drug utilization review board for any
24 further supplemental rebate for the
25 duration of the previous rebate agreement.

26 When considering a drug's actual cost to the
27 state, including current rebate amounts,
28 prior to seeking an additional rebate
29 pursuant to paragraph (b) or (c) of
30 subdivision ~~(2)~~ ² of section 280 of the
31 public health law, the department shall
32 not be required to take into consideration
33 whether the manufacturer of the drug is
34 providing significant discounts relative
35 to other drugs covered by the medicaid
36 program.

37 If, pursuant to section 280 of the public
38 health law, the drug utilization review
39 board recommends a target rebate amount on
40 a drug referred by the commissioner, the
41 department shall negotiate with the drug's
42 manufacturer for a supplemental rebate to
43 be paid by the manufacturer in an amount
44 not to exceed such target rebate amount. A
45 rebate requirement shall apply beginning
46 with the first day of the state fiscal
47 year during which the rebate was required,
48 without regard to the date the department
49 enters into the rebate agreement with the
50 manufacturer.

51 The commissioner shall report by July,
52 rather than February, first annually to
53 the drug utilization review board on
54 savings achieved through the drug cap in
55 the last fiscal year.

56 Provided, however, if the director of the
57 budget determines that this chapter
58 appropriates sufficient additional funds
59 to achieve commensurate savings then the
60 provisions of this paragraph shall not
61 apply and shall be considered null and
62 void as of March 31, 2019.

DEPARTMENT OF HEALTH

AID TO LOCALITIES 2019-20

1 to ensure that such fees associated with
2 the medical assistance program do not
3 exceed medicare fees for dual eligible
4 members, then the provisions of this
5 paragraph shall not apply and shall be
6 considered null and void as of March 31,
7 2019.

8 Notwithstanding any provision of law to the
9 contrary, the portion of this appropri-
10 ation covering fiscal year 2019-20 shall
11 supersede and replace any duplicative (i)
12 reappropriation for this item covering
13 fiscal year 2019-20, and (ii) appropri-
14 ation for this item covering fiscal year
15 2019-20 set forth in chapter 53 of the
16 laws of 2018 (26956) 13,807,040,000

17 Notwithstanding any inconsistent provision
18 of law, subject to the approval of the
19 director of the budget, the amount appro-
20 priated herein, together with federal
21 matching funds if available, shall be
22 available for services and expenses of
23 enhanced safety net hospitals as defined
24 by paragraphs (i) and (ii) of subdivision
25 (a) of section 2807-c of the public health
26 law pursuant to a methodology as deter-
27 mined by the commissioner.

Subparagraphs (i) and (ii) of
Paragraph (a) of subdivision
34

28 Notwithstanding any provision of law to the
29 contrary, the portion of this appropri-
30 ation covering fiscal year 2019-20 shall
31 supersede and replace any duplicative (i)
32 reappropriation for this item covering
33 fiscal year 2019-2020, and (ii) appropri-
34 ation for this item covering fiscal year
35 2019-20 set forth in chapter 53 of the
36 laws of 2018 (26790) 50,000,000

37 Notwithstanding any inconsistent provision
38 of law, subject to the approval of the
39 director of the budget, the amount appro-
40 priated herein, together with federal
41 matching funds if available, shall be
42 available for services and expenses of the
43 enhanced safety net hospitals as defined
44 by paragraph (iii) and (iv) of subdivision
45 (a) of section 2807-c of the public health
46 law pursuant to a methodology as deter-
47 mined by the commissioner.

Subparagraphs (iii) and (iv) of
Paragraph (a) of subdivision
34

48 Notwithstanding any provision of law to the
49 contrary, the portion of this appropri-
50 ation covering fiscal year 2019-20 shall
51 supersede and replace any duplicative (i)
52 reappropriation for this item covering
53 fiscal year 2019-2020, and (ii) appropri-
54 ation for this item covering fiscal year
55 2019-20 set forth in chapter 53 of the
56 laws of 2018 (26791) 50,000,000

57 For additional services and expenses of the
58 medical assistance program related to
59 disproportionate share hospital payments
60 to eligible hospitals operated by the
61 state university of New York, provided
62 further the eligible hospitals provide

DEPARTMENT OF HEALTH

AID TO LOCALITIES 2019-20

1 operated by the office of mental health,
 2 the office for people with developmental
 3 disabilities and the office of alcoholism
 4 and substance abuse services and further
 5 excluding any payments which are not
 6 appropriated within the department of
 7 health; in the aggregate, for the period
 8 April 1, 2019 through March 31, 2020,
 9 shall not exceed ~~\$22,251,148,000~~ except as
 10 provided below and state share medicaid
 11 spending, in the aggregate, for the period
 12 April 1, 2020 through March 31, 2021,
 13 shall not exceed ~~\$23,256,018,000~~ but in
 14 no event shall department of health state
 15 funds medicaid spending for the period
 16 April 1, 2019 through March 31, 2021
 17 exceed ~~\$45,507,166,000~~ provided, however,
 18 such aggregate limits may be adjusted by
 19 the director of the budget to account for
 20 any changes in the New York state federal
 21 medical assistance percentage amount
 22 established pursuant to the federal social
 23 security act, increases in provider reven-
 24 ues, reductions in local social services
 25 district payments for medical assistance
 26 administration, minimum wage increases and
 27 beginning April 1, 2012 the operational
 28 costs of the New York state medical indem-
 29 nity fund, pursuant to chapter 59 of the
 30 laws of 2011, and state costs or savings
 31 from the essential plan program. Such
 32 projections may be adjusted by the direc-
 33 tor of the budget to account for increased
 34 or expedited department of health state
 35 funds medicaid expenditures as a result of
 36 a natural or other type of disaster,
 37 including a governmental declaration of
 38 emergency. The director of the budget, in
 39 consultation with the commissioner of
 40 health, shall assess on a monthly basis
 41 known and projected medicaid expenditures
 42 by category of service and by geographic
 43 region, as determined by the commissioner
 44 of health, incurred both prior to and
 45 subsequent to such assessment for each
 46 such period, and if the director of the
 47 budget determines that such expenditures
 48 are expected to cause medicaid spending
 49 for such period to exceed the aggregate
 50 limit specified herein for such period,
 51 the state medicaid director, in consulta-
 52 tion with the director of the budget and
 53 the commissioner of health, shall develop
 54 a medicaid savings allocation plan to
 55 limit such spending to the aggregate limit
 56 specified herein for such period.

57 Such medicaid savings allocation plan shall
 58 be designed, to reduce the expenditures
 59 authorized by the appropriations herein in
 60 compliance with the following guidelines:
 61 (1) reductions shall be made in compliance
 62 with applicable federal law, including the

\$21,701,148,000

\$22,650,018,000

\$44,357,166,000

DEPARTMENT OF HEALTH

AID TO LOCALITIES 2019-20

1 decreased by interchange or transfer with
2 any appropriation of the department of
3 health with the approval of the director
4 of the budget, who shall file such
5 approval with the department of audit and
6 control and copies thereof with the chair-
7 man of the senate finance committee and
8 the chairman of the assembly ways and
9 means committee.

10 Notwithstanding any provision of law to the
11 contrary, the portion of this appropri-
12 ation covering fiscal year 2019-20 shall
13 supersede and replace any duplicative (i)
14 reappropriation for this item covering
15 fiscal year 2019-20, and (ii) appropri-
16 ation for this item covering fiscal year
17 2019-20 set forth in chapter 53 of the
18 laws of 2018 (29797)

1,783,000,000

19
20 Program account subtotal 1,783,000,000

21
22
23 Special Revenue Funds - Other
24 HCRA Resources Fund
25 Medical Assistance Account - 20804

26
27 Notwithstanding section 40 of the state
28 finance law or any other law to the
29 contrary, all medical assistance appropri-
30 ations made from this account shall remain
31 in full force and effect in accordance, in
32 the aggregate, with the following sched-
33 ule: not more than 51 percent for the
34 period April 1, 2019 to March 31, 2020;
35 and the remaining amount for the period
36 April 1, 2020 to March 31, 2021.

