

# STATE OF NEW YORK

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10007--B

## IN ASSEMBLY

January 21, 2026

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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 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- again reported from said committee with amendments, ordered reprinted as amended and recommitted to said committee

AN ACT to amend part H of chapter 59 of the laws of 2011 amending the public health law and other laws relating to general hospital reimbursement for annual rates, in relation to quarterly assessment of known and projected department of health state fund medicaid expenditures (Part A); to amend chapter 165 of the laws of 1991, amending the public health law and other laws relating to establishing payments for medical assistance, in relation to the effectiveness thereof; to amend chapter 710 of the laws of 1988, amending the social services law and the education law relating to medical assistance eligibility of certain persons and providing for managed medical care demonstration programs, in relation to the effectiveness thereof; to amend chapter 904 of the laws of 1984, amending the public health law and the social services law relating to encouraging comprehensive health services, in relation to the effectiveness thereof; to amend part X2 of chapter 62 of the laws of 2003, amending the public health law relating to allowing for the use of funds of the office of professional medical conduct for activities of the patient health information and quality improvement act of 2000, in relation to the effectiveness thereof; to amend part H of chapter 59 of the laws of 2011, amending the public health law relating to the statewide health information network of New York and the statewide planning and research cooperative system and general powers and duties, in relation to the effectiveness thereof; to amend part A of chapter 58 of the laws of 2008, amending the elder law and other laws relating to reimbursement to participating provider pharmacies and prescription drug coverage, in relation to the effectiveness thereof; to amend chapter 81 of the laws of 1995, amending the public health law and other laws relating to medical reimbursement and welfare reform, in relation to the effectiveness thereof; to amend the social services law, in relation to the effectiveness of certain provisions relating to negotiation of supplemental rebates relating to medication assisted treatment; to

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

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amend part B of chapter 57 of the laws of 2015, amending the social services law and other laws relating to supplemental rebates, in relation to the effectiveness thereof; to amend part KK of chapter 56 of the laws of 2020, amending the public health law relating to the designation of statewide general hospital quality and sole community pools and the reduction of capital related inpatient expenses, in relation to the effectiveness thereof; to amend chapter 779 of the laws of 1986, amending the social services law relating to authorizing services for non-residents in adult homes, residences for adults and enriched housing programs, in relation to the effectiveness thereof; to amend part R of chapter 59 of the laws of 2016, amending the public health law and the education law relating to electronic prescriptions, in relation to the effectiveness thereof; to amend the public health law, in relation to amending and extending the voluntary indigent care pool; to amend part H of chapter 57 of the laws of 2019, amending the public health law relating to waiver of certain regulations, in relation to the effectiveness thereof; to amend part C of chapter 57 of the laws of 2022, amending the public health law and the education law relating to allowing pharmacists to direct limited service laboratories and order and administer COVID-19 and influenza tests and modernizing nurse practitioners, in relation to the effectiveness thereof; to amend chapter 21 of the laws of 2011, amending the education law relating to authorizing pharmacists to perform collaborative drug therapy management with physicians in certain settings, in relation to the effectiveness thereof; to amend chapter 520 of the laws of 2024, amending the education law and the public health law relating to amending physician assistant practice standards, in relation to the effectiveness thereof; to amend part V of chapter 57 of the laws of 2022, amending the public health law and the insurance law relating to reimbursement for commercial and Medicaid services provided via telehealth, in relation to the effectiveness thereof; and to amend part II of chapter 54 of the laws of 2016 amending part C of chapter 58 of the laws of 2005 relating to authorizing reimbursements for expenditures made by or on behalf of social services districts for medical assistance for needy persons and administration thereof, in relation to the effectiveness thereof; and to amend part C of chapter 57 of the laws of 2018, amending the social services law and the public health law relating to health homes and the penalties for managed care providers, in relation to the effectiveness thereof (Part B); to amend the public health law, in relation to extending certain provisions relating to the distribution of pool allocations; to amend part A3 of chapter 62 of the laws of 2003 amending the public health law and other laws relating to enacting major components necessary to implement the state fiscal plan for the 2003-04 state fiscal year, in relation to extending the effectiveness of provisions thereof; to amend the New York Health Care Reform Act of 9.96, in relation to extending certain provisions relating thereto; to amend the New York Health Care Reform Act of 2000, in relation to extending the effectiveness of provisions thereof; to amend the public health law and the state finance law, in relation to making technical corrections; to amend the public health law, in relation to extending certain provisions relating to health care initiative pool distributions; to amend the social services law, in relation to extending payment provisions for general hospitals; and to amend the public health law, in relation to extending certain provisions relating to the assessments on covered lives (Part C); to amend chapter 266 of the laws of



1986 amending the civil practice law and rules and other laws relating to malpractice and professional medical conduct, in relation to insurance coverage paid for by funds from the hospital excess liability pool and extending the effectiveness of certain provisions relating to insurance coverage; to amend part J of chapter 63 of the laws of 2001 amending chapter 266 of the laws of 1986 amending the civil practice law and rules and other laws relating to malpractice and professional medical conduct, in relation to extending certain provisions concerning the hospital excess liability pool; and to amend part H of chapter 57 of the laws of 2017 amending the New York Health Care Reform Act of 1996 and other laws relating to extending certain provisions relating thereto, in relation to extending provisions relating to excess coverage (Part D); intentionally omitted (Part E); to amend part JJ of chapter 57 of the laws of 2025 amending the public health law relating to reporting pregnancy losses and clarifying which agencies are responsible for such reports, in relation to the effectiveness thereof; to amend part P of chapter 57 of the laws of 2025 amending the public health law relating to requiring hospitals to provide stabilizing care to pregnant individuals, in relation to the effectiveness thereof; to amend the public health law, in relation to making technical corrections thereto; and to amend the insurance law, in relation to referencing the continuing care retirement community council (Part F); intentionally omitted (Part G); intentionally omitted (Part H); intentionally omitted (Part I); to amend the public health law, in relation to temporary health care services agencies (Part J); intentionally omitted (Part K); to amend the public health law, in relation to restoring prior enacted nursing home capital rate reductions (Part L); to amend the social services law, in relation to clarifying Medicaid requirements for biomarker testing (Part M); intentionally omitted (Part N); to amend part I of chapter 57 of the laws of 2022 providing a one percent across the board payment increase to all qualifying fee-for-service Medicaid rates, in relation to hospital and nursing home fee-for-service reimbursement rates (Part O); in relation to establishing a state fiscal year 2026-2027 targeted inflationary increase to be applied to certain portions of reimbursable costs or contract amounts for certain programs and services (Part P); intentionally omitted (Part Q); intentionally omitted (Part R); intentionally omitted (Part S); to amend part ZZ of chapter 56 of the laws of 2020 amending the tax law and the social services law relating to certain Medicaid management, in relation to the effectiveness thereof; and to amend the public health law, in relation to minimum amounts of certain state aid for the city of New York (Part T); to amend chapter 56 of the laws of 2013 amending the public health law and other laws relating to general hospital reimbursement for annual rates, in relation to extending government rates for behavioral services and referencing the office of addiction services and supports; to amend part H of chapter 111 of the laws of 2010 relating to increasing Medicaid payments to providers through managed care organizations and providing equivalent fees through an ambulatory patient group methodology, in relation to extending government rates for behavioral services referencing the office of addiction services and supports and in relation to the effectiveness thereof (Part U); to amend the social services law, in relation to coverage for services provided by school-based health centers for medical assistance recipients (Part V); to amend part Q of chapter 59 of the laws of 2016, amending the mental hygiene law relating to the closure or transfer of a state-operated



individualized residential alternative, in relation to the effectiveness thereof (Part W); to amend chapter 670 of the laws of 2021, requiring the office for people with developmental disabilities to establish the care demonstration program, in relation to the effectiveness thereof (Part X); to amend the public health law, in relation to the hospital capital rate add-on (Part Y); and to amend the state finance law, in relation to establishing the essential plan contingency fund; and providing for the repeal of such provisions upon expiration thereof (Part Z)

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

1 Section 1. This act enacts into law major components of legislation  
2 necessary to implement the state health and mental hygiene budget for  
3 the 2026-2027 state fiscal year. Each component is wholly contained  
4 within a Part identified as Parts A through Z. The effective date for  
5 each particular provision contained within such Part is set forth in the  
6 last section of such Part. Any provision in any section contained within  
7 a Part, including the effective date of the Part, which makes a refer-  
8 ence to a section "of this act", when used in connection with that  
9 particular component, shall be deemed to mean and refer to the corre-  
10 sponding section of the Part in which it is found. Section three of this  
11 act sets forth the general effective date of this act.

12 PART A

13 Section 1. Paragraph (a) of subdivision 1 of section 92 of part H of  
14 chapter 59 of the laws of 2011, amending the public health law and other  
15 laws relating to general hospital reimbursement for annual rates, as  
16 amended by section 1 of part A of chapter 57 of the laws of 2025, is  
17 amended to read as follows:

18 (a) For state fiscal years 2011-12 through [2026-27] 2027-28, the  
19 director of the budget, in consultation with the commissioner of health  
20 referenced as "commissioner" for purposes of this section, shall assess  
21 on a quarterly basis, as reflected in quarterly reports pursuant to  
22 subdivision five of this section known and projected department of  
23 health state funds medicaid expenditures by category of service and by  
24 geographic regions, as defined by the commissioner.

25 § 2. This act shall take effect immediately and shall be deemed to  
26 have been in full force and effect on and after April 1, 2026.

27 PART B

28 Section 1. Subdivision (c) of section 62 of chapter 165 of the laws of  
29 1991, amending the public health law and other laws relating to estab-  
30 lishing payments for medical assistance, as amended by section 9 of part  
31 GG of chapter 56 of the laws of 2020, is amended to read as follows:

32 (c) section 364-j of the social services law, as amended by section  
33 eight of this act and subdivision 6 of section 367-a of the social  
34 services law as added by section twelve of this act shall expire and be  
35 deemed repealed on March 31, [2026] 2029 and provided further, that the  
36 amendments to the provisions of section 364-j of the social services law  
37 made by section eight of this act shall only apply to managed care  
38 programs approved on or after the effective date of this act;

1 § 2. Section 11 of chapter 710 of the laws of 1988, amending the  
2 social services law and the education law relating to medical assistance  
3 eligibility of certain persons and providing for managed medical care  
4 demonstration programs, as amended by section 10 of part GG of chapter  
5 56 of the laws of 2020, is amended to read as follows:

6 § 11. This act shall take effect immediately; except that the  
7 provisions of sections one, two, three, four, eight and ten of this act  
8 shall take effect on the ninetieth day after it shall have become a law;  
9 and except that the provisions of sections five, six and seven of this  
10 act shall take effect January 1, 1989; and except that effective imme-  
11 diately, the addition, amendment and/or repeal of any rule or regulation  
12 necessary for the implementation of this act on its effective date are  
13 authorized and directed to be made and completed on or before such  
14 effective date; provided, however, that the provisions of section 364-j  
15 of the social services law, as added by section one of this act shall  
16 expire and be deemed repealed on and after March 31, [2026] 2029, the  
17 provisions of section 364-k of the social services law, as added by  
18 section two of this act, except subdivision 10 of such section, shall  
19 expire and be deemed repealed on and after January 1, 1994, and the  
20 provisions of subdivision 10 of section 364-k of the social services  
21 law, as added by section two of this act, shall expire and be deemed  
22 repealed on January 1, 1995.

23 § 3. Section 18 of chapter 904 of the laws of 1984, amending the  
24 public health law and the social services law relating to encouraging  
25 comprehensive health services, as amended by section 16 of part B of  
26 chapter 57 of the laws of 2023, is amended to read as follows:

27 § 18. This act shall take effect immediately, except that sections  
28 six, nine, ten and eleven of this act shall take effect on the sixtieth  
29 day after it shall have become a law, sections two, three, four and nine  
30 of this act shall expire and be of no further force or effect on or  
31 after March 31, [2026] 2029, section two of this act shall take effect  
32 on April 1, 1985 or seventy-five days following the submission of the  
33 report required by section one of this act, whichever is later, and  
34 sections eleven and thirteen of this act shall expire and be of no  
35 further force or effect on or after March 31, 1988.

36 § 4. Section 4 of part X2 of chapter 62 of the laws of 2003, amending  
37 the public health law relating to allowing for the use of funds of the  
38 office of professional medical conduct for activities of the patient  
39 health information and quality improvement act of 2000, as amended by  
40 section 17 of part B of chapter 57 of the laws of 2023, is amended to  
41 read as follows:

42 § 4. This act shall take effect immediately; provided that the  
43 provisions of section one of this act shall be deemed to have been in  
44 full force and effect on and after April 1, 2003, and shall expire March  
45 31, [2026] 2029 when upon such date the provisions of such section shall  
46 be deemed repealed.