37 Notwithstanding section 40 of the state
38 finance law or any provision of law to the
39 contrary, subject to federal approval,
40 department of health state funds medicaid
41 spending, excluding payments for medical
42 services provided at state facilities
43 operated by the office of mental health,
44 the office for people with developmental
45 disabilities and the office of alcoholism
46 and substance abuse services and further
47 excluding any payments which are not
48 appropriated within the department of
49 health, in the aggregate, for the period
50 April 1, 2019 through March 31, 2020,
51 shall not exceed ~~\$22,251,148,000~~ except as
52 provided below and state share medicaid
53 spending, in the aggregate, for the period
54 April 1, 2020 through March 31, 2021,
55 shall not exceed ~~\$22,256,018,000~~ but in
56 no event shall department of health state
57 funds medicaid spending for the period
58 April 1, 2019 through March 31, 2021
59 exceed ~~\$45,507,166,000~~ provided, however,
60 such aggregate limits may be adjusted by
61 the director of the budget to account for
62 any changes in the New York state federal

~~_____~~ \$21,701,148,000

~~_____~~ \$22,650,018,000

~~_____~~ \$44,351,166,000

DEPARTMENT OF HEALTH

AID TO LOCALITIES . 2019-20

1 ments, and shift of beneficiaries to
 2 managed care; and variations in offline
 3 medicaid payments; and (b) the actions
 4 taken to implement any medicaid savings
 5 allocation plan implemented pursuant to
 6 subdivision (4) of this section, including
 7 information concerning the impact of such
 8 actions on each category of service and
 9 each geographic region of the state. Each
 10 such monthly report shall be provided to
 11 the chairs of the senate finance and the
 12 assembly ways and means committees and
 13 shall be posted on the department of
 14 health's website in a timely manner.

15 For the purpose of making payments, the
 16 money hereby appropriated is available for
 17 payment of aid heretofore accrued or here-
 18 after accrued, to providers of medical
 19 care pursuant to section 367-b of the
 20 social services law, and for payment of
 21 state aid to municipalities and the feder-
 22 al government where payment systems
 23 through fiscal intermediaries are not
 24 operational, to reimburse such providers
 25 for costs attributable to the provision of
 26 care to patients eligible for medical
 27 assistance. Notwithstanding any inconsis-
 28 tent provision of law, the moneys hereby
 29 appropriated may be increased or decreased
 30 by interchange or transfer with any appro-
 31 priation of the department of health with
 32 the approval of the director of the budg-
 33 et, who shall file such approval with the
 34 department of audit and control and copies
 35 thereof with the chairman of the senate
 36 finance committee and the chairman of the
 37 assembly ways and means committee.

38 For services and expenses of the medical
 39 assistance program.

40 Notwithstanding any provision of law to the
 41 contrary, the portion of this appropri-
 42 ation covering fiscal year 2019-20 shall
 43 supersede and replace any duplicative (i)
 44 reappropriation for this item covering
 45 fiscal year 2019-20, and (ii) appropri-
 46 ation for this item covering fiscal year
 47 2019-20 set forth in chapter 53 of the
 48 laws of 2018 (29800)

~~7,205,215,000~~ 7,305,215,000

49 For services and expenses of the medical
 50 assistance program related to supporting
 51 workforce recruitment and retention of
 52 personal care services or any worker with
 53 direct patient care responsibility for
 54 local social service districts which
 55 include a city with a population of over
 56 one million persons.

57 Notwithstanding any provision of law to the
 58 contrary, the portion of this appropri-
 59 ation covering fiscal year 2019-20 shall
 60 supersede and replace any duplicative (i)
 61 reappropriation for this item covering
 62 fiscal year 2019-20, and (ii) appropri-

DEPARTMENT OF HEALTH

AID TO LOCALITIES 2019-20

1 ation for this item covering fiscal year
2 2019-20 set forth in chapter 53 of the
3 laws of 2018 (29848) 272,000,000
4 For services and expenses of the medical
5 assistance program related to supporting
6 workforce recruitment and retention of
7 personal care services for local social
8 service districts that do not include a
9 city with a population of over one million
10 persons.
11 Notwithstanding any provision of law to the
12 contrary, the portion of this appropri-
13 ation covering fiscal year 2019-20 shall
14 supersede and replace any duplicative (i)
15 reappropriation for this item covering
16 fiscal year 2019-20, and (ii) appropri-
17 ation for this item covering fiscal year
18 2019-20 set forth in chapter 53 of the
19 laws of 2018 (29847) 22,400,000
20 For services and expenses of the medical
21 assistance program related to supporting
22 rate increases for certified home health
23 agencies, long term home health care
24 programs, AIDS home care programs, hospice
25 programs, managed long term care plans and
26 approved managed long term care operating
27 demonstrations for recruitment and
28 retention of health care workers.
29 Notwithstanding any provision of law to the
30 contrary, the portion of this appropri-
31 ation covering fiscal year 2019-20 shall
32 supersede and replace any duplicative (i)
33 reappropriation for this item covering
34 fiscal year 2019-20, and (ii) appropri-
35 ation for this item covering fiscal year
36 2019-20 set forth in chapter 53 of the
37 laws of 2018 (29798) 100,000,000
38
39 Program account subtotal..... ~~7,599,615,000~~ 7,699,615,000
40
41
42 Special Revenue Funds - Other
43 Miscellaneous Special Revenue Fund
44 Medical Assistance Account - 22187
45
46 Notwithstanding section 40 of the state
47 finance law or any other law to the
48 contrary, all medical assistance appropri-
49 ations made from this account shall remain
50 in full force and effect in accordance, in
51 the aggregate, with the following sched-
52 ule: not more than 49 percent for the
53 period April 1, 2019 to March 31, 2020;
54 and the remaining amount for the period
55 April 1, 2020 to March 31, 2021.
56 Notwithstanding section 40 of the state
57 finance law or any provision of law to the
58 contrary, subject to federal approval,
59 department of health state funds medicaid
60 spending, excluding payments for medical
61 services provided at state facilities
62 operated by the office of mental health,

DEPARTMENT OF HEALTH

AID TO LOCALITIES 2019-20

1 the office for people with developmental
 2 disabilities and the office of alcoholism
 3 and substance abuse services and further
 4 excluding any payments which are not
 5 appropriated within the department of
 6 health, in the aggregate, for the period
 7 April 1, 2019 through March 31, 2020,
 8 shall not exceed ~~\$22,251,148,000~~ except as
 9 provided below and state share medicaid
 10 spending, in the aggregate, for the period
 11 April 1, 2020 through March 31, 2021,
 12 shall not exceed ~~\$22,256,018,000~~ but in
 13 no event shall department of health state
 14 funds medicaid spending for the period
 15 April 1, 2019 through March 31, 2021
 16 exceed ~~\$45,507,166,000~~ provided, however,
 17 such aggregate limits may be adjusted by
 18 the director of the budget to account for
 19 any changes in the New York state federal
 20 medical assistance percentage amount
 21 established pursuant to the federal social
 22 security act, increases in provider reven-
 23 ues, reductions in local social services
 24 district payments for medical assistance
 25 administration, minimum wage increases and
 26 beginning April 1, 2012 the operational
 27 costs of the New York state medical indem-
 28 nity fund, pursuant to chapter 59 of the
 29 laws of 2011, and state costs or savings
 30 from the essential plan. Such projections
 31 may be adjusted by the director of the
 32 budget to account for increased or exped-
 33 ited department of health state funds
 34 medicaid expenditures as a result of a
 35 natural or other type of disaster, includ-
 36 ing a governmental declaration of emergen-
 37 cy. The director of the budget, in consul-
 38 tation with the commissioner of health,
 39 shall assess on monthly basis known and
 40 projected medicaid expenditures by category
 41 of service and by geographic region, as
 42 determined by the commissioner of health,
 43 incurred both prior to and subsequent to
 44 such assessment for each such period, and
 45 if the director of the budget determines
 46 that such expenditures are expected to
 47 cause medicaid spending for such period to
 48 exceed the aggregate limit specified here-
 49 in for such period, the state medicaid
 50 director, in consultation with the direc-
 51 tor of the budget and the commissioner of
 52 health, shall develop a medicaid savings
 53 allocation plan to limit such spending to
 54 the aggregate limit specified herein for
 55 such period.