47 § 5. Subdivision (o) of section 111 of part H of chapter 59 of the  
48 laws of 2011, amending the public health law relating to the statewide  
49 health information network of New York and the statewide planning and  
50 research cooperative system and general powers and duties, as amended by  
51 section 18 of part B of chapter 57 of the laws of 2023, is amended to  
52 read as follows:

53 (o) sections thirty-eight and thirty-eight-a of this act shall expire  
54 and be deemed repealed March 31, [2026] 2029;

55 § 6. Section 32 of part A of chapter 58 of the laws of 2008, amending  
56 the elder law and other laws relating to reimbursement to participating

1 provider pharmacies and prescription drug coverage, as amended by  
2 section 19 of part B of chapter 57 of the laws of 2023, is amended to  
3 read as follows:

4 § 32. This act shall take effect immediately and shall be deemed to  
5 have been in full force and effect on and after April 1, 2008; provided  
6 however, that sections one, six-a, nineteen, twenty, twenty-four, and  
7 twenty-five of this act shall take effect July 1, 2008; provided however  
8 that sections sixteen, seventeen and eighteen of this act shall expire  
9 April 1, [2026] 2029; provided, however, that the amendments made by  
10 section twenty-eight of this act shall take effect on the same date as  
11 section 1 of chapter 281 of the laws of 2007 takes effect; provided  
12 further, that sections twenty-nine, thirty, and thirty-one of this act  
13 shall take effect October 1, 2008; provided further, that section twen-  
14 ty-seven of this act shall take effect January 1, 2009; and provided  
15 further, that section twenty-seven of this act shall expire and be  
16 deemed repealed March 31, [2026] 2029; and provided, further, however,  
17 that the amendments to subdivision 1 of section 241 of the education law  
18 made by section twenty-nine of this act shall not affect the expiration  
19 of such subdivision and shall be deemed to expire therewith and provided  
20 that the amendments to section 272 of the public health law made by  
21 section thirty of this act shall not affect the repeal of such section  
22 and shall be deemed repealed therewith.

23 § 7. Paragraph (f) of subdivision 1 of section 64 of chapter 81 of the  
24 laws of 1995, amending the public health law and other laws relating to  
25 medical reimbursement and welfare reform, as amended by section 21 of  
26 part B of chapter 57 of the laws of 2023, is amended to read as follows:

27 (f) Prior to February 1, 2001, February 1, 2002, February 1, 2003,  
28 February 1, 2004, February 1, 2005, February 1, 2006, February 1, 2007,  
29 February 1, 2008, February 1, 2009, February 1, 2010, February 1, 2011,  
30 February 1, 2012, February 1, 2013, February 1, 2014, February 1, 2015,  
31 February 1, 2016, February 1, 2017, February 1, 2018, February 1, 2019,  
32 February 1, 2020, February 1, 2021, February 1, 2022, February 1, 2023,  
33 February 1, 2024, February 1, 2025 [and], February 1, 2026, February 1,  
34 2027, February 1, 2028, and February 1, 2029, the commissioner of health  
35 shall calculate the result of the statewide total of residential health  
36 care facility days of care provided to beneficiaries of title XVIII of  
37 the federal social security act (medicare), divided by the sum of such  
38 days of care plus days of care provided to residents eligible for  
39 payments pursuant to title 11 of article 5 of the social services law  
40 minus the number of days provided to residents receiving hospice care,  
41 expressed as a percentage, for the period commencing January 1, through  
42 November 30, of the prior year respectively, based on such data for such  
43 period. This value shall be called the 2000, 2001, 2002, 2003, 2004,  
44 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016,  
45 2017, 2018, 2019, 2020, 2021, 2022, 2023, 2024, 2025 [and], 2026, 2027,  
46 2028 and 2029 statewide target percentage respectively.

47 § 8. Subparagraph (ii) of paragraph (b) of subdivision 3 of section 64  
48 of chapter 81 of the laws of 1995, amending the public health law and  
49 other laws relating to medical reimbursement and welfare reform, as  
50 amended by section 22 of part B of chapter 57 of the laws of 2023, is  
51 amended to read as follows:

52 (ii) If the 1997, 1998, 2000, 2001, 2002, 2003, 2004, 2005, 2006,  
53 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018,  
54 2019, 2020, 2021, 2022, 2023, 2024, 2025 [and], 2026, 2027, 2028 and  
55 2029 statewide target percentages are not for each year at least three  
56 percentage points higher than the statewide base percentage, the commis-

1 sioner of health shall determine the percentage by which the statewide  
2 target percentage for each year is not at least three percentage points  
3 higher than the statewide base percentage. The percentage calculated  
4 pursuant to this paragraph shall be called the 1997, 1998, 2000, 2001,  
5 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013,  
6 2014, 2015, 2016, 2017, 2018, 2019, 2020, 2021, 2022, 2023, 2024, 2025  
7 [and], 2026, 2027, 2028 and 2029 statewide reduction percentage respec-  
8 tively. If the 1997, 1998, 2000, 2001, 2002, 2003, 2004, 2005, 2006,  
9 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018,  
10 2019, 2020, 2021, 2022, 2023, 2024, 2025 [and], 2026, 2027, 2028 and  
11 2029 statewide target percentage for the respective year is at least  
12 three percentage points higher than the statewide base percentage, the  
13 statewide reduction percentage for the respective year shall be zero.

14 § 9. Subparagraph (iii) of paragraph (b) of subdivision 4 of section  
15 64 of chapter 81 of the laws of 1995, amending the public health law and  
16 other laws relating to medical reimbursement and welfare reform, as  
17 amended by section 23 of part B of chapter 57 of the laws of 2023, is  
18 amended to read as follows:

19 (iii) The 1998, 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008,  
20 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019, 2020,  
21 2021, 2022, 2023, 2024, 2025 [and], 2026, 2027, 2028 and 2029 statewide  
22 reduction percentage shall be multiplied by one hundred two million  
23 dollars respectively to determine the 1998, 2000, 2001, 2002, 2003,  
24 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015,  
25 2016, 2017, 2018, 2019, 2020, 2021, 2022, 2023, 2024, 2025 [and], 2026,  
26 2027, 2028 and 2029 statewide aggregate reduction amount. If the 1998  
27 and the 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009,  
28 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019, 2020, 2021,  
29 2022, 2023, 2024, 2025 [and], 2026, 2027, 2028 and 2029 statewide  
30 reduction percentage shall be zero respectively, there shall be no 1998,  
31 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011,  
32 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019, 2020, 2021, 2022, 2023,  
33 2024, 2025 [and], 2026, 2027, 2028 and 2029 reduction amount.

34 § 10. The opening paragraph of paragraph (e) of subdivision 7 of  
35 section 367-a of the social services law, as amended by section 5 of  
36 part I of chapter 57 of the laws of 2024, is amended to read as follows:

37 During the period from April first, two thousand fifteen through March  
38 thirty-first, two thousand [twenty-six] twenty-nine, the commissioner  
39 may, in lieu of a managed care provider or pharmacy benefit manager,  
40 negotiate directly and enter into an arrangement with a pharmaceutical  
41 manufacturer for the provision of supplemental rebates relating to phar-  
42 maceutical utilization by enrollees of managed care providers pursuant  
43 to section three hundred sixty-four-j of this title and may also negoti-  
44 ate directly and enter into such an agreement relating to pharmaceutical  
45 utilization by medical assistance recipients not so enrolled. Such  
46 rebate arrangements shall be limited to the following: antiretrovirals  
47 approved by the FDA for the treatment of HIV/AIDS, accelerated approval  
48 drugs established pursuant to this paragraph, opioid dependence agents  
49 and opioid antagonists listed in a statewide formulary established  
50 pursuant to subparagraph (vii) of this paragraph, hepatitis C agents,  
51 high cost drugs as provided for in subparagraph (viii) of this para-  
52 graph, gene therapies as provided for in subparagraph (ix) of this para-  
53 graph, and any other class or drug designated by the commissioner for  
54 which the pharmaceutical manufacturer has in effect a rebate arrangement  
55 with the federal secretary of health and human services pursuant to 42  
56 U.S.C. § 1396r-8, and for which the state has established standard clin-



1 ical criteria. No agreement entered into pursuant to this paragraph  
2 shall have an initial term or be extended beyond the expiration or  
3 repeal of this paragraph. For purposes of this paragraph, an "acceler-  
4 ated approval" is a drug or labeled indication of a drug authorized by  
5 the Federal Food, Drug and Cosmetic Act for drugs approved under Subpart  
6 H of 21 CFR Part 314 and Subpart E of 21 CFR Part 601 for serious condi-  
7 tions that fill an unmet medical need based on whether the drug has an  
8 effect on a surrogate clinical endpoint, and is pending verification of  
9 clinical benefit in confirmatory trials.

10 § 11. Subdivision 1 of section 60 of part B of chapter 57 of the laws  
11 of 2015, amending the social services law and other laws relating to  
12 supplemental rebates, as amended by section 25 of part B of chapter 57  
13 of the laws of 2023, is amended to read as follows:

14 1. section one of this act shall expire and be deemed repealed March  
15 31, [2029] 2032;

16 § 12. Section 8 of part KK of chapter 56 of the laws of 2020, amending  
17 the public health law relating to the designation of statewide general  
18 hospital quality and sole community pools and the reduction of capital  
19 related inpatient expenses, as amended by section 26 of part B of chap-  
20 ter 57 of the laws of 2023, is amended to read as follows:

21 § 8. This act shall take effect immediately and shall be deemed to  
22 have been in full force and effect on and after April 1, 2020, provided,  
23 further that sections four through seven of this act shall expire and be  
24 deemed repealed March 31, [2026] 2029; provided further, however, that  
25 the director of the budget may, in consultation with the commissioner of  
26 health, delay the effective dates prescribed herein for a period of time  
27 which shall not exceed ninety days following the conclusion or termi-  
28 nation of an executive order issued pursuant to section 28 of the execu-  
29 tive law declaring a state disaster emergency for the entire state of  
30 New York, upon such delay the director of budget shall notify the chairs  
31 of the assembly ways and means committee and senate finance committee  
32 and the chairs of the assembly and senate health committee; provided  
33 further, however, that the director of the budget shall notify the  
34 legislative bill drafting commission upon the occurrence of a delay in  
35 the effective date of this act in order that the commission may maintain  
36 an accurate and timely effective data base of the official text of the  
37 laws of the state of New York in furtherance of effectuating the  
38 provisions of section 44 of the legislative law and section 70-b of the  
39 public officers law.

40 § 13. Section 4 of chapter 779 of the laws of 1986, amending the  
41 social services law relating to authorizing services for non-residents  
42 in adult homes, residences for adults and enriched housing programs, as  
43 amended by section 28 of part B of chapter 57 of the laws of 2023, is  
44 amended to read as follows:

45 § 4. This act shall take effect on the one hundred twentieth day after  
46 it shall have become a law and shall remain in full force and effect  
47 until July 1, [2026] 2029, provided however, that effective immediately,  
48 the addition, amendment and/or repeal of any rules or regulations neces-  
49 sary for the implementation of the foregoing sections of this act on its  
50 effective date are authorized and directed to be made and completed on  
51 or before such effective date.

52 § 14. Section 9 of part R of chapter 59 of the laws of 2016, amending  
53 the public health law and the education law relating to electronic  
54 prescriptions, as amended by section 35-b of part B of chapter 57 of the  
55 laws of 2023, is amended to read as follows:

1 § 9. This act shall take effect immediately; provided however, that  
2 sections one and two of this act shall take effect on the first of June  
3 next succeeding the date on which it shall have become a law and shall  
4 expire and be deemed repealed June 1, [2026] 2029.

5 § 15. Subdivision 5-d of section 2807-k of the public health law, as  
6 amended by section 1 of part E of chapter 57 of the laws of 2023, clause  
7 (A) of subparagraph (ii) of paragraph (b) as amended by section 2 of  
8 part D of chapter 57 of the laws of 2025, is amended to read as follows:

9 5-d. (a) Notwithstanding any inconsistent provision of this section,  
10 section twenty-eight hundred seven-w of this article or any other  
11 contrary provision of law, and subject to the availability of federal  
12 financial participation, for periods on and after January first, two  
13 thousand twenty, through [March] December thirty-first, two thousand  
14 [twenty-six] twenty-nine, all funds available for distribution pursuant  
15 to this section, except for funds distributed pursuant to paragraph (b)  
16 of subdivision five-b of this section, and all funds available for  
17 distribution pursuant to section twenty-eight hundred seven-w of this  
18 article, shall be reserved and set aside and distributed in accordance  
19 with the provisions of this subdivision.