\$21,701,148,000

\$22,650,018,000

\$44,351,166,000

56 Such medicaid savings allocation plan shall
 57 be designed, to reduce the expenditures
 58 authorized by the appropriations herein in
 59 compliance with the following guidelines:
 60 (1) reductions shall be made in compliance
 61 with applicable federal law, including the
 62 provisions of the Patient Protection and

DEPARTMENT OF HEALTH

AID TO LOCALITIES - REAPPROPRIATIONS 2019-20

1 Notwithstanding any inconsistent provision of law and subject to the
 2 approval of the director of budget, moneys hereby appropriated may
 3 be increased or decreased by transfer or interchange between these
 4 appropriated amounts and appropriations of the medical assistance
 5 administration program, the medical assistance program, and the
 6 office of health insurance programs. Funding authority from this
 7 account used for state administration of the medical assistance
 8 program may be transferred to state operations appropriations within
 9 the aforementioned programs at amounts agreed upon by the
 10 commissioner of health, and the New York state division of the
 11 budget.

12 Notwithstanding section 40 of the state finance law or any other law
 13 to the contrary, all medical assistance appropriations made from
 14 this account shall remain in full force and effect in accordance, in
 15 the aggregate, with the following schedule: not more than 50 percent
 16 for the period April 1, 2018 to March 31, 2019; and the remaining
 17 amount for the period April 1, 2019 to [March 31] September 15,
 18 2020.

19 Notwithstanding section 40 of the state finance law or any provision
 20 of law to the contrary, subject to federal approval, department of
 21 health state funds medicaid spending, excluding payments for medical
 22 services provided at state facilities operated by the office of
 23 mental health, the office for people with developmental disabilities
 24 and the office of alcoholism and substance abuse services and
 25 further excluding any payments which are not appropriated within the
 26 department of health, in the aggregate, for the period April 1,
 27 [2018] 2019 through March 31, [2019] 2020, shall not exceed
 28 [\$20,960,018,000] ~~\$22,251,148,000~~ except as provided below and state
 29 share medicaid spending, in the aggregate, for the period April 1,
 30 [2019] 2020 through [March 31] September 15, [2020] 2021, shall not
 31 exceed [\$22,044,311,000] ~~\$23,256,018,000~~ but in no event shall
 32 department of health state funds medicaid spending for the period
 33 April 1, [2018] 2019 through March 31, [2020] 2021 exceed
 34 [\$43,004,329,000] ~~\$45,507,166,000~~ provided, however, such aggregate
 35 limits may be adjusted by the director of the budget to account for
 36 any changes in the New York state federal medical assistance
 37 percentage amount established pursuant to the federal social
 38 security act, increases in provider revenues, reductions in local
 39 social services district payments for medical assistance
 40 administration, minimum wage increases and beginning April 1, 2012
 41 the operational costs of the New York state medical indemnity fund,
 42 pursuant to chapter 59 of the laws of 2011, and state costs or
 43 savings from the essential plan program. Such projections may be
 44 adjusted by the director of the budget to account for increased or
 45 expedited department of health state funds medicaid expenditures as
 46 a result of a natural or other type of disaster, including a
 47 governmental declaration of emergency. The director of the budget,
 48 in consultation with the commissioner of health, shall assess on a
 49 monthly basis known and projected medicaid expenditures by category
 50 of service and by geographic region, as determined by the
 51 commissioner of health, incurred both prior to and subsequent to
 52 such assessment for each such period, and if the director of the
 53 budget determines that such expenditures are expected to cause
 54 medicaid spending for such period to exceed the aggregate limit
 55 specified herein for such period, the state medicaid director, in
 56 consultation with the director of the budget and the commissioner of
 57 health, shall develop a medicaid savings allocation plan to limit
 58 such spending to the aggregate limit specified herein for such
 59 period.

60 Such medicaid savings allocation plan shall be designed, to reduce the
 61 expenditures authorized by the appropriations herein in compliance
 62 with the following guidelines: (1) reductions shall be made in

\$21,701,148,000
\$22,650,018,000
\$44,351,166,000

DEPARTMENT OF HEALTH

AID TO LOCALITIES - REAPPROPRIATIONS. 2019-20

1 increased or decreased by interchange with any other appropriation
2 of the department of health with the approval of the director of
3 budget.

4 Notwithstanding any provision of law to the contrary, the portion of
5 this appropriation covering fiscal year 2017-18 shall supersede and
6 replace any duplicative (i) reappropriation for this item covering
7 fiscal year 2017-18, and (ii) appropriation for this item covering
8 fiscal year 2017-18 set forth in chapter 53 of the laws of 2016
9 (26994) ... 180,000,000 (re. \$90,000,000)

10
11 MEDICAL ASSISTANCE PROGRAM

12
13 General Fund

14 Local Assistance Account - 10000

15
16 The appropriation made by chapter 53, section 1, of the laws of 2018, is
17 hereby amended and reappropriated to read:

18 For the medical assistance program, including administrative expenses,
19 for local social services districts, and for medical care rates for
20 authorized child care agencies.

21 Notwithstanding section 40 of the state finance law or any other law
22 to the contrary, all medical assistance appropriations made from
23 this account shall remain in full force and effect in accordance, in
24 the aggregate, with the following schedule: not more than 48 percent
25 for the period April 1, 2018 to March 31, 2019; and the remaining
26 amount for the period April 1, 2019 to [March 31] September 15,
27 2020.

28 Notwithstanding section 40 of the state finance law or any provision
29 of law to the contrary, subject to federal approval, department of
30 health state funds medicaid spending, excluding payments for medical
31 services provided at state facilities operated by the office of
32 mental health; the office for people with developmental disabilities
33 and the office of alcoholism and substance abuse services and
34 further excluding any payments which are not appropriated within the
35 department of health, in the aggregate, for the period April 1,
36 [2018] 2019 through March 31, [2019] 2020, shall not exceed
37 [\$20,960,018,000] ~~\$22,251,149,000~~ except as provided below and state
38 share medicaid spending, in the aggregate, for the period April 1,
39 [2019] 2020 through March 31, [2020] 2021, shall not exceed
40 [\$22,044,311,000] ~~\$23,256,018,000~~, but in no event shall department
41 of health state funds medicaid spending for the period April 1,
42 [2018] 2019 through March 31, [2020] 2021 exceed [\$43,004,329,000]
43 ~~\$45,507,166,000~~, provided, however, such aggregate limits may be
44 adjusted by the director of the budget to account for any changes in
45 the New York state federal medical assistance percentage amount
46 established pursuant to the federal social security act, increases
47 in provider revenues, reductions in local social services district
48 payments for medical assistance administration, minimum wage
49 increases and beginning April 1, 2012 the operational costs of the
50 New York state medical indemnity fund, pursuant to chapter 59 of the
51 laws of 2011, and state costs or savings from the essential plan
52 program. Such projections may be adjusted by the director of the
53 budget to account for increased or expedited department of health
54 state funds medicaid expenditures as a result of a natural or other
55 type of disaster, including a governmental declaration of emergency.
56 The director of the budget, in consultation with the commissioner of
57 health, shall assess on a monthly basis known and projected medicaid
58 expenditures by category of service and by geographic region, as
59 defined by the commissioner, incurred both prior to and subsequent
60 to such assessment for each such period, and if the director of the
61 budget determines that such expenditures are expected to cause
62 medicaid spending for such period to exceed the aggregate limit