20 (b) The commissioner shall promulgate regulations, and may promulgate  
21 emergency regulations, establishing methodologies for the distribution  
22 of funds as described in paragraph (a) of this subdivision and such  
23 regulations shall include, but not be limited to, the following:

24 (i) Such regulations shall establish methodologies for determining  
25 each facility's relative uncompensated care need amount based on unin-  
26 sured inpatient and outpatient units of service from the cost reporting  
27 year two years prior to the distribution year, multiplied by the appli-  
28 cable medicaid rates in effect January first of the distribution year,  
29 as summed and adjusted by a statewide cost adjustment factor and reduced  
30 by the sum of all payment amounts collected from such uninsured  
31 patients, and as further adjusted by application of a nominal need  
32 computation that shall take into account each facility's medicaid inpa-  
33 tient share.

34 (ii) Annual distributions pursuant to such regulations for the two  
35 thousand twenty through two thousand [twenty-five] twenty-nine calendar  
36 years shall be in accord with the following:

37 (A) (1) one hundred thirty-nine million four hundred thousand dollars  
38 shall be distributed as Medicaid Disproportionate Share Hospital ("DSH")  
39 payments to major public general hospitals;

40 (2) for the calendar years two thousand twenty-five and thereafter,  
41 the total distributions to major public general hospitals shall be  
42 subject to an aggregate reduction of one hundred thirteen million four  
43 hundred thousand dollars annually, provided that general hospitals oper-  
44 ated by the New York city health and hospitals corporation as estab-  
45 lished by chapter one thousand sixteen of the laws of nineteen hundred  
46 sixty-nine, as amended, shall not receive distributions pursuant to this  
47 subdivision; and

48 (B) nine hundred sixty-nine million nine hundred thousand dollars as  
49 Medicaid DSH payments to eligible general hospitals, other than major  
50 public general hospitals.

51 For the calendar years two thousand twenty through two thousand twen-  
52 ty-two, the total distributions to eligible general hospitals, other  
53 than major public general hospitals, shall be subject to an aggregate  
54 reduction of one hundred fifty million dollars annually, provided that  
55 eligible general hospitals, other than major public general hospitals,  
56 that qualify as enhanced safety net hospitals under section two thousand

1 eight hundred seven-c of this article shall not be subject to such  
2 reduction.

3 For the calendar years two thousand twenty-three through two thousand  
4 [twenty-five] twenty-nine, the total distributions to eligible general  
5 hospitals, other than major public general hospitals, shall be subject  
6 to an aggregate reduction of two hundred thirty-five million four  
7 hundred thousand dollars annually, provided that eligible general hospi-  
8 tals, other than major public general hospitals that qualify as enhanced  
9 safety net hospitals under section two thousand eight hundred seven-c of  
10 this article as of April first, two thousand twenty, shall not be  
11 subject to such reduction.

12 Such reductions shall be determined by a methodology to be established  
13 by the commissioner. Such methodologies may take into account the payor  
14 mix of each non-public general hospital, including the percentage of  
15 inpatient days paid by Medicaid.

16 (iii) For calendar years two thousand twenty through two thousand  
17 [twenty-five] twenty-nine, sixty-four million six hundred thousand  
18 dollars shall be distributed to eligible general hospitals, other than  
19 major public general hospitals, that experience a reduction in indigent  
20 care pool payments pursuant to this subdivision, and that qualify as  
21 enhanced safety net hospitals under section two thousand eight hundred  
22 seven-c of this article as of April first, two thousand twenty. Such  
23 distribution shall be established pursuant to regulations promulgated by  
24 the commissioner and shall be proportional to the reduction experienced  
25 by the facility.

26 (iv) Such regulations shall reserve one percent of the funds available  
27 for distribution in the two thousand fourteen and two thousand fifteen  
28 calendar years, and for calendar years thereafter, pursuant to this  
29 subdivision, subdivision fourteen-f of section twenty-eight hundred  
30 seven-c of this article, and sections two hundred eleven and two hundred  
31 twelve of chapter four hundred seventy-four of the laws of nineteen  
32 hundred ninety-six, in a "financial assistance compliance pool" and  
33 shall establish methodologies for the distribution of such pool funds to  
34 facilities based on their level of compliance, as determined by the  
35 commissioner, with the provisions of subdivision nine-a of this section.

36 (c) The commissioner shall annually report to the governor and the  
37 legislature on the distribution of funds under this subdivision includ-  
38 ing, but not limited to:

39 (i) the impact on safety net providers, including community providers,  
40 rural general hospitals and major public general hospitals;

41 (ii) the provision of indigent care by units of services and funds  
42 distributed by general hospitals; and

43 (iii) the extent to which access to care has been enhanced.

44 § 16. Section 7 of part H of chapter 57 of the laws of 2019, amending  
45 the public health law relating to waiver of certain regulations, as  
46 amended by section 10 of part B of chapter 57 of the laws of 2024, is  
47 amended to read as follows:

48 § 7. This act shall take effect immediately and shall be deemed to  
49 have been in full force and effect on and after April 1, 2019, provided,  
50 however, that section two of this act shall expire on April 1, [2026]  
51 2028.

52 § 17. Section 8 of part C of chapter 57 of the laws of 2022, amending  
53 the public health law and the education law relating to allowing pharma-  
54 cists to direct limited service laboratories and order and administer  
55 COVID-19 and influenza tests and modernizing nurse practitioners, as

1 amended by section 1 of part P of chapter 57 of the laws of 2024, is  
2 amended to read as follows:

3 § 8. This act shall take effect immediately and shall be deemed to  
4 have been in full force and effect on and after April 1, 2022; provided,  
5 however, that sections one, two, three, four, six and seven of this act  
6 shall expire and be deemed repealed July 1, [2026] 2028.

7 § 18. Section 5 of chapter 21 of the laws of 2011, amending the educa-  
8 tion law relating to authorizing pharmacists to perform collaborative  
9 drug therapy management with physicians in certain settings, as amended  
10 by section 2 of part P of chapter 57 of the laws of 2024, is amended to  
11 read as follows:

12 § 5. This act shall take effect on the one hundred twentieth day after  
13 it shall have become a law, provided, however, that the provisions of  
14 sections two, three, and four of this act shall expire and be deemed  
15 repealed July 1, [2026] 2028; provided, however, that the amendments to  
16 subdivision 1 of section 6801 of the education law made by section one  
17 of this act shall be subject to the expiration and reversion of such  
18 subdivision pursuant to section 8 of chapter 563 of the laws of 2008,  
19 when upon such date the provisions of section one-a of this act shall  
20 take effect; provided, further, that effective immediately, the addi-  
21 tion, amendment and/or repeal of any rule or regulation necessary for  
22 the implementation of this act on its effective date are authorized and  
23 directed to be made and completed on or before such effective date.

24 § 19. Section 4 of chapter 520 of the laws of 2024, amending the  
25 education law and the public health law relating to amending physician  
26 assistant practice standards, is amended to read as follows:

27 § 4. This act shall take effect three months after it shall have  
28 become a law; provided, however, that paragraph (1) of subdivision 7 of  
29 section 6542 of the education law, as added by section one of this act,  
30 shall expire and be deemed repealed July 1, [2026] 2028. Effective  
31 immediately, the state education department and the department of  
32 health are authorized to promulgate, amend and/or repeal any rule or  
33 regulation necessary for the implementation of section one of this act  
34 on or before such effective date.

35 § 20. Section 7 of part V of chapter 57 of the laws of 2022, amending  
36 the public health law and the insurance law relating to reimbursement  
37 for commercial and Medicaid services provided via telehealth, as amended  
38 by section 5 of part B of chapter 57 of the laws of 2024, is amended to  
39 read as follows:

40 § 7. This act shall take effect immediately and shall be deemed to  
41 have been in full force and effect on and after April 1, 2022; provided,  
42 however, this act shall expire and be deemed repealed on and after April  
43 1, [2026] 2028.

44 § 21. Section 2 of part II of chapter 54 of the laws of 2016, amending  
45 part C of chapter 58 of the laws of 2005 relating to authorizing  
46 reimbursements for expenditures made by or on behalf of social services  
47 districts for medical assistance for needy persons and administration  
48 thereof, as amended by section 8 of part B of chapter 57 of the laws of  
49 2024, is amended to read as follows:

50 § 2. This act shall take effect immediately and shall expire and be  
51 deemed repealed March 31, [2026] 2028.

52 § 22. Section 8 of part C of chapter 57 of the laws of 2018, amending  
53 the social services law and the public health law relating to health  
54 homes and penalties for managed care providers, as amended by section 2  
55 of part QQ of chapter 57 of the laws of 2022, is amended to read as  
56 follows:

1 § 8. Notwithstanding any inconsistent provision of sections 112 and  
2 163 of the state finance law, or sections 142 and 143 of the economic  
3 development law, or any other contrary provision of law, excepting the  
4 13 responsible vendor requirements of the state finance law, including,  
5 but not limited to, sections 163 and 139-k of the state finance law, the  
6 commissioner of health is authorized to amend or otherwise extend the  
7 terms of a contract awarded prior to the effective date and entered into  
8 pursuant to subdivision 24 of section 206 of the public health law, as  
9 added by section 39 of part C of chapter 58 of the laws of 2008, without  
10 a competitive bid or request for proposal process, upon determination  
11 that the existing contractor is qualified to continue to provide such  
12 services, and provided that efficiency savings are achieved during the  
13 period of extension; and provided, further, that the department of  
14 health shall submit a request for applications for such contract during  
15 the time period specified in this section and may terminate the contract  
16 identified herein prior to expiration of the extension authorized by  
17 this section. Contracts entered into, amended, or extended pursuant to  
18 this section shall not remain in force beyond August 19, [2026] 2027.

19 § 23. This act shall take effect immediately and shall be deemed to  
20 have been in full force and effect on and after April 1, 2026; provided,  
21 however, that the amendments to the opening paragraph of paragraph (e)  
22 of subdivision 7 of section 367-a of the social services law made by  
23 section ten of this act shall not affect the repeal of such paragraph  
24 and shall be deemed repealed therewith.

25

## PART C

26 Section 1. Section 34 of part A3 of chapter 62 of the laws of 2003  
27 amending the public health law and other laws relating to enacting major  
28 components necessary to implement the state fiscal plan for the 2003-04  
29 state fiscal year, as amended by section 1 of part C of chapter 57 of  
30 the laws of 2023, is amended to read as follows:

31 § 34. (1) Notwithstanding any inconsistent provision of law, rule or  
32 regulation and effective April 1, 2008 through March 31, [2026] 2029,  
33 the commissioner of health is authorized to transfer and the state comp-  
34 troller is authorized and directed to receive for deposit to the credit  
35 of the department of health's special revenue fund - other, health care  
36 reform act (HCRA) resources fund - 061, provider collection monitoring  
37 account, within amounts appropriated each year, those funds collected  
38 and accumulated pursuant to section 2807-v of the public health law,  
39 including income from invested funds, for the purpose of payment for  
40 administrative costs of the department of health related to adminis-  
41 tration of statutory duties for the collections and distributions  
42 authorized by section 2807-v of the public health law.

43 (2) Notwithstanding any inconsistent provision of law, rule or regu-  
44 lation and effective April 1, 2008 through March 31, [2026] 2029, the  
45 commissioner of health is authorized to transfer and the state comp-  
46 troller is authorized and directed to receive for deposit to the credit  
47 of the department of health's special revenue fund - other, health care  
48 reform act (HCRA) resources fund - 061, provider collection monitoring  
49 account, within amounts appropriated each year, those funds collected  
50 and accumulated and interest earned through surcharges on payments for  
51 health care services pursuant to section 2807-s of the public health law  
52 and from assessments pursuant to section 2807-t of the public health law  
53 for the purpose of payment for administrative costs of the department of  
54 health related to administration of statutory duties for the collections

1 and distributions authorized by sections 2807-s, 2807-t, and 2807-m of  
2 the public health law.