\$21,701,148,000
\$22,650,018,000
\$44,351,166,000

DEPARTMENT OF HEALTH

AID TO LOCALITIES - REAPPROPRIATIONS 2019-20

1 Notwithstanding section 40 of the state finance law or any provision
 2 of law to the contrary, subject to federal approval, department of
 3 health state funds medicaid spending, excluding payments for medical
 4 services provided at state facilities operated by the office of
 5 mental health, the office for people with developmental disabilities
 6 and the office of alcoholism and substance abuse services and
 7 further excluding any payments which are not appropriated within the
 8 department of health, in the aggregate, for the period April 1,
 9 [2018] 2019 through March 31, [2019] 2020, shall not exceed
 10 [\$20,960,018,000] ~~\$22,251,148,000~~ except as provided below and state
 11 share medicaid spending, in the aggregate, for the period April 1,
 12 [2019] 2020 through March 31, [2020] 2021, shall not exceed
 13 [\$22,044,311,000] ~~\$23,256,018,000~~, but in no event shall department
 14 of health state funds medicaid spending for the period April 1,
 15 [2018] 2019 through March 31, [2020] 2021 exceed [\$43,004,329,000]
 16 ~~\$45,507,166,000~~ provided, however, such aggregate limits may be
 17 adjusted by the director of the budget to account for any changes in
 18 the New York state federal medical assistance percentage amount
 19 established pursuant to the federal social security act, increases
 20 in provider revenues, reductions in local social services district
 21 payments for medical assistance administration, minimum wage
 22 increases and beginning April 1, 2012 the operational costs of the
 23 New York state medical indemnity fund, pursuant to chapter 59 of the
 24 laws of 2011, and state costs or savings from the essential plan
 25 program. Such projections may be adjusted by the director of the
 26 budget to account for increased or expedited department of health
 27 state funds medicaid expenditures as a result of a natural or other
 28 type of disaster, including a governmental declaration of emergency.
 29 The director of the budget, in consultation with the commissioner of
 30 health, shall assess on a monthly basis known and projected medicaid
 31 expenditures by category of service and by geographic region, as
 32 determined by the commissioner of health, incurred both prior to and
 33 subsequent to such assessment for each such period, and if the
 34 director of the budget determines that such expenditures are
 35 expected to cause medicaid spending for such period to exceed the
 36 aggregate limit specified herein for such period, the state medicaid
 37 director, in consultation with the director of the budget and the
 38 commissioner of health, shall develop a medicaid savings allocation
 39 plan to limit such spending to the aggregate limit specified herein
 40 for such period.

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

\$44,351,166,000

\$21,701,148,000
\$22,650,018,000

DEPARTMENT OF HEALTH

AID TO LOCALITIES - REAPPROPRIATIONS 2019-20

1 Notwithstanding section 40 of the state finance law or any provision
 2 of law to the contrary, subject to federal approval, department of
 3 health state funds medicaid spending, excluding payments for medical
 4 services provided at state facilities operated by the office of
 5 mental health, the office for people with developmental disabilities
 6 and the office of alcoholism and substance abuse services and
 7 further excluding any payments which are not appropriated within the
 8 department of health, in the aggregate, for the period April 1,
 9 [2018] 2019 through March 31, [2019] 2020, shall not exceed
 10 [\$20,960,018,000] ~~\$22,251,148,000~~ except as provided below and state
 11 share medicaid spending, in the aggregate, for the period April 1,
 12 [2019] 2020 through March 31, [2020] 2021, shall not exceed
 13 [\$22,044,311,000] ~~\$23,256,018,000~~ but in no event shall department
 14 of health state funds medicaid spending for the period April 1,
 15 [2018] 2019 through March 31, [2020] 2021 exceed [\$43,004,329,000]
 16 ~~\$45,507,166,000~~ provided, however, such aggregate limits may be
 17 adjusted by the director of the budget to account for any changes in
 18 the New York state federal medical assistance percentage amount
 19 established pursuant to the federal social security act, increases
 20 in provider revenues, reductions in local social services district
 21 payments for medical assistance administration, minimum wage
 22 increases and beginning April 1, 2012 the operational costs of the
 23 New York state medical indemnity fund, pursuant to chapter 59 of the
 24 laws of 2011, and state costs or savings from the essential plan.
 25 Such projections may be adjusted by the director of the budget to
 26 account for increased or expedited department of health state funds
 27 medicaid expenditures as a result of a natural or other type of
 28 disaster, including a governmental declaration of emergency. The
 29 director of the budget, in consultation with the commissioner of
 30 health, shall assess on a monthly basis known and projected medicaid
 31 expenditures by category of service and by geographic region, as
 32 determined by the commissioner of health, incurred both prior to and
 33 subsequent to such assessment for each such period, and if the
 34 director of the budget determines that such expenditures are
 35 expected to cause medicaid spending for such period to exceed the
 36 aggregate limit specified herein for such period, the state medicaid
 37 director, in consultation with the director of the budget and the
 38 commissioner of health, shall develop a medicaid savings allocation
 39 plan to limit such spending to the aggregate limit specified herein
 40 for such period.

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

\$44,351,166,000

\$21,701,148,000
\$22,650,018,000

DEPARTMENT OF HEALTH

AID TO LOCALITIES - REAPPROPRIATIONS 2019-20

1 fiscal year 2018-19 set forth in chapter 53 of the laws of 2017
 2 (29847) ... 22,400,000 (re. \$22,400,000)
 3 For services and expenses of the medical assistance program related to
 4 supporting rate increases for certified home health agencies, long
 5 term home health care programs, AIDS home care programs, hospice
 6 programs, managed long term care plans and approved managed long
 7 term care operating demonstrations for recruitment and retention of
 8 health care workers.
 9 Notwithstanding any provision of law to the contrary, the portion of
 10 this appropriation covering fiscal year 2018-19 shall supersede and
 11 replace any duplicative (i) reappropriation for this item covering
 12 fiscal year 2018-19, and (ii) appropriation for this item covering
 13 fiscal year 2018-19 set forth in chapter 53 of the laws of 2017
 14 (29798) ... 100,000,000 (re. \$100,000,000)

15
 16 Special Revenue Funds - Other
 17 Miscellaneous Special Revenue Fund
 18 Medical Assistance Account - 22187

19
 20 The appropriation made by chapter 53, section 1, of the laws of 2018, is
 21 hereby amended and reappropriated to read:

22 Notwithstanding section 40 of the state finance law or any other law
 23 to the contrary, all medical assistance appropriations made from
 24 this account shall remain in full force and effect in accordance, in
 25 the aggregate, with the following schedule: not more than 50 percent
 26 for the period April 1, 2018 to March 31, 2019; and the remaining
 27 amount for the period April 1, 2019 to [March 31] September 15,
 28 2020.