3 (3) Notwithstanding any inconsistent provision of law, rule or regu-  
4 lation and effective April 1, 2008 through March 31, [2026] 2029, the  
5 commissioner of health is authorized to transfer and the comptroller is  
6 authorized to deposit, within amounts appropriated each year, those  
7 funds authorized for distribution in accordance with the provisions of  
8 paragraph (a) of subdivision 1 of section 2807-1 of the public health  
9 law for the purposes of payment for administrative costs of the depart-  
10 ment of health related to the child health insurance plan program  
11 authorized pursuant to title 1-A of article 25 of the public health law  
12 into the special revenue funds - other, health care reform act (HCRA)  
13 resources fund - 061, child health insurance account, established within  
14 the department of health.

15 (5) Notwithstanding any inconsistent provision of law, rule or regu-  
16 lation and effective April 1, 2008 through March 31, [2026] 2029, the  
17 commissioner of health is authorized to transfer and the comptroller is  
18 authorized to deposit, within amounts appropriated each year, those  
19 funds allocated pursuant to paragraph (j) of subdivision 1 of section  
20 2807-v of the public health law for the purpose of payment for adminis-  
21 trative costs of the department of health related to administration of  
22 the state's tobacco control programs and cancer services provided pursu-  
23 ant to sections 2807-r and 1399-ii of the public health law into such  
24 accounts established within the department of health for such purposes.

25 (6) Notwithstanding any inconsistent provision of law, rule or regu-  
26 lation and effective April 1, 2008 through March 31, [2026] 2029, the  
27 commissioner of health is authorized to transfer and the comptroller is  
28 authorized to deposit, within amounts appropriated each year, the funds  
29 authorized for distribution in accordance with the provisions of section  
30 2807-1 of the public health law for the purposes of payment for adminis-  
31 trative costs of the department of health related to the programs funded  
32 pursuant to section 2807-1 of the public health law into the special  
33 revenue funds - other, health care reform act (HCRA) resources fund -  
34 061, pilot health insurance account, established within the department  
35 of health.

36 (7) Notwithstanding any inconsistent provision of law, rule or regu-  
37 lation and effective April 1, 2008 through March 31, [2026] 2029, the  
38 commissioner of health is authorized to transfer and the comptroller is  
39 authorized to deposit, within amounts appropriated each year, those  
40 funds authorized for distribution in accordance with the provisions of  
41 subparagraph (ii) of paragraph (f) of subdivision 19 of section 2807-c  
42 of the public health law from monies accumulated and interest earned in  
43 the bad debt and charity care and capital statewide pools through an  
44 assessment charged to general hospitals pursuant to the provisions of  
45 subdivision 18 of section 2807-c of the public health law and those  
46 funds authorized for distribution in accordance with the provisions of  
47 section 2807-1 of the public health law for the purposes of payment for  
48 administrative costs of the department of health related to programs  
49 funded under section 2807-1 of the public health law into the special  
50 revenue funds - other, health care reform act (HCRA) resources fund -  
51 061, primary care initiatives account, established within the department  
52 of health.

53 (8) Notwithstanding any inconsistent provision of law, rule or regu-  
54 lation and effective April 1, 2008 through March 31, [2026] 2029, the  
55 commissioner of health is authorized to transfer and the comptroller is  
56 authorized to deposit, within amounts appropriated each year, those

1 funds authorized for distribution in accordance with section 2807-1 of  
2 the public health law for the purposes of payment for administrative  
3 costs of the department of health related to programs funded under  
4 section 2807-1 of the public health law into the special revenue funds -  
5 other, health care reform act (HCRA) resources fund - 061, health care  
6 delivery administration account, established within the department of  
7 health.

8 (9) Notwithstanding any inconsistent provision of law, rule or regu-  
9 lation and effective April 1, 2008 through March 31, [2026] 2029, the  
10 commissioner of health is authorized to transfer and the comptroller is  
11 authorized to deposit, within amounts appropriated each year, those  
12 funds authorized pursuant to sections 2807-d, 3614-a and 3614-b of the  
13 public health law and section 367-i of the social services law and for  
14 distribution in accordance with the provisions of subdivision 9 of  
15 section 2807-j of the public health law for the purpose of payment for  
16 administration of statutory duties for the collections and distributions  
17 authorized by sections 2807-c, 2807-d, 2807-j, 2807-k, 2807-l, 3614-a  
18 and 3614-b of the public health law and section 367-i of the social  
19 services law into the special revenue funds - other, health care reform  
20 act (HCRA) resources fund - 061, provider collection monitoring account,  
21 established within the department of health.

22 § 2. Subparagraphs (iv) and (v) of paragraph (a) of subdivision 9 of  
23 section 2807-j of the public health law, as amended by section 2 of part  
24 C of chapter 57 of the laws of 2023, are amended to read as follows:

25 (iv) seven hundred sixty-five million dollars annually of the funds  
26 accumulated for the periods January first, two thousand through December  
27 thirty-first, two thousand [twenty five] ~~twenty-eight~~, and

28 (v) one hundred ninety-one million two hundred fifty thousand dollars  
29 of the funds accumulated for the period January first, two thousand  
30 [twenty-six] ~~twenty-nine~~ through March thirty-first, two thousand [twen-  
31 ty-six] ~~twenty-nine~~.

32 § 3. Subdivision 5 of section 168 of chapter 639 of the laws of 1996,  
33 constituting the New York Health Care Reform Act of 1996, as amended by  
34 section 3 of part C of chapter 57 of the laws of 2023, is amended to  
35 read as follows:

36 5. sections 2807-c, 2807-j, 2807-s and 2807-t of the public health  
37 law, as amended or as added by this act, shall expire on December 31,  
38 [2026] 2029, and shall be thereafter effective only in respect to any  
39 act done on or before such date or action or proceeding arising out of  
40 such act including continued collections of funds from assessments and  
41 allowances and surcharges established pursuant to sections 2807-c,  
42 2807-j, 2807-s and 2807-t of the public health law, and administration  
43 and distributions of funds from pools established pursuant to sections  
44 2807-c, 2807-j, 2807-k, 2807-l, 2807-m, 2807-s and 2807-t of the public  
45 health law related to patient services provided before December 31,  
46 [2026] 2029, and continued expenditure of funds authorized for programs  
47 and grants until the exhaustion of funds therefor;

48 § 4. Subdivision 1 of section 138 of chapter 1 of the laws of 1999,  
49 constituting the New York Health Care Reform Act of 2000, as amended by  
50 section 4 of part C of chapter 57 of the laws of 2023, is amended to  
51 read as follows:

52 1. sections 2807-c, 2807-j, 2807-s, and 2807-t of the public health  
53 law, as amended by this act, shall expire on December 31, [2026] 2029,  
54 and shall be thereafter effective only in respect to any act done before  
55 such date or action or proceeding arising out of such act including  
56 continued collections of funds from assessments and allowances and

1 surcharges established pursuant to sections 2807-c, 2807-j, 2807-s and  
2 2807-t of the public health law, and administration and distributions of  
3 funds from pools established pursuant to sections 2807-c, 2807-j,  
4 2807-k, 2807-l, 2807-m, 2807-s, 2807-t, 2807-v and 2807-w of the public  
5 health law, as amended or added by this act, related to patient services  
6 provided before December 31, [2026] 2029, and continued expenditure of  
7 funds authorized for programs and grants until the exhaustion of funds  
8 therefor;

9 § 5. Section 2807-1 of the public health law, as amended by section 5  
10 of part C of chapter 57 of the laws of 2023, is amended to read as  
11 follows:

12 § 2807-1. Health care initiatives pool distributions. 1. Funds accumu-  
13 lated in the health care initiatives pools pursuant to paragraph (b) of  
14 subdivision nine of section twenty-eight hundred seven-j of this arti-  
15 cle, or the health care reform act (HCRA) resources fund established  
16 pursuant to section ninety-two-dd of the state finance law, whichever is  
17 applicable, including income from invested funds, shall be distributed  
18 or retained by the commissioner or by the state comptroller, as applica-  
19 ble, in accordance with the following.

20 (a) Funds shall be reserved and accumulated from year to year and  
21 shall be available, including income from invested funds, for purposes  
22 of distributions to programs to provide health care coverage for unin-  
23 sured or underinsured children pursuant to sections twenty-five hundred  
24 ten and twenty-five hundred eleven of this chapter from the respective  
25 health care initiatives pools established for the following periods in  
26 the following amounts:

27 (i) from the pool for the period January first, nineteen hundred nine-  
28 ty-seven through December thirty-first, nineteen hundred ninety-seven,  
29 up to one hundred twenty million six hundred thousand dollars;

30 (ii) from the pool for the period January first, nineteen hundred  
31 ninety-eight through December thirty-first, nineteen hundred ninety-  
32 eight, up to one hundred sixty-four million five hundred thousand  
33 dollars;

34 (iii) from the pool for the period January first, nineteen hundred  
35 ninety-nine through December thirty-first, nineteen hundred ninety-nine,  
36 up to one hundred eighty-one million dollars;

37 (iv) from the pool for the period January first, two thousand through  
38 December thirty-first, two thousand, two hundred seven million dollars;

39 (v) from the pool for the period January first, two thousand one  
40 through December thirty-first, two thousand one, two hundred thirty-five  
41 million dollars;

42 (vi) from the pool for the period January first, two thousand two  
43 through December thirty-first, two thousand two, three hundred twenty-  
44 four million dollars;

45 (vii) from the pool for the period January first, two thousand three  
46 through December thirty-first, two thousand three, up to four hundred  
47 fifty million three hundred thousand dollars;

48 (viii) from the pool for the period January first, two thousand four  
49 through December thirty-first, two thousand four, up to four hundred  
50 sixty million nine hundred thousand dollars;

51 (ix) from the pool or the health care reform act (HCRA) resources  
52 fund, whichever is applicable, for the period January first, two thou-  
53 sand five through December thirty-first, two thousand five, up to one  
54 hundred fifty-three million eight hundred thousand dollars;

55 (x) from the health care reform act (HCRA) resources fund for the  
56 period January first, two thousand six through December thirty-first,

1 two thousand six, up to three hundred twenty-five million four hundred  
2 thousand dollars;

3 (xi) from the health care reform act (HCRA) resources fund for the  
4 period January first, two thousand seven through December thirty-first,  
5 two thousand seven, up to four hundred twenty-eight million fifty-nine  
6 thousand dollars;

7 (xii) from the health care reform act (HCRA) resources fund for the  
8 period January first, two thousand eight through December thirty-first,  
9 two thousand ten, up to four hundred fifty-three million six hundred  
10 seventy-four thousand dollars annually;

11 (xiii) from the health care reform act (HCRA) resources fund for the  
12 period January first, two thousand eleven, through March thirty-first,  
13 two thousand eleven, up to one hundred thirteen million four hundred  
14 eighteen thousand dollars;

15 (xiv) from the health care reform act (HCRA) resources fund for the  
16 period April first, two thousand eleven, through March thirty-first, two  
17 thousand twelve, up to three hundred twenty-four million seven hundred  
18 forty-four thousand dollars;

19 (xv) from the health care reform act (HCRA) resources fund for the  
20 period April first, two thousand twelve, through March thirty-first, two  
21 thousand thirteen, up to three hundred forty-six million four hundred  
22 forty-four thousand dollars;

23 (xvi) from the health care reform act (HCRA) resources fund for the  
24 period April first, two thousand thirteen, through March thirty-first,  
25 two thousand fourteen, up to three hundred seventy million six hundred  
26 ninety-five thousand dollars; and

27 (xvii) from the health care reform act (HCRA) resources fund for each  
28 state fiscal year for periods on and after April first, two thousand  
29 fourteen, within amounts appropriated.

30 (b) Funds shall be reserved and accumulated from year to year and  
31 shall be available, including income from invested funds, for purposes  
32 of distributions for health insurance programs under the individual  
33 subsidy programs established pursuant to the expanded health care cover-  
34 age act of nineteen hundred eighty-eight as amended, and for evaluation  
35 of such programs from the respective health care initiatives pools or  
36 the health care reform act (HCRA) resources fund, whichever is applica-  
37 ble, established for the following periods in the following amounts:

38 (i) (A) an amount not to exceed six million dollars on an annualized  
39 basis for the periods January first, nineteen hundred ninety-seven  
40 through December thirty-first, nineteen hundred ninety-nine; up to six  
41 million dollars for the period January first, two thousand through  
42 December thirty-first, two thousand; up to five million dollars for the  
43 period January first, two thousand one through December thirty-first,  
44 two thousand one; up to four million dollars for the period January  
45 first, two thousand two through December thirty-first, two thousand two;  
46 up to two million six hundred thousand dollars for the period January  
47 first, two thousand three through December thirty-first, two thousand  
48 three; up to one million three hundred thousand dollars for the period  
49 January first, two thousand four through December thirty-first, two  
50 thousand four; up to six hundred seventy thousand dollars for the period  
51 January first, two thousand five through June thirtieth, two thousand  
52 five; up to one million three hundred thousand dollars for the period  
53 April first, two thousand six through March thirty-first, two thousand  
54 seven; and up to one million three hundred thousand dollars annually for  
55 the period April first, two thousand seven through March thirty-first,

1 two thousand nine, shall be allocated to individual subsidy programs;  
2 and

3 (B) an amount not to exceed seven million dollars on an annualized  
4 basis for the periods during the period January first, nineteen hundred  
5 ninety-seven through December thirty-first, nineteen hundred ninety-nine  
6 and four million dollars annually for the periods January first, two  
7 thousand through December thirty-first, two thousand two, and three  
8 million dollars for the period January first, two thousand three through  
9 December thirty-first, two thousand three, and two million dollars for  
10 the period January first, two thousand four through December thirty-  
11 first, two thousand four, and two million dollars for the period January  
12 first, two thousand five through June thirtieth, two thousand five shall  
13 be allocated to the catastrophic health care expense program.

14 (ii) Notwithstanding any law to the contrary, the characterizations of  
15 the New York state small business health insurance partnership program  
16 as in effect prior to June thirtieth, two thousand three, voucher  
17 program as in effect prior to December thirty-first, two thousand one,  
18 individual subsidy program as in effect prior to June thirtieth, two  
19 thousand five, and catastrophic health care expense program, as in  
20 effect prior to June thirtieth, two thousand five, may, for the purposes  
21 of identifying matching funds for the community health care conversion  
22 demonstration project described in a waiver of the provisions of title  
23 XIX of the federal social security act granted to the state of New York  
24 and dated July fifteenth, nineteen hundred ninety-seven, may continue to  
25 be used to characterize the insurance programs in sections four thousand  
26 three hundred twenty-one-a, four thousand three hundred twenty-two-a,  
27 four thousand three hundred twenty-six and four thousand three hundred  
28 twenty-seven of the insurance law, which are successor programs to these  
29 programs.

30 (c) Up to seventy-eight million dollars shall be reserved and accumu-  
31 lated from year to year from the pool for the period January first,  
32 nineteen hundred ninety-seven through December thirty-first, nineteen  
33 hundred ninety-seven, for purposes of public health programs, up to  
34 seventy-six million dollars shall be reserved and accumulated from year  
35 to year from the pools for the periods January first, nineteen hundred  
36 ninety-eight through December thirty-first, nineteen hundred ninety-  
37 eight and January first, nineteen hundred ninety-nine through December  
38 thirty-first, nineteen hundred ninety-nine, up to eighty-four million  
39 dollars shall be reserved and accumulated from year to year from the  
40 pools for the period January first, two thousand through December thir-  
41 ty-first, two thousand, up to eighty-five million dollars shall be  
42 reserved and accumulated from year to year from the pools for the period  
43 January first, two thousand one through December thirty-first, two thou-  
44 sand one, up to eighty-six million dollars shall be reserved and accumu-  
45 lated from year to year from the pools for the period January first, two  
46 thousand two through December thirty-first, two thousand two, up to  
47 eighty-six million one hundred fifty thousand dollars shall be reserved  
48 and accumulated from year to year from the pools for the period January  
49 first, two thousand three through December thirty-first, two thousand  
50 three, up to fifty-eight million seven hundred eighty thousand dollars  
51 shall be reserved and accumulated from year to year from the pools for  
52 the period January first, two thousand four through December thirty-  
53 first, two thousand four, up to sixty-eight million seven hundred thirty  
54 thousand dollars shall be reserved and accumulated from year to year  
55 from the pools or the health care reform act (HCRA) resources fund,  
56 whichever is applicable, for the period January first, two thousand five

1 through December thirty-first, two thousand five, up to ninety-four  
2 million three hundred fifty thousand dollars shall be reserved and accu-  
3 mulated from year to year from the health care reform act (HCRA)  
4 resources fund for the period January first, two thousand six through  
5 December thirty-first, two thousand six, up to seventy million nine  
6 hundred thirty-nine thousand dollars shall be reserved and accumulated  
7 from year to year from the health care reform act (HCRA) resources fund  
8 for the period January first, two thousand seven through December thir-  
9 ty-first, two thousand seven, up to fifty-five million six hundred  
10 eighty-nine thousand dollars annually shall be reserved and accumulated  
11 from year to year from the health care reform act (HCRA) resources fund  
12 for the period January first, two thousand eight through December thir-  
13 ty-first, two thousand ten, up to thirteen million nine hundred twenty-  
14 two thousand dollars shall be reserved and accumulated from year to year  
15 from the health care reform act (HCRA) resources fund for the period  
16 January first, two thousand eleven through March thirty-first, two thou-  
17 sand eleven, and for periods on and after April first, two thousand  
18 eleven, up to funding amounts specified below and shall be available,  
19 including income from invested funds, for:

20 (i) deposit by the commissioner, within amounts appropriated, and the  
21 state comptroller is hereby authorized and directed to receive for  
22 deposit to, to the credit of the department of health's special revenue  
23 fund - other, hospital based grants program account or the health care  
24 reform act (HCRA) resources fund, whichever is applicable, for purposes  
25 of services and expenses related to general hospital based grant  
26 programs, up to twenty-two million dollars annually from the nineteen  
27 hundred ninety-seven pool, nineteen hundred ninety-eight pool, nineteen  
28 hundred ninety-nine pool, two thousand pool, two thousand one pool and  
29 two thousand two pool, respectively, up to twenty-two million dollars  
30 from the two thousand three pool, up to ten million dollars for the  
31 period January first, two thousand four through December thirty-first,  
32 two thousand four, up to eleven million dollars for the period January  
33 first, two thousand five through December thirty-first, two thousand  
34 five, up to twenty-two million dollars for the period January first, two  
35 thousand six through December thirty-first, two thousand six, up to  
36 twenty-two million ninety-seven thousand dollars annually for the period  
37 January first, two thousand seven through December thirty-first, two  
38 thousand ten, up to five million five hundred twenty-four thousand  
39 dollars for the period January first, two thousand eleven through March  
40 thirty-first, two thousand eleven, up to thirteen million four hundred  
41 forty-five thousand dollars for the period April first, two thousand  
42 eleven through March thirty-first, two thousand twelve, and up to thir-  
43 teen million three hundred seventy-five thousand dollars each state  
44 fiscal year for the period April first, two thousand twelve through  
45 March thirty-first, two thousand fourteen;

46 (ii) deposit by the commissioner, within amounts appropriated, and the  
47 state comptroller is hereby authorized and directed to receive for  
48 deposit to, to the credit of the emergency medical services training  
49 account established in section ninety-seven-q of the state finance law  
50 or the health care reform act (HCRA) resources fund, whichever is appli-  
51 cable, up to sixteen million dollars on an annualized basis for the  
52 periods January first, nineteen hundred ninety-seven through December  
53 thirty-first, nineteen hundred ninety-nine, up to twenty million dollars  
54 for the period January first, two thousand through December thirty-  
55 first, two thousand, up to twenty-one million dollars for the period  
56 January first, two thousand one through December thirty-first, two thou-

1 sand one, up to twenty-two million dollars for the period January first,  
2 two thousand two through December thirty-first, two thousand two, up to  
3 twenty-two million five hundred fifty thousand dollars for the period  
4 January first, two thousand three through December thirty-first, two  
5 thousand three, up to nine million six hundred eighty thousand dollars  
6 for the period January first, two thousand four through December thir-  
7 ty-first, two thousand four, up to twelve million one hundred thirty  
8 thousand dollars for the period January first, two thousand five through  
9 December thirty-first, two thousand five, up to twenty-four million two  
10 hundred fifty thousand dollars for the period January first, two thou-  
11 sand six through December thirty-first, two thousand six, up to twenty  
12 million four hundred ninety-two thousand dollars annually for the period  
13 January first, two thousand seven through December thirty-first, two  
14 thousand ten, up to five million one hundred twenty-three thousand  
15 dollars for the period January first, two thousand eleven through March  
16 thirty-first, two thousand eleven, up to eighteen million three hundred  
17 fifty thousand dollars for the period April first, two thousand eleven  
18 through March thirty-first, two thousand twelve, up to eighteen million  
19 nine hundred fifty thousand dollars for the period April first, two  
20 thousand twelve through March thirty-first, two thousand thirteen, up to  
21 nineteen million four hundred nineteen thousand dollars for the period  
22 April first, two thousand thirteen through March thirty-first, two thou-  
23 sand fourteen, and up to nineteen million six hundred fifty-nine thou-  
24 sand seven hundred dollars each state fiscal year for the period of  
25 April first, two thousand fourteen through March thirty-first, two thou-  
26 sand [twenty-six] twenty-nine;

27 (iii) priority distributions by the commissioner up to thirty-two  
28 million dollars on an annualized basis for the period January first, two  
29 thousand through December thirty-first, two thousand four, up to thir-  
30 ty-eight million dollars on an annualized basis for the period January  
31 first, two thousand five through December thirty-first, two thousand  
32 six, up to eighteen million two hundred fifty thousand dollars for the  
33 period January first, two thousand seven through December thirty-first,  
34 two thousand seven, up to three million dollars annually for the period  
35 January first, two thousand eight through December thirty-first, two  
36 thousand ten, up to seven hundred fifty thousand dollars for the period  
37 January first, two thousand eleven through March thirty-first, two thou-  
38 sand eleven, up to two million nine hundred thousand dollars each state  
39 fiscal year for the period April first, two thousand eleven through  
40 March thirty-first, two thousand fourteen, and up to two million nine  
41 hundred thousand dollars each state fiscal year for the period April  
42 first, two thousand fourteen through March thirty-first, two thousand  
43 [twenty-six] twenty-nine to be allocated (A) for the purposes estab-  
44 lished pursuant to subparagraph (ii) of paragraph (f) of subdivision  
45 nineteen of section twenty-eight hundred seven-c of this article as in  
46 effect on December thirty-first, nineteen hundred ninety-six and as may  
47 thereafter be amended, up to fifteen million dollars annually for the  
48 periods January first, two thousand through December thirty-first, two  
49 thousand four, up to twenty-one million dollars annually for the period  
50 January first, two thousand five through December thirty-first, two  
51 thousand six, and up to seven million five hundred thousand dollars for  
52 the period January first, two thousand seven through March thirty-first,  
53 two thousand seven;

54 (B) pursuant to a memorandum of understanding entered into by the  
55 commissioner, the majority leader of the senate and the speaker of the  
56 assembly, for the purposes outlined in such memorandum upon the recom-

1 mendation of the majority leader of the senate, up to eight million  
2 five hundred thousand dollars annually for the period January first, two  
3 thousand through December thirty-first, two thousand six, and up to four  
4 million two hundred fifty thousand dollars for the period January first,  
5 two thousand seven through June thirtieth, two thousand seven, and for  
6 the purposes outlined in such memorandum upon the recommendation of the  
7 speaker of the assembly, up to eight million five hundred thousand  
8 dollars annually for the periods January first, two thousand through  
9 December thirty-first, two thousand six, and up to four million two  
10 hundred fifty thousand dollars for the period January first, two thou-  
11 sand seven through June thirtieth, two thousand seven; and

12 (C) for services and expenses, including grants, related to emergency  
13 assistance distributions as designated by the commissioner. Notwith-  
14 standing section one hundred twelve or one hundred sixty-three of the  
15 state finance law or any other contrary provision of law, such distrib-  
16 utions shall be limited to providers or programs where, as determined by  
17 the commissioner, emergency assistance is vital to protect the life or  
18 safety of patients, to ensure the retention of facility caregivers or  
19 other staff, or in instances where health facility operations are jeop-  
20 ardized, or where the public health is jeopardized or other emergency  
21 situations exist, up to three million dollars annually for the period  
22 April first, two thousand seven through March thirty-first, two thousand  
23 eleven, up to two million nine hundred thousand dollars each state  
24 fiscal year for the period April first, two thousand eleven through  
25 March thirty-first, two thousand fourteen, up to two million nine  
26 hundred thousand dollars each state fiscal year for the period April  
27 first, two thousand fourteen through March thirty-first, two thousand  
28 seventeen, up to two million nine hundred thousand dollars each state  
29 fiscal year for the period April first, two thousand seventeen through  
30 March thirty-first, two thousand twenty, up to two million nine hundred  
31 thousand dollars each state fiscal year for the period April first, two  
32 thousand twenty through March thirty-first, two thousand twenty-three,  
33 [and] up to two million nine hundred thousand dollars each state fiscal  
34 year for the period April first, two thousand twenty-three through March  
35 thirty-first, two thousand twenty-six, and up to two million nine  
36 hundred thousand dollars each state fiscal year for the period April  
37 first, two thousand twenty-six through March thirty-first, two thousand  
38 twenty-nine. Upon any distribution of such funds, the commissioner shall  
39 immediately notify the chair and ranking minority member of the senate  
40 finance committee, the assembly ways and means committee, the senate  
41 committee on health, and the assembly committee on health;