29 Notwithstanding section 40 of the state finance law or any provision
 30 of law to the contrary, subject to federal approval, department of
 31 health state funds medicaid spending, excluding payments for medical
 32 services provided at state facilities operated by the office of
 33 mental health, the office for people with developmental disabilities
 34 and the office of alcoholism and substance abuse services and
 35 further excluding any payments which are not appropriated within the
 36 department of health, in the aggregate, for the period April 1,
 37 [2018] 2019 through March 31, [2019] 2020, shall not exceed
 38 [\$20,960,018,000] ~~\$22,251,148,000~~ except as provided below and state
 39 share medicaid spending, in the aggregate, for the period April 1,
 40 [2019] 2020 through March 31, ~~[2020] 2021~~, shall not exceed
 41 [\$22,044,311,000] ~~\$23,256,018,000~~, but in no event shall department
 42 of health state funds medicaid spending for the period April 1,
 43 [2018] 2019 through March 31, [2020] 2021 exceed [\$43,004,329,000]
 44 ~~\$45,507,166,000~~ provided, however, such aggregate limits may be
 45 adjusted by the director of the budget to account for any changes in
 46 the New York state federal medical assistance percentage amount
 47 established pursuant to the federal social security act, increases
 48 in provider revenues, reductions in local social services district
 49 payments for medical assistance administration, minimum wage
 50 increases and beginning April 1, 2012 the operational costs of the
 51 New York state medical indemnity fund, pursuant to chapter 59 of the
 52 laws of 2011, and state costs or savings from the essential plan.
 53 Such projections may be adjusted by the director of the budget to
 54 account for increased or expedited department of health state funds
 55 medicaid expenditures as a result of a natural or other type of
 56 disaster, including a governmental declaration of emergency. The
 57 director of the budget, in consultation with the commissioner of
 58 health, shall assess on monthly basis known and projected medicaid
 59 expenditures by category of service and by geographic region, as
 60 determined by the commissioner of health, incurred both prior to and
 61 subsequent to such assessment for each such period, and if the
 62 director of the budget determines that such expenditures are

\$44,357,166,000

1002100027

\$21,701,148,000
\$23,650,018,000

OFFICE OF INDIGENT LEGAL SERVICES

AID TO LOCALITIES 2019-20

1 under such appropriation shall be used to
 2 supplement and not supplant any local
 3 funds that the county currently spends for
 4 the provision of services pursuant to
 5 ~~county law article 18-B~~ (55507) 2,800,000
 6 For the purposes of accomplishing the objec-
 7 tives set forth in paragraph V(A) of such
 8 settlement agreement in Ontario, Onondaga,
 9 Schuyler, Suffolk and Washington counties.
 10 Any funds received by a county under such
 11 appropriation shall be used to supplement
 12 and not supplant any local funds that the
 13 county currently spends for the provision
 14 of services pursuant to ~~county law article~~
 15 ~~18-B~~ (55508) 2,000,000
 16 For the purpose of accomplishing the objec-
 17 tives set forth in paragraph IV(C) of such
 18 settlement agreement in Ontario, Onondaga,
 19 Schuyler, Suffolk and Washington counties.
 20 Any funds received by a county under such
 21 appropriation shall be used to supplement
 22 and not supplant any local funds that the
 23 county currently spends for the provision
 24 of services pursuant to ~~county law article~~
 25 ~~18-B~~ (55509) 19,010,000
 26 -----
 27
 28 INDIGENT LEGAL SERVICES PROGRAM 81,000,000
 29 -----
 30
 31 Special Revenue Funds - Other
 32 Indigent Legal Services Fund
 33 Indigent Legal Services Account - 23551
 34
 35 For payments to counties and the city of New
 36 York related to indigent legal services
 37 pursuant to section 98-b of the state
 38 finance law and sections 832 and 833 of
 39 the executive law. Such contracts shall be
 40 extended for a period of not more than
 41 twenty-four months. No reimbursement
 42 payment shall be provided for any
 43 expenditure submitted more than twelve
 44 months after the expenditure is incurred
 45 by a county or provider of defense
 46 services (55502) 81,000,000
 47 -----
 48

→ article 18-B of the county law

→ article 18-B of the county law

→ article 18-B of the county law

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DEPARTMENT OF LABOR

AID TO LOCALITIES - REAPPROPRIATIONS 2019-20

1 ADMINISTRATION PROGRAM

2
3 Special Revenue Funds - Federal
4 Unemployment Insurance Administration Fund
5 Unemployment Insurance Administration Account - 25901
6

7 By chapter 53, section 1, of the laws of 2018:
8 For services and expenses of administering unemployment insurance
9 programs, job service programs, workforce investment act programs,
10 employability development programs, other miscellaneous programs,
11 and a reserve for unanticipated funding, pursuant to federal grants
12 and contracts. A portion of this appropriation may be transferred to
13 state operations (34218) ... 15,000,000 (re. \$15,000,000)
14

15 By chapter 53, section 1, of the laws of 2017:
16 For services and expenses of administering unemployment insurance
17 programs, job service programs, workforce investment act programs,
18 employability development programs, other miscellaneous programs,
19 and a reserve for unanticipated funding, pursuant to federal grants
20 and contracts. A portion of this appropriation may be transferred to
21 state operations (34218) ... 15,000,000 (re. \$15,000,000)
22

23 By chapter 53, section 1, of the laws of 2016:
24 For services and expenses of administering unemployment insurance
25 programs, job service programs, workforce investment act programs,
26 employability development programs, other miscellaneous programs,
27 and a reserve for unanticipated funding, pursuant to federal grants
28 and contracts. A portion of this appropriation may be transferred to
29 state operations (34218) ... 15,000,000 (re. \$14,886,000)
30

31 EMPLOYMENT AND TRAINING PROGRAM

32
33 General Fund
34 Local Assistance Account - 10000
35

36 By chapter ⁵³ section 1, of the laws of 2018:
37 For services related to the continuation of displaced homemaker
38 services. Funds made available herein may be used for state agency
39 contractors, or aid to local social services districts, provided,
40 further, that no more than ten percent of such funds may be used for
41 program administration at each individual displaced homemaker
42 center. Each program administrator shall prepare and submit an
43 annual report by December 1, 2018, to the department of labor, the
44 chairs of the senate committee on social services, and the senate
45 committee on labor and the assembly chair of the committee on social
46 services and the assembly chair of the committee on labor, on the
47 summary of activities, including but not limited to the number of
48 eligible recipients, and the outcome for each recipient together
49 with a summary of revenue and expenses, including all salaries
50 (34799) ... 1,620,000 (re. \$1,620,000)
51 For services and expenses of the New York Committee for Occupational
52 Safety and Health (NYCOSH), located on Long Island (34233)
53 200,000 (re. \$200,000)
54 For services and expenses of a building trades pre-apprenticeship
55 program (BTPAP) located in Rochester administered by the Workforce
56 Development Institute (WDI) (34774) ... 200,000 (re. \$200,000)
57 For services and expenses of a building trades pre-apprenticeship
58 program (BTPAP) located in Nassau County administered by the
59 Workforce Development Institute (WDI) (34205)
60 200,000 (re. \$200,000)