42 (iv) distributions by the commissioner related to poison control  
43 centers pursuant to subdivision seven of section twenty-five hundred-d  
44 of this chapter, up to five million dollars for the period January  
45 first, nineteen hundred ninety-seven through December thirty-first,  
46 nineteen hundred ninety-seven, up to three million dollars on an annual-  
47 ized basis for the periods during the period January first, nineteen  
48 hundred ninety-eight through December thirty-first, nineteen hundred  
49 ninety-nine, up to five million dollars annually for the periods January  
50 first, two thousand through December thirty-first, two thousand two, up  
51 to four million six hundred thousand dollars annually for the periods  
52 January first, two thousand three through December thirty-first, two  
53 thousand four, up to five million one hundred thousand dollars for the  
54 period January first, two thousand five through December thirty-first,  
55 two thousand six annually, up to five million one hundred thousand  
56 dollars annually for the period January first, two thousand seven

1 through December thirty-first, two thousand nine, up to three million  
2 six hundred thousand dollars for the period January first, two thousand  
3 ten through December thirty-first, two thousand ten, up to seven hundred  
4 seventy-five thousand dollars for the period January first, two thousand  
5 eleven through March thirty-first, two thousand eleven, up to two  
6 million five hundred thousand dollars each state fiscal year for the  
7 period April first, two thousand eleven through March thirty-first, two  
8 thousand fourteen, up to three million dollars each state fiscal year  
9 for the period April first, two thousand fourteen through March thirty-  
10 first, two thousand seventeen, up to three million dollars each state  
11 fiscal year for the period April first, two thousand seventeen through  
12 March thirty-first, two thousand twenty, up to three million dollars  
13 each state fiscal year for the period April first, two thousand twenty  
14 through March thirty-first, two thousand twenty-three, [and] up to three  
15 million dollars each state fiscal year for the period April first, two  
16 thousand twenty-three through March thirty-first, two thousand twenty-  
17 six, and up to three million dollars each state fiscal year for the  
18 period April first, two thousand twenty-six through March thirty-first,  
19 two thousand twenty-nine; and

20 (v) deposit by the commissioner, within amounts appropriated, and the  
21 state comptroller is hereby authorized and directed to receive for  
22 deposit to, to the credit of the department of health's special revenue  
23 fund - other, miscellaneous special revenue fund - 339 maternal and  
24 child HIV services account or the health care reform act (HCRA)  
25 resources fund, whichever is applicable, for purposes of a special  
26 program for HIV services for women and children, including adolescents  
27 pursuant to section twenty-five hundred-f-one of this chapter, up to  
28 five million dollars annually for the periods January first, two thou-  
29 sand through December thirty-first, two thousand two, up to five million  
30 dollars for the period January first, two thousand three through Decem-  
31 ber thirty-first, two thousand three, up to two million five hundred  
32 thousand dollars for the period January first, two thousand four through  
33 December thirty-first, two thousand four, up to two million five hundred  
34 thousand dollars for the period January first, two thousand five through  
35 December thirty-first, two thousand five, up to five million dollars for  
36 the period January first, two thousand six through December thirty-  
37 first, two thousand six, up to five million dollars annually for the  
38 period January first, two thousand seven through December thirty-first,  
39 two thousand ten, up to one million two hundred fifty thousand dollars  
40 for the period January first, two thousand eleven through March thirty-  
41 first, two thousand eleven, and up to five million dollars each state  
42 fiscal year for the period April first, two thousand eleven through  
43 March thirty-first, two thousand fourteen;

44 (d) (i) An amount of up to twenty million dollars annually for the  
45 period January first, two thousand through December thirty-first, two  
46 thousand six, up to ten million dollars for the period January first,  
47 two thousand seven through June thirtieth, two thousand seven, up to  
48 twenty million dollars annually for the period January first, two thou-  
49 sand eight through December thirty-first, two thousand ten, up to five  
50 million dollars for the period January first, two thousand eleven  
51 through March thirty-first, two thousand eleven, up to nineteen million  
52 six hundred thousand dollars each state fiscal year for the period April  
53 first, two thousand eleven through March thirty-first, two thousand  
54 fourteen, up to nineteen million six hundred thousand dollars each state  
55 fiscal year for the period April first, two thousand fourteen through  
56 March thirty-first, two thousand seventeen, up to nineteen million six

1 hundred thousand dollars each state fiscal year for the period of April  
2 first, two thousand seventeen through March thirty-first, two thousand  
3 twenty, up to nineteen million six hundred thousand dollars each state  
4 fiscal year for the period of April first, two thousand twenty through  
5 March thirty-first, two thousand twenty-three, [and] up to nineteen  
6 million six hundred thousand dollars each state fiscal year for the  
7 period of April first, two thousand twenty-three through March thirty-  
8 first, two thousand twenty-six, and up to nineteen million six hundred  
9 thousand dollars each state fiscal year for the period of April first,  
10 two thousand twenty-six through March thirty-first, two thousand twen-  
11 ty-nine, shall be transferred to the health facility restructuring pool  
12 established pursuant to section twenty-eight hundred fifteen of this  
13 article;

14 (ii) provided, however, amounts transferred pursuant to subparagraph  
15 (i) of this paragraph may be reduced in an amount to be approved by the  
16 director of the budget to reflect the amount received from the federal  
17 government under the state's 1115 waiver which is directed under its  
18 terms and conditions to the health facility restructuring program.

19 (f) Funds shall be accumulated and transferred from as follows:

20 (i) from the pool for the period January first, nineteen hundred nine-  
21 ty-seven through December thirty-first, nineteen hundred ninety-seven,

22 (A) thirty-four million six hundred thousand dollars shall be trans-  
23 ferred to funds reserved and accumulated pursuant to paragraph (b) of  
24 subdivision nineteen of section twenty-eight hundred seven-c of this  
25 article, and (B) eighty-two million dollars shall be transferred and  
26 deposited and credited to the credit of the state general fund medical  
27 assistance local assistance account;

28 (ii) from the pool for the period January first, nineteen hundred  
29 ninety-eight through December thirty-first, nineteen hundred ninety-  
30 eight, eighty-two million dollars shall be transferred and deposited and  
31 credited to the credit of the state general fund medical assistance  
32 local assistance account;

33 (iii) from the pool for the period January first, nineteen hundred  
34 ninety-nine through December thirty-first, nineteen hundred ninety-nine,  
35 eighty-two million dollars shall be transferred and deposited and cred-  
36 ited to the credit of the state general fund medical assistance local  
37 assistance account;

38 (iv) from the pool or the health care reform act (HCRA) resources  
39 fund, whichever is applicable, for the period January first, two thou-  
40 sand through December thirty-first, two thousand four, eighty-two  
41 million dollars annually, and for the period January first, two thousand  
42 five through December thirty-first, two thousand five, eighty-two  
43 million dollars, and for the period January first, two thousand six  
44 through December thirty-first, two thousand six, eighty-two million  
45 dollars, and for the period January first, two thousand seven through  
46 December thirty-first, two thousand seven, eighty-two million dollars,  
47 and for the period January first, two thousand eight through December  
48 thirty-first, two thousand eight, ninety million seven hundred thousand  
49 dollars shall be deposited by the commissioner, and the state comp-  
50 troller is hereby authorized and directed to receive for deposit to the  
51 credit of the state special revenue fund - other, HCRA transfer fund,  
52 medical assistance account;

53 (v) from the health care reform act (HCRA) resources fund for the  
54 period January first, two thousand nine through December thirty-first,  
55 two thousand nine, one hundred eight million nine hundred seventy-five  
56 thousand dollars, and for the period January first, two thousand ten



1 through December thirty-first, two thousand ten, one hundred twenty-six  
2 million one hundred thousand dollars, for the period January first, two  
3 thousand eleven through March thirty-first, two thousand eleven, twenty  
4 million five hundred thousand dollars, and for each state fiscal year  
5 for the period April first, two thousand eleven through March thirty-  
6 first, two thousand fourteen, one hundred forty-six million four hundred  
7 thousand dollars, shall be deposited by the commissioner, and the state  
8 comptroller is hereby authorized and directed to receive for deposit, to  
9 the credit of the state special revenue fund - other, HCRA transfer  
10 fund, medical assistance account.

11 (g) Funds shall be transferred to primary health care services pools  
12 created by the commissioner, and shall be available, including income  
13 from invested funds, for distributions in accordance with former section  
14 twenty-eight hundred seven-bb of this article from the respective health  
15 care initiatives pools for the following periods in the following  
16 percentage amounts of funds remaining after allocations in accordance  
17 with paragraphs (a) through (f) of this subdivision:

18 (i) from the pool for the period January first, nineteen hundred nine-  
19 ty-seven through December thirty-first, nineteen hundred ninety-seven,  
20 fifteen and eighty-seven-hundredths percent;

21 (ii) from the pool for the period January first, nineteen hundred  
22 ninety-eight through December thirty-first, nineteen hundred ninety-  
23 eight, fifteen and eighty-seven-hundredths percent; and

24 (iii) from the pool for the period January first, nineteen hundred  
25 ninety-nine through December thirty-first, nineteen hundred ninety-nine,  
26 sixteen and thirteen-hundredths percent.

27 (h) Funds shall be reserved and accumulated from year to year by the  
28 commissioner and shall be available, including income from invested  
29 funds, for purposes of primary care education and training pursuant to  
30 article nine of this chapter from the respective health care initiatives  
31 pools established for the following periods in the following percentage  
32 amounts of funds remaining after allocations in accordance with para-  
33 graphs (a) through (f) of this subdivision and shall be available for  
34 distributions as follows:

35 (i) funds shall be reserved and accumulated:

36 (A) from the pool for the period January first, nineteen hundred nine-  
37 ty-seven through December thirty-first, nineteen hundred ninety-seven,  
38 six and thirty-five-hundredths percent;

39 (B) from the pool for the period January first, nineteen hundred nine-  
40 ty-eight through December thirty-first, nineteen hundred ninety-eight,  
41 six and thirty-five-hundredths percent; and

42 (C) from the pool for the period January first, nineteen hundred nine-  
43 ty-nine through December thirty-first, nineteen hundred ninety-nine, six  
44 and forty-five-hundredths percent;

45 (ii) funds shall be available for distributions including income from  
46 invested funds as follows:

47 (A) for purposes of the primary care physician loan repayment program  
48 in accordance with section nine hundred three of this chapter, up to  
49 five million dollars on an annualized basis;

50 (B) for purposes of the primary care practitioner scholarship program  
51 in accordance with section nine hundred four of this chapter, up to two  
52 million dollars on an annualized basis;

53 (C) for purposes of minority participation in medical education grants  
54 in accordance with section nine hundred six of this chapter, up to one  
55 million dollars on an annualized basis; and

1 (D) provided, however, that the commissioner may reallocate any funds  
2 remaining or unallocated for distributions for the primary care practi-  
3 tioner scholarship program in accordance with section nine hundred four  
4 of this chapter.