DEPARTMENT OF MENTAL HYGIENE

OFFICE OF MENTAL HEALTH

AID TO LOCALITIES 2019-20

1 ation shall be deemed to satisfy the fund-
2 ing requirements of section 41.55 of the
3 mental hygiene law.
4 Notwithstanding any other provision of law
5 to the contrary, any of the amounts appro-
6 priated herein may be increased or
7 decreased by interchange or transfer with-
8 out limit, with any appropriation of the
9 office of mental health, with the approval
10 of the director of the budget:
11 For services and expenses associated with
12 reinvestment for the expansion of state
13 community hubs and voluntary operated
14 services for adults and children (37013).. 97,500,000
15 Notwithstanding any other provision of law
16 to the contrary, funds appropriated herein
17 shall be made available to any county for
18 state aid grant funding for the design,
19 planning, construction, and/or the
20 operation of a mental health unit(s)
21 within a local correctional facility for
22 the purposes of providing jail-based
23 restoration to competency services
24 pursuant to subdivision 9 ~~of~~ of section
25 ~~730.10~~ of the criminal procedure law.
26 Further, state aid grant funding provided
27 pursuant to this appropriation shall be
28 awarded to a county in an amount to be
29 determined by the commissioner of mental
30 health and upon agreement between the
31 commissioner of mental health and the
32 county sheriff 850,000
33 For services and expenses associated with
34 the provision of education, assessments,
35 training, in-reach, care coordination,
36 supported housing and the services needed
37 by mentally ill residents of adult homes
38 and persons with mental illness who are
39 discharged from adult homes, including,
40 but not limited to, the individuals
41 included in the implementation of the
42 settlement of O'Toole et. al. v. Cuomo
43 provided, however, no funds from this
44 appropriation shall be used to pay for the
45 services of an independent reviewer
46 appointed by such district court (36958).. 48,000,000
47 For services and expenses associated with
48 the provision of care coordination,
49 supported housing and the services needed
50 by qualified current and future mentally
51 ill residents of nursing homes, and
52 persons with mental illness who are
53 discharged from nursing homes, to imple-
54 ment settlement of 2011 federal litigation
55 Joseph S. v. Hogan (37000) 12,000,000
56 -----
57 Program account subtotal 1,264,531,000
58 -----
59
60

Paragraph (C) of

Mx

DEPARTMENT OF STATE
AID TO LOCALITIES 2019-20

1 For payment according to the following schedule:

	APPROPRIATIONS	REAPPROPRIATIONS
5 General Fund	6,440,000	11,693,000
6 Special Revenue Funds - Federal	69,900,000	91,293,000
	-----	-----
8 All Funds	76,340,000	102,986,000
	=====	=====

10
11 SCHEDULE

12
13 LOCAL GOVERNMENT AND COMMUNITY SERVICES PROGRAM 69,900,000

14 -----
15
16 Special Revenue Funds - Federal
17 Federal Health and Human Services Fund
18 Federal Health and Human Services Account - 25127

19
20 For allocations from the community services
21 block grant to community action agencies
22 and other eligible entities, including
23 suballocation to other state departments
24 and agencies provided however, each recip-
25 ient of funds from this appropriation
26 shall not be required to secure a local
27 share equivalent ~~as required by section~~
28 ~~159-j of the executive law (51019)~~ 65,200,000

29 -----
30 Program account subtotal 65,200,000

31 -----
32
33 Special Revenue Funds - Federal
34 Federal Miscellaneous Operating Grants Fund
35 AmeriCorps Program Account - 25449

36
37 For services and expenses associated with
38 grant programs to support poverty
39 reduction and prevention initiatives and
40 related activities (51273) 2,500,000

41 -----
42 Program account subtotal 2,500,000

43 -----
44
45 Special Revenue Funds - Federal
46 Federal Miscellaneous Operating Grants Fund
47 Coastal Zone Management Program Account - 25449

48
49 For services and expenses of the coastal
50 zone management program (51034) 2,200,000

51 -----
52 Program account subtotal 2,200,000

53 -----
54
55 OFFICE FOR NEW AMERICANS 6,440,000

56 -----
57
58 General Fund
59 Local Assistance Account - 10000

60
61 For services and expenses related to
62 programs which assist non-citizens in

DIVISION OF VETERANS' AFFAIRS

Insert SERVICES

AID TO LOCALITIES 2019-20

1 For payment according to the following schedule:

	APPROPRIATIONS	REAPPROPRIATIONS
5 General Fund	10,359,000	11,920,000
6 Special Revenue Funds - Federal	500,000	0
7	-----	-----
8 All Funds	10,859,000	11,920,000
9	=====	=====

11 SCHEDULE

13 ADMINISTRATION PROGRAM		999,000
14		-----
16 General Fund		
17 Local Assistance Account - 10000		
19 For payment of supplemental burial benefits		
20 to eligible families of military personnel		
21 dying of any cause inside a combat zone or		
22 dying outside a combat zone from wounds		
23 incurred in combat, pursuant to section		
24 354-b of the executive law, and for trans-		
25 fer of such amounts as are necessary to		
26 state operations for related administra-		
27 tive expenses (54604)	400,000	
28 For payments of gold star annuity benefits		
29 to eligible families of military personnel		
30 (54605)	599,000	
31		-----
33 BLIND VETERAN ANNUITY ASSISTANCE PROGRAM		6,380,000
34		-----
36 General Fund		
37 Local Assistance Account - 10000		
39 For payment of annuities to blind veterans		
40 and eligible surviving spouses. Up to		
41 \$15,000 of this appropriation may be		
42 transferred to state operations for admin-		
43 istrative costs associated with this		
44 program (54606)	6,380,000	
45		-----
47 VETERANS' BENEFITS ADVISING PROGRAM		3,480,000
48		-----
50 General Fund		
51 Local Assistance Account - 10000		
53 For payment of aid to county and city veter-		
54 ans' service agencies pursuant to article		
55 17 of the executive law (54608)	1,380,000	
56 For services and expenses of the veterans		
57 outreach center, inc. (Monroe county)		
58 (54609)	250,000	
59 For payment of burial services for veterans,		
60 as provided for in paragraph (a) of subdi-		
61		

DIVISION OF VETERANS' ~~AFFAIRS~~

Insert SERVICES

AID TO LOCALITIES 2019-20

1 vision 1-a of section 148 of the general
2 municipal law, to congressionally char-
3 tered veterans services organizations.
4 Funds appropriated herein may be suballo-
5 cated to the office of temporary and disa-
6 bility assistance for expenses related to
7 this program (54625) 100,000
8 For services and expenses of veteran-to-vet-
9 eran support services. These monies may be
10 used for the following purposes: to
11 support veteran-to-veteran programs main-
12 tained by veterans service organizations;
13 to connect veteran defendants to treatment
14 and support services directed by the crim-
15 inal justice system; to support such
16 treatment and support services; to provide
17 services to support veterans to avoid
18 involvement with the criminal justice
19 system; to support programs providing
20 counseling and advocacy activities for
21 veterans, and to provide assistance in
22 securing linkages at the national, state,
23 and local level.
24 Funds are to be made available pursuant to a
25 plan prepared by the division of veterans'
26 *Insert* ~~affairs~~ and approved by the director of
Services the budget (54626) 1,000,000
27 For payment of services related to the
28 justice for heroes initiative. Notwith-
29 standing any inconsistent provision of
30 law, funds appropriated herein may be
31 suballocated to the division of military
32 and naval affairs or any other agency for
33 the administration of this program (54627)
34 250,000
35 -----
36 Program account subtotal 2,980,000
37 -----
38
39
40 Special Revenue Funds - Federal
41 Federal Health and Human Services Fund
42 Federal HHS Account - 25100
43
44 For services and expenses related to veter-
45 ans' counseling and outreach (54607) 500,000
46 -----
47 Program account subtotal 500,000
48 -----
49