5 (i) Funds shall be reserved and accumulated from year to year and  
6 shall be available, including income from invested funds, for distrib-  
7 utions in accordance with section twenty-nine hundred fifty-two and  
8 section twenty-nine hundred fifty-eight of this chapter for rural health  
9 care delivery development and rural health care access development,  
10 respectively, from the respective health care initiatives pools or the  
11 health care reform act (HCRA) resources fund, whichever is applicable,  
12 for the following periods in the following percentage amounts of funds  
13 remaining after allocations in accordance with paragraphs (a) through  
14 (f) of this subdivision, and for periods on and after January first, two  
15 thousand, in the following amounts:

16 (i) from the pool for the period January first, nineteen hundred nine-  
17 ty-seven through December thirty-first, nineteen hundred ninety-seven,  
18 thirteen and forty-nine-hundredths percent;

19 (ii) from the pool for the period January first, nineteen hundred  
20 ninety-eight through December thirty-first, nineteen hundred ninety-  
21 eight, thirteen and forty-nine-hundredths percent;

22 (iii) from the pool for the period January first, nineteen hundred  
23 ninety-nine through December thirty-first, nineteen hundred ninety-nine,  
24 thirteen and seventy-one-hundredths percent;

25 (iv) from the pool for the periods January first, two thousand through  
26 December thirty-first, two thousand two, seventeen million dollars annu-  
27 ally, and for the period January first, two thousand three through  
28 December thirty-first, two thousand three, up to fifteen million eight  
29 hundred fifty thousand dollars;

30 (v) from the pool or the health care reform act (HCRA) resources fund,  
31 whichever is applicable, for the period January first, two thousand four  
32 through December thirty-first, two thousand four, up to fifteen million  
33 eight hundred fifty thousand dollars, for the period January first, two  
34 thousand five through December thirty-first, two thousand five, up to  
35 nineteen million two hundred thousand dollars, for the period January  
36 first, two thousand six through December thirty-first, two thousand six,  
37 up to nineteen million two hundred thousand dollars, for the period  
38 January first, two thousand seven through December thirty-first, two  
39 thousand ten, up to eighteen million one hundred fifty thousand dollars  
40 annually, for the period January first, two thousand eleven through  
41 March thirty-first, two thousand eleven, up to four million five hundred  
42 thirty-eight thousand dollars, for each state fiscal year for the period  
43 April first, two thousand eleven through March thirty-first, two thou-  
44 sand fourteen, up to sixteen million two hundred thousand dollars, up to  
45 sixteen million two hundred thousand dollars each state fiscal year for  
46 the period April first, two thousand fourteen through March thirty-  
47 first, two thousand seventeen, up to sixteen million two hundred thou-  
48 sand dollars each state fiscal year for the period April first, two  
49 thousand seventeen through March thirty-first, two thousand twenty, up  
50 to sixteen million two hundred thousand dollars each state fiscal year  
51 for the period April first, two thousand twenty through March thirty-  
52 first, two thousand twenty-three, [and] up to sixteen million two  
53 hundred thousand dollars each state fiscal year for the period April  
54 first, two thousand twenty-three through March thirty-first, two thou-  
55 sand twenty-six, and up to sixteen million two hundred thousand dollars

1 each state fiscal year for the period April first, two thousand twenty-  
2 six through March thirty-first, two thousand twenty-nine.

3 (j) Funds shall be reserved and accumulated from year to year and  
4 shall be available, including income from invested funds, for purposes  
5 of distributions related to health information and health care quality  
6 improvement pursuant to former section twenty-eight hundred seven-n of  
7 this article from the respective health care initiatives pools estab-  
8 lished for the following periods in the following percentage amounts of  
9 funds remaining after allocations in accordance with paragraphs (a)  
10 through (f) of this subdivision:

11 (i) from the pool for the period January first, nineteen hundred nine-  
12 ty-seven through December thirty-first, nineteen hundred ninety-seven,  
13 six and thirty-five-hundredths percent;

14 (ii) from the pool for the period January first, nineteen hundred  
15 ninety-eight through December thirty-first, nineteen hundred ninety-  
16 eight, six and thirty-five-hundredths percent; and

17 (iii) from the pool for the period January first, nineteen hundred  
18 ninety-nine through December thirty-first, nineteen hundred ninety-nine,  
19 six and forty-five-hundredths percent.

20 (k) Funds shall be reserved and accumulated from year to year and  
21 shall be available, including income from invested funds, for allo-  
22 cations and distributions in accordance with section twenty-eight  
23 hundred seven-p of this article for diagnostic and treatment center  
24 uncompensated care from the respective health care initiatives pools or  
25 the health care reform act (HCRA) resources fund, whichever is applica-  
26 ble, for the following periods in the following percentage amounts of  
27 funds remaining after allocations in accordance with paragraphs (a)  
28 through (f) of this subdivision, and for periods on and after January  
29 first, two thousand, in the following amounts:

30 (i) from the pool for the period January first, nineteen hundred nine-  
31 ty-seven through December thirty-first, nineteen hundred ninety-seven,  
32 thirty-eight and one-tenth percent;

33 (ii) from the pool for the period January first, nineteen hundred  
34 ninety-eight through December thirty-first, nineteen hundred ninety-  
35 eight, thirty-eight and one-tenth percent;

36 (iii) from the pool for the period January first, nineteen hundred  
37 ninety-nine through December thirty-first, nineteen hundred ninety-nine,  
38 thirty-eight and seventy-one-hundredths percent;

39 (iv) from the pool for the periods January first, two thousand through  
40 December thirty-first, two thousand two, forty-eight million dollars  
41 annually, and for the period January first, two thousand three through  
42 June thirtieth, two thousand three, twenty-four million dollars;

43 (v) (A) from the pool or the health care reform act (HCRA) resources  
44 fund, whichever is applicable, for the period July first, two thousand  
45 three through December thirty-first, two thousand three, up to six  
46 million dollars, for the period January first, two thousand four through  
47 December thirty-first, two thousand six, up to twelve million dollars  
48 annually, for the period January first, two thousand seven through  
49 December thirty-first, two thousand thirteen, up to forty-eight million  
50 dollars annually, for the period January first, two thousand fourteen  
51 through March thirty-first, two thousand fourteen, up to twelve million  
52 dollars for the period April first, two thousand fourteen through March  
53 thirty-first, two thousand seventeen, up to forty-eight million dollars  
54 annually, for the period April first, two thousand seventeen through  
55 March thirty-first, two thousand twenty, up to forty-eight million  
56 dollars annually, for the period April first, two thousand twenty



1 through March thirty-first, two thousand twenty-three, up to forty-eight  
2 million dollars annually, [and] for the period April first, two thousand  
3 twenty-three through March thirty-first, two thousand twenty-six, up to  
4 forty-eight million dollars annually, and for the period April first,  
5 two thousand twenty-six through March thirty-first, two thousand twen-  
6 ty-nine, up to forty-eight million dollars annually;

7 (B) from the health care reform act (HCRA) resources fund for the  
8 period January first, two thousand six through December thirty-first,  
9 two thousand six, an additional seven million five hundred thousand  
10 dollars, for the period January first, two thousand seven through Decem-  
11 ber thirty-first, two thousand thirteen, an additional seven million  
12 five hundred thousand dollars annually, for the period January first,  
13 two thousand fourteen through March thirty-first, two thousand fourteen,  
14 an additional one million eight hundred seventy-five thousand dollars,  
15 for the period April first, two thousand fourteen through March thirty-  
16 first, two thousand seventeen, an additional seven million five hundred  
17 thousand dollars annually, for the period April first, two thousand  
18 seventeen through March thirty-first, two thousand twenty, an additional  
19 seven million five hundred thousand dollars annually, for the period  
20 April first, two thousand twenty through March thirty-first, two thou-  
21 sand twenty-three, an additional seven million five hundred thousand  
22 dollars annually, [and] for the period April first, two thousand twen-  
23 ty-three through March thirty-first, two thousand twenty-six, an addi-  
24 tional seven million five hundred thousand dollars annually, and for the  
25 period April first, two thousand twenty-six through March thirty-first,  
26 two thousand twenty-nine, an additional seven million five hundred thou-  
27 sand dollars annually for voluntary non-profit diagnostic and treatment  
28 center uncompensated care in accordance with subdivision four-c of  
29 section twenty-eight hundred seven-p of this article; and

30 (vi) funds reserved and accumulated pursuant to this paragraph for  
31 periods on and after July first, two thousand three, shall be deposited  
32 by the commissioner, within amounts appropriated, and the state comp-  
33 troller is hereby authorized and directed to receive for deposit to the  
34 credit of the state special revenue funds - other, HCRA transfer fund,  
35 medical assistance account, for purposes of funding the state share of  
36 rate adjustments made pursuant to section twenty-eight hundred seven-p  
37 of this article, provided, however, that in the event federal financial  
38 participation is not available for rate adjustments made pursuant to  
39 paragraph (b) of subdivision one of section twenty-eight hundred seven-p  
40 of this article, funds shall be distributed pursuant to paragraph (a) of  
41 subdivision one of section twenty-eight hundred seven-p of this article  
42 from the respective health care initiatives pools or the health care  
43 reform act (HCRA) resources fund, whichever is applicable.

44 (1) Funds shall be reserved and accumulated from year to year by the  
45 commissioner and shall be available, including income from invested  
46 funds, for transfer to and allocation for services and expenses for the  
47 payment of benefits to recipients of drugs under the AIDS drug assist-  
48 ance program (ADAP) - HIV uninsured care program as administered by  
49 Health Research Incorporated from the respective health care initi-  
50 atives pools or the health care reform act (HCRA) resources fund, which-  
51 ever is applicable, established for the following periods in the follow-  
52 ing percentage amounts of funds remaining after allocations in  
53 accordance with paragraphs (a) through (f) of this subdivision, and for  
54 periods on and after January first, two thousand, in the following  
55 amounts:

- 1 (i) from the pool for the period January first, nineteen hundred nine-  
2 ty-seven through December thirty-first, nineteen hundred ninety-seven,  
3 nine and fifty-two-hundredths percent;
- 4 (ii) from the pool for the period January first, nineteen hundred  
5 ninety-eight through December thirty-first, nineteen hundred ninety-  
6 eight, nine and fifty-two-hundredths percent;
- 7 (iii) from the pool for the period January first, nineteen hundred  
8 ninety-nine and December thirty-first, nineteen hundred ninety-nine,  
9 nine and sixty-eight-hundredths percent;
- 10 (iv) from the pool for the periods January first, two thousand through  
11 December thirty-first, two thousand two, up to twelve million dollars  
12 annually, and for the period January first, two thousand three through  
13 December thirty-first, two thousand three, up to forty million dollars;  
14 and
- 15 (v) from the pool or the health care reform act (HCRA) resources fund,  
16 whichever is applicable, for the periods January first, two thousand  
17 four through December thirty-first, two thousand four, up to fifty-six  
18 million dollars, for the period January first, two thousand five through  
19 December thirty-first, two thousand six, up to sixty million dollars  
20 annually, for the period January first, two thousand seven through  
21 December thirty-first, two thousand ten, up to sixty million dollars  
22 annually, for the period January first, two thousand eleven through  
23 March thirty-first, two thousand eleven, up to fifteen million dollars,  
24 each state fiscal year for the period April first, two thousand eleven  
25 through March thirty-first, two thousand fourteen, up to forty-two  
26 million three hundred thousand dollars and up to forty-one million fifty  
27 thousand dollars each state fiscal year for the period April first, two  
28 thousand fourteen through March thirty-first, two thousand [twenty-six]  
29 twenty-nine.
- 30 (m) Funds shall be reserved and accumulated from year to year and  
31 shall be available, including income from invested funds, for purposes  
32 of distributions pursuant to section twenty-eight hundred seven-r of  
33 this article for cancer related services from the respective health care  
34 initiatives pools or the health care reform act (HCRA) resources fund,  
35 whichever is applicable, established for the following periods in the  
36 following percentage amounts of funds remaining after allocations in  
37 accordance with paragraphs (a) through (f) of this subdivision, and for  
38 periods on and after January first, two thousand, in the following  
39 amounts:
- 40 (i) from the pool for the period January first, nineteen hundred nine-  
41 ty-seven through December thirty-first, nineteen hundred ninety-seven,  
42 seven and ninety-four-hundredths percent;
- 43 (ii) from the pool for the period January first, nineteen hundred  
44 ninety-eight through December thirty-first, nineteen hundred ninety-  
45 eight, seven and ninety-four-hundredths percent;
- 46 (iii) from the pool for the period January first, nineteen hundred  
47 ninety-nine and December thirty-first, nineteen hundred ninety-nine, six  
48 and forty-five-hundredths percent;
- 49 (iv) from the pool for the period January first, two thousand through  
50 December thirty-first, two thousand two, up to ten million dollars on an  
51 annual basis;
- 52 (v) from the pool for the period January first, two thousand three  
53 through December thirty-first, two thousand four, up to eight million  
54 nine hundred fifty thousand dollars on an annual basis;
- 55 (vi) from the pool or the health care reform act (HCRA) resources  
56 fund, whichever is applicable, for the period January first, two thou-



1 sand five through December thirty-first, two thousand six, up to ten  
2 million fifty thousand dollars on an annual basis, for the period Janu-  
3 ary first, two thousand seven through December thirty-first, two thou-  
4 sand ten, up to nineteen million dollars annually, and for the period  
5 January first, two thousand eleven through March thirty-first, two thou-  
6 sand eleven, up to four million seven hundred fifty thousand dollars.