DIVISION OF VETERANS' [AFFAIRS] SERVICES

AID TO LOCALITIES - REAPPROPRIATIONS 2019-20

1 BLIND VETERAN ANNUITY ASSISTANCE PROGRAM
2
3 General Fund
4 Local Assistance Account - 10000
5
6 By chapter 53, section 1, of the laws of 2018:
7 For payment of annuities to blind veterans and eligible surviving
8 spouses. Up to \$15,000 of this appropriation may be transferred to
9 state operations for administrative costs associated with this
10 program (54606) ... 6,380,000 (re. \$3,334,000)
11
12 By chapter 53, section 1, of the laws of 2017:
13 For payment of annuities to blind veterans and eligible surviving
14 spouses. Up to \$15,000 of this appropriation may be transferred to
15 state operations for administrative costs associated with this
16 program (54606) ... 6,380,000 (re. \$1,104,000)
17
18 By chapter 53, section 1, of the laws of 2016:
19 For payment of annuities to blind veterans and eligible surviving
20 spouses. Up to \$15,000 of this appropriation may be transferred to
21 state operations for administrative costs associated with this
22 program (54606) ... 6,380,000 (re. \$974,000)
23
24 VETERANS' [COUNSELING SERVICES] BENEFITS ADVISING PROGRAM
25
26 General Fund
27 Local Assistance Account - 10000
28
29 By chapter 53, section 1, of the laws of 2018:
30 For payment of aid to county and city veterans' service agencies
31 pursuant to article 17 of the executive law (54608)
32 1,177,000 (re. \$290,000)
33 For services and expenses of the veterans outreach center, inc.
34 (Monroe county) (54609) ... 250,000 (re. \$250,000)
35 For payment of burial services for veterans, as provided for in
36 paragraph (a) of subdivision 1-a of section 148 of the general
37 municipal law, to congressionally chartered veterans services
38 organizations.
39 Funds appropriated herein may be suballocated to the office of
40 temporary and disability assistance for expenses related to this
41 program (54625) ... 100,000 (re. \$74,000)
42 ~~For services and expenses of veteran-to-veteran support services.~~
43 ~~These monies may be used for the following purposes: to support~~
44 ~~veteran-to-veteran programs maintained by veterans service~~
45 ~~organizations; to connect veteran defendants to treatment and~~
46 ~~support services directed by the criminal justice system; to support~~
47 ~~such treatment and support services; to provide services to support~~
48 ~~veterans to avoid involvement with the criminal justice system; to~~
49 ~~support programs providing counseling and advocacy activities for~~
50 ~~veterans, and to provide assistance in securing linkages at the~~
51 ~~national, state, and local level.~~
52 Funds are to be made available pursuant to a plan prepared by the
53 division of veterans' affairs and approved by the director of the
54 ~~budget (54626) ... 1,000,000 (re. \$1,000,000)~~
55 For services and expenses of the SAGE Veterans' Project (54618)
56 50,000 (re. \$20,000)
57 For services and expenses of Helmets-to-Hardhats (54623)
58 200,000 (re. \$200,000)
59 For services and expenses for the Veterans Justice project (54616) ...
60 100,000 (re. \$100,000)
61 For services and expenses of the New York State Defenders Association
62 Veterans Defense Program (54622) ... 250,000 (re. \$250,000)

DIVISION OF VETERANS' [AFFAIRS] SERVICES

AID TO LOCALITIES - REAPPROPRIATIONS 2019-20

- 1 For services and expenses of the Research and Recognition Project
- 2 (54630) ... 50,000 (re. \$20,000)
- 3 For services and expenses of the North Country Veterans Association
- 4 (54631) ... 100,000 (re. \$100,000)
- 5 For services and expenses of Legal Services of the Hudson Valley
- 6 Veterans and Military Families Advocacy Project (54620)
- 7 200,000 (re. \$56,000)
- 8 For services and expenses of Department of New York Veterans of
- 9 Foreign Wars of the United States Field Service Operations (54628)
- 10 ... 125,000 (re. \$125,000)
- 11 For additional services and expenses of the Veterans Outreach Center,
- 12 Inc. (Monroe County) (54600) ... 250,000 (re. \$250,000)
- 13 For services and expenses of the Vietnam Veterans of America New York
- 14 State Council (54615) ... 50,000 (re. \$50,000)
- 15 For services and expenses of the Warrior Salute Program (54617)
- 16 200,000 (re. \$200,000)
- 17 For services and expenses of the SAGE Veterans' Project (54632)
- 18 50,000 (re. \$50,000)
- 19 For services and expenses of the New York State Defenders Association
- 20 Veterans Defense Program (54629) ... 250,000 (re. \$250,000)
- 21 For services and expenses of the New York State Defenders Association
- 22 Veterans Defense Program - Long Island expansion (54633)
- 23 220,000 (re. \$220,000)
- 24 For services and expenses of the West Islip American Legion (54634)
- 25 ... 35,000 (re. \$35,000)

insert
DVA
792

26
27 The appropriation made by chapter 53, section 1, of the laws of 2018, is
28 hereby amended and reappropriated to read:

- 29 For payment of services related to the [access to] justice for heroes
- 30 initiative. Notwithstanding any inconsistent provision of law, funds
- 31 appropriated herein may be suballocated to the division of military
- 32 and naval affairs or any other agency for the administration of this
- 33 program (54627) ... 250,000 (re. \$250,000)

34
35 By chapter 53, section 1, of the laws of 2017:

- 36 For payment of aid to county and city veter ans' service agencies
- 37 pursuant to article 17 of the executive law (54608)
- 38 1,177,000 (re. \$24,000)
- 39 For payment of burial services for veterans, as provided for in para-
- 40 graph (a) of subdivision 1-a of section 148 of the general municipal
- 41 law, to congressionally chartered veterans services organizations.
- 42 Funds appropriated herein may be suballocated to the office of tempo-
- 43 rary and disability assistance for expenses related to this program
- 44 (54625) ... 100,000 (re. \$45,000)

45 ~~For services and expenses of veteran-to-veteran support services:~~

46 These monies may be used for the following purposes: to support
47 veteran-to-veteran programs maintained by veterans service organiza-
48 tions; to connect veteran defendants to treatment and support
49 services directed by the criminal justice system; to support such
50 treatment and support services; to provide services to support
51 veterans to avoid involvement with the criminal justice system; to
52 support programs providing counseling and advocacy activities for
53 veterans, and to provide assistance in securing linkages at the
54 national, state, and local level.

55 Funds are to be made available pursuant to a plan prepared by the
56 division of veterans' affairs and approved by the director of the
57 budget (54626) ... 1,000,000 (re. \$1,000,000)

- 58 For services and expenses of Legal Services of the Hudson Valley
- 59 Veterans and Military Families Advocacy Project (54620)
- 60 200,000 (re. \$145,000)
- 61 Veterans of Foreign Wars NYS Chapter Field Service Operations (54628)
- 62 ... 120,000 (re. \$120,000)

e For services and expenses of veteran-to-veteran support services. These monies may be used for the following purposes: to support veteran-to-veteran programs maintained by veterans service organizations; to connect veteran defendants to treatment and support services directed by the criminal justice system; to support such treatment and support services; to provide services to support veterans to avoid involvement with the criminal justice system; to support programs providing counseling and advocacy activities for veterans, and to provide assistance in securing linkages at the national, state, and local level.