7 (n) Funds shall be accumulated and transferred from the health care  
8 reform act (HCRA) resources fund as follows: for the period April first,  
9 two thousand seven through March thirty-first, two thousand eight, and  
10 on an annual basis for the periods April first, two thousand eight  
11 through November thirtieth, two thousand nine, funds within amounts  
12 appropriated shall be transferred and deposited and credited to the  
13 credit of the state special revenue funds - other, HCRA transfer fund,  
14 medical assistance account, for purposes of funding the state share of  
15 rate adjustments made to public and voluntary hospitals in accordance  
16 with paragraphs (i) and (j) of subdivision one of section twenty-eight  
17 hundred seven-c of this article.

18 2. Notwithstanding any inconsistent provision of law, rule or regu-  
19 lation, any funds accumulated in the health care initiatives pools  
20 pursuant to paragraph (b) of subdivision nine of section twenty-eight  
21 hundred seven-j of this article, as a result of surcharges, assessments  
22 or other obligations during the periods January first, nineteen hundred  
23 ninety-seven through December thirty-first, nineteen hundred ninety-  
24 nine, which are unused or uncommitted for distributions pursuant to this  
25 section shall be reserved and accumulated from year to year by the  
26 commissioner and, within amounts appropriated, transferred and deposited  
27 into the special revenue funds - other, miscellaneous special revenue  
28 fund - 339, child health insurance account or any successor fund or  
29 account, for purposes of distributions to implement the child health  
30 insurance program established pursuant to sections twenty-five hundred  
31 ten and twenty-five hundred eleven of this chapter for periods on and  
32 after January first, two thousand one; provided, however, funds reserved  
33 and accumulated for priority distributions pursuant to subparagraph  
34 (iii) of paragraph (c) of subdivision one of this section shall not be  
35 transferred and deposited into such account pursuant to this subdivi-  
36 sion; and provided further, however, that any unused or uncommitted pool  
37 funds accumulated and allocated pursuant to paragraph (j) of subdivision  
38 one of this section shall be distributed for purposes of the health  
39 information and quality improvement act of 2000.

40 3. Revenue from distributions pursuant to this section shall not be  
41 included in gross revenue received for purposes of the assessments  
42 pursuant to subdivision eighteen of section twenty-eight hundred seven-c  
43 of this article, subject to the provisions of paragraph (e) of subdivi-  
44 sion eighteen of section twenty-eight hundred seven-c of this article,  
45 and shall not be included in gross revenue received for purposes of the  
46 assessments pursuant to section twenty-eight hundred seven-d of this  
47 article, subject to the provisions of subdivision twelve of section  
48 twenty-eight hundred seven-d of this article.

49 § 6. Intentionally omitted.

50 § 7. Intentionally omitted.

51 § 8. Intentionally omitted.

52 § 9. Intentionally omitted.

53 § 10. Clause (ii) of paragraph (a) and paragraphs (c), (d), (f) and  
54 (g) of subdivision 5-a of section 2807-m of the public health law, as  
55 amended by section 6 of part C of chapter 57 of the laws of 2023, are  
56 amended to read as follows:

1 (ii) For periods on and after January first, two thousand nine,  
2 supplemental distributions pursuant to subdivision five of this section  
3 and in accordance with section 86-1.89 of title 10 of the codes, rules  
4 and regulations of the state of New York shall no longer be made and the  
5 provisions of section 86-1.89 of title 10 of the codes, rules and regu-  
6 lations of the state of New York shall be null and void.

7 (c) Physician loan repayment program. One million nine hundred sixty  
8 thousand dollars for the period January first, two thousand eight  
9 through December thirty-first, two thousand eight, one million nine  
10 hundred sixty thousand dollars for the period January first, two thou-  
11 sand nine through December thirty-first, two thousand nine, one million  
12 nine hundred sixty thousand dollars for the period January first, two  
13 thousand ten through December thirty-first, two thousand ten, four  
14 hundred ninety thousand dollars for the period January first, two thou-  
15 sand eleven through March thirty-first, two thousand eleven, one million  
16 seven hundred thousand dollars each state fiscal year for the period  
17 April first, two thousand eleven through March thirty-first, two thou-  
18 sand fourteen, up to one million seven hundred five thousand dollars  
19 each state fiscal year for the period April first, two thousand fourteen  
20 through March thirty-first, two thousand seventeen, up to one million  
21 seven hundred five thousand dollars each state fiscal year for the peri-  
22 od April first, two thousand seventeen through March thirty-first, two  
23 thousand twenty, up to one million seven hundred five thousand dollars  
24 each state fiscal year for the period April first, two thousand twenty  
25 through March thirty-first, two thousand twenty-three, [and] up to one  
26 million seven hundred five thousand dollars each state fiscal year for  
27 the period April first, two thousand twenty-three through March thirty-  
28 first, two thousand twenty-six, and up to one million seven hundred five  
29 thousand dollars each state fiscal year for the period April first, two  
30 thousand twenty-six through March thirty-first, two thousand twenty-  
31 nine, shall be set aside and reserved by the commissioner from the  
32 regional pools established pursuant to subdivision two of this section  
33 and shall be available for purposes of physician loan repayment in  
34 accordance with subdivision ten of this section. Notwithstanding any  
35 contrary provision of this section, sections one hundred twelve and one  
36 hundred sixty-three of the state finance law, or any other contrary  
37 provision of law, such funding shall be allocated regionally with one-  
38 third of available funds going to New York city and two-thirds of avail-  
39 able funds going to the rest of the state and shall be distributed in a  
40 manner to be determined by the commissioner without a competitive bid or  
41 request for proposal process as follows:

42 (i) Funding shall first be awarded to repay loans of up to twenty-five  
43 physicians who train in primary care or specialty tracks in teaching  
44 general hospitals, and who enter and remain in primary care or specialty  
45 practices in underserved communities, as determined by the commissioner.

46 (ii) After distributions in accordance with subparagraph (i) of this  
47 paragraph, all remaining funds shall be awarded to repay loans of physi-  
48 cians who enter and remain in primary care or specialty practices in  
49 underserved communities, as determined by the commissioner, including  
50 but not limited to physicians working in general hospitals, or other  
51 health care facilities.

52 (iii) In no case shall less than fifty percent of the funds available  
53 pursuant to this paragraph be distributed in accordance with subpara-  
54 graphs (i) and (ii) of this paragraph to physicians identified by gener-  
55 al hospitals.

1 (iv) In addition to the funds allocated under this paragraph, for the  
2 period April first, two thousand fifteen through March thirty-first, two  
3 thousand sixteen, two million dollars shall be available for the  
4 purposes described in subdivision ten of this section;

5 (v) In addition to the funds allocated under this paragraph, for the  
6 period April first, two thousand sixteen through March thirty-first, two  
7 thousand seventeen, two million dollars shall be available for the  
8 purposes described in subdivision ten of this section;

9 (vi) Notwithstanding any provision of law to the contrary, and subject  
10 to the extension of the Health Care Reform Act of 1996, sufficient funds  
11 shall be available for the purposes described in subdivision ten of this  
12 section in amounts necessary to fund the remaining year commitments for  
13 awards made pursuant to subparagraphs (iv) and (v) of this paragraph.

14 (d) Physician practice support. Four million nine hundred thousand  
15 dollars for the period January first, two thousand eight through Decem-  
16 ber thirty-first, two thousand eight, four million nine hundred thousand  
17 dollars annually for the period January first, two thousand nine through  
18 December thirty-first, two thousand ten, one million two hundred twen-  
19 ty-five thousand dollars for the period January first, two thousand  
20 eleven through March thirty-first, two thousand eleven, four million  
21 three hundred thousand dollars each state fiscal year for the period  
22 April first, two thousand eleven through March thirty-first, two thou-  
23 sand fourteen, up to four million three hundred sixty thousand dollars  
24 each state fiscal year for the period April first, two thousand fourteen  
25 through March thirty-first, two thousand seventeen, up to four million  
26 three hundred sixty thousand dollars for each state fiscal year for the  
27 period April first, two thousand seventeen through March thirty-first,  
28 two thousand twenty, up to four million three hundred sixty thousand  
29 dollars for each fiscal year for the period April first, two thousand  
30 twenty through March thirty-first, two thousand twenty-three, [and] up  
31 to four million three hundred sixty thousand dollars for each fiscal  
32 year for the period April first, two thousand twenty-three through March  
33 thirty-first, two thousand twenty-six, and up to four million three  
34 hundred sixty thousand dollars for each fiscal year for the period April  
35 first, two thousand twenty-six through March thirty-first, two thousand  
36 twenty-nine, shall be set aside and reserved by the commissioner from  
37 the regional pools established pursuant to subdivision two of this  
38 section and shall be available for purposes of physician practice  
39 support. Notwithstanding any contrary provision of this section,  
40 sections one hundred twelve and one hundred sixty-three of the state  
41 finance law, or any other contrary provision of law, such funding shall  
42 be allocated regionally with one-third of available funds going to New  
43 York city and two-thirds of available funds going to the rest of the  
44 state and shall be distributed in a manner to be determined by the  
45 commissioner without a competitive bid or request for proposal process  
46 as follows:

47 (i) Preference in funding shall first be accorded to teaching general  
48 hospitals for up to twenty-five awards, to support costs incurred by  
49 physicians trained in primary or specialty tracks who thereafter estab-  
50 lish or join practices in underserved communities, as determined by the  
51 commissioner.

52 (ii) After distributions in accordance with subparagraph (i) of this  
53 paragraph, all remaining funds shall be awarded to physicians to support  
54 the cost of establishing or joining practices in underserved communi-  
55 ties, as determined by the commissioner, and to hospitals and other

1 health care providers to recruit new physicians to provide services in  
2 underserved communities, as determined by the commissioner.

3 (iii) In no case shall less than fifty percent of the funds available  
4 pursuant to this paragraph be distributed to general hospitals in  
5 accordance with subparagraphs (i) and (ii) of this paragraph.

6 (f) Study on physician workforce. Five hundred ninety thousand dollars  
7 annually for the period January first, two thousand eight through Decem-  
8 ber thirty-first, two thousand ten, one hundred forty-eight thousand  
9 dollars for the period January first, two thousand eleven through March  
10 thirty-first, two thousand eleven, five hundred sixteen thousand dollars  
11 each state fiscal year for the period April first, two thousand eleven  
12 through March thirty-first, two thousand fourteen, up to four hundred  
13 eighty-seven thousand dollars each state fiscal year for the period  
14 April first, two thousand fourteen through March thirty-first, two thou-  
15 sand seventeen, up to four hundred eighty-seven thousand dollars for  
16 each state fiscal year for the period April first, two thousand seven-  
17 teen through March thirty-first, two thousand twenty, up to four hundred  
18 eighty-seven thousand dollars each state fiscal year for the period  
19 April first, two thousand twenty through March thirty-first, two thou-  
20 sand twenty-three, [and] up to four hundred eighty-seven thousand  
21 dollars each state fiscal year for the period April first, two thousand  
22 twenty-three through March thirty-first, two thousand twenty-six, and up  
23 to four hundred eighty-seven thousand dollars each state fiscal year for  
24 the period April first, two thousand twenty-six through March thirty-  
25 first, two thousand twenty-nine, shall be set aside and reserved by the  
26 commissioner from the regional pools established pursuant to subdivision  
27 two of this section and shall be available to fund a study of physician  
28 workforce needs and solutions including, but not limited to, an analysis  
29 of residency programs and projected physician workforce and community  
30 needs. The commissioner shall enter into agreements with one or more  
31 organizations to conduct such study based on a request for proposal  
32 process.

33 (g) [Diversity in medicine/post-baccalaureate program] Scholars in  
34 medicine and science and scholarships in medicine programs. Notwith-  
35 standing any inconsistent provision of section one hundred twelve or one  
36 hundred sixty-three of the state finance law or any other law, one  
37 million nine hundred sixty thousand dollars annually for the period  
38 January first, two thousand eight through December thirty-first, two  
39 thousand ten, four hundred ninety thousand dollars for the period Janu-  
40 ary first, two thousand eleven through March thirty-first, two thousand  
41 eleven, one million seven hundred thousand dollars each state fiscal  
42 year for the period April first, two thousand eleven through March thir-  
43 ty-first, two thousand fourteen, up to one million six hundred five  
44 thousand dollars each state fiscal year for the period April first, two  
45 thousand fourteen through March thirty-first, two thousand seventeen, up  
46 to one million six hundred five thousand dollars each state fiscal year  
47 for the period April first, two thousand seventeen through March thir-  
48 ty-first, two thousand twenty, up to one million six hundred five thou-  
49 sand dollars each state fiscal year for the period April first, two  
50 thousand