Funds are to be made available pursuant to a plan prepared by the division of veterans' [affairs] services and approved by the director of the budget (54626) ... 1,000,000 (re. \$1,000,000) *e*

DVA
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DIVISION OF VETERANS' [AFFAIRS] SCAVILL

AID TO LOCALITIES - REAPPROPRIATIONS 2019-20

1 For services and expenses of the SAGE Veterans' Project (54618)
 2 100,000 (re. \$100,000)
 3 For services and expenses for the Veterans Justice project (54616) ...
 4 100,000 (re. \$100,000)

*insert
DVA
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5
 6 The appropriation made by chapter 53, section 1, of the laws of 2017, is
 7 hereby amended and reappropriated to read:
 8 For payment of services related to the [access to] justice for heroes
 9 initiative. Notwithstanding any inconsistent provision of law, funds
 10 appropriated herein may be suballocated to the division of military
 11 and naval affairs or any other agency for the administration of this
 12 program (54627) ... 250,000 .. (re. \$200,000)

13
 14 By chapter 53, section 1, of the laws of 2016:
 15 For payment of aid to county and city veterans' service agencies
 16 pursuant to article 17 of the executive law (54608)
 17 1,177,000 (re. \$203,000)
 18 For services and expenses of the SAGE Veterans' Project (54618)
 19 100,000 (re. \$100,000)

20
 21 By chapter 53, section 1, of the laws of 2015:
 22 For payment of aid to county and city veterans' service agencies
 23 pursuant to article 17 of the executive law (54608)
 24 1,177,000 (re. \$104,000)
 25 For services and expenses of the New York Veterans of Foreign Wars
 26 Buffalo Service Office (54613) ... 50,000 (re. \$50,000)
 27 For services and expenses of the New York Veterans of Foreign Wars New
 28 York City Service Office (54614) ... 75,000 (re. \$75,000)
 29 For services and expenses of the SAGE Veterans' Project (54618)
 30 100,000 (re. \$13,000)
 31 For services and expenses of the American Legion Department of New
 32 York for Indigent Burial Expenses (54621)
 33 250,000 (re. \$250,000)

34
 35 By chapter 53, section 1, of the laws of 2014:
 36 For services and expenses of the New York Veterans of Foreign Wars
 37 Buffalo Service Office (54613) ... 50,000 (re. \$50,000)
 38 For services and expenses of Syracuse University Veterans Legal Clinic
 39 (54619) ... 250,000 (re. \$5,000)

40
 41 By chapter 53, section 1, of the laws of 2013:
 42 For services and expenses of the New York Veterans of Foreign Wars New
 43 York City Service Office (54614) ... 75,000 (re. \$31,000)

44
 45 By chapter 53, section 1, of the laws of 2012:
 46 For services and expenses of the New York Veterans of Foreign Wars New
 47 York City Service Office (54614) ... 75,000 (re. \$3,000)
 48 For services and expenses of the Vietnam Veterans of America New York
 49 State Council (54615) ... 25,000 (re. \$25,000)

50
 51 By chapter 53, section 1, of the laws of 2011:
 52 For services and expenses of the New York Veterans of Foreign Wars New
 53 York City Service Office (54614) ... 75,000 (re. \$75,000)

54

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For services and expenses of veteran-to-veteran support services. These monies may be used for the following purposes: to support veteran-to-veteran programs maintained by veterans service organizations; to connect veteran defendants to treatment and support services directed by the criminal justice system; to support such treatment and support services; to provide services to support veterans to avoid involvement with the criminal justice system; to support programs providing counseling and advocacy activities for veterans, and to provide assistance in securing linkages at the national, state, and local level.

Funds are to be made available pursuant to a plan prepared by the division of veterans' affairs and approved by the director of the budget (54626) ... 1,000,000 (re. \$1,000,000)

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DVA
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OFFICE OF VICTIM SERVICES

AID TO LOCALITIES 2019-20

1 state agencies, and distributed pursuant
2 to a plan prepared by the commissioner or
3 director of the recipient agency and
4 approved by the director of the budget
5 ~~(19906)~~ 2,788,000
6 (19900) -----
7 Program account subtotal 15,788,000
8 -----
9

MISCELLANEOUS -- ALL STATE DEPARTMENTS AND AGENCIES

LOCAL GOVERNMENT ASSISTANCE

AID TO LOCALITIES - REAPPROPRIATIONS 2019-20

1 AID AND INCENTIVES FOR MUNICIPALITIES

2
3
4
5

General Fund

Local Assistance Account - 10000

6 The appropriation made by chapter 53, section 1, of the laws of 2018, is
7 hereby amended and reappropriated to read:

8 For payment to local governments under the aid and incentives for
9 municipalities program pursuant to section 54 of the state finance
10 law in accordance with the following:

11 For citizens re-organization empowerment grants and citizen
12 empowerment tax credits administered by the department of state
13 pursuant to section 54 of the state finance law.

14 Notwithstanding any other provision of law, no payment shall be made
15 from this appropriation without a certificate of approval by the
16 director of the budget (80474)

17 [35,000,000] 5,769,921 (re. \$1,500,000)

18 For a local government efficiency grant program administered by the
19 department of state pursuant to section 54 of the state finance law.

20 Notwithstanding any other provision of law, no payment shall be made
21 from this appropriation without a certificate of approval by the
22 director of the budget (80510) ... 4,000,000 (re. \$4,000,000)

24 By chapter 53, section 1, of the laws of 2017:

25 For a local government efficiency grant program administered by the
26 department of state pursuant to section 54 of the state finance law.

27 Notwithstanding any other provision of law, no payment shall be made
28 from this appropriation without a certificate of approval by the
29 director of the budget (80510) ... 4,000,000 (re. \$4,000,000)

31 The appropriation made by chapter 53, section 1, of the laws of 2017, as
32 amended by chapter 53, section 1, of the laws of 2018, is hereby
33 amended and reappropriated to read:

34 For citizens re-organization empowerment grants and citizen empower-
35 ment tax credits administered by the department of state pursuant to
36 section 54 of the state finance law.

37 Notwithstanding any other provision of law, no payment shall be made
38 from this appropriation without a certificate of approval by the
39 director of the budget (80474)

40 [4,627,214] 3,714,214 (re. \$587,000)

42 By chapter 53, section 1, of the laws of 2016:

43 For a local government efficiency grant program administered by the
44 department of state pursuant to section 54 of the state finance law.

45 Notwithstanding any other provision of law, no payment shall be made
46 from this appropriation without a certificate of approval by the
47 director of the budget (80510) ... 4,000,000 (re. \$4,000,000)

49 By chapter 53, section 1, of the laws of 2016, as amended by chapter 53,
50 section 1, of the laws of 2018:

51 For citizens re-organization empowerment grants and citizen empower-
52 ment tax credits administered by the department of state pursuant to
53 section 54 of the state finance law.

54 Notwithstanding any other provision of law, no payment shall be made
55 from this appropriation without a certificate of approval by the
56 director of the budget (80474) ... 600,000 (re. ~~511,000~~)

\$ 511,000

58 By chapter 53, section 1, of the laws of 2015:

59 For awards under the local government performance and efficiency
60 program administered by the financial restructuring board for local

NC810

MISCELLANEOUS -- ALL STATE DEPARTMENTS AND AGENCIES

NATIONAL AND COMMUNITY SERVICE

AID TO LOCALITIES 2019-20

1 For payment according to the following schedule:

	APPROPRIATIONS	REAPPROPRIATIONS	
5 General Fund	350,000	1,116,000	<i>Insert 432,000</i>
6	-----	-----	
7 All Funds	350,000	1,116,000	<i>Insert 432,000</i>
8	=====	=====	

10 SCHEDULE

12 OPERATIONS PROGRAM	-350,000		<i>Insert 432,000</i>
13	-----		

15 General Fund
 16 Local Assistance Account - 10000

18 For services and expenses of regional volun-
 19 teer centers defined as community-based
 20 organizations with a focus on volunteerism
 21 that meets critical needs in communities,
 22 that promote service and civic engagement
 23 opportunities to a specific region of the
 24 state and have the capacity to provide
 25 training and support for non-profits and
 26 businesses interested in creating volun-
 27 teer programs. Such assistance shall be
 28 awarded by grants through one or more
 29 competitive processes to eligible communi-
 30 ty-based organizations and may also be
 31 available for sub-grants to local non-pro-
 32 fit organizations in need of volunteer
 33 coordination assistance (81003)

-350,000 ----- *Insert
432,000*

34
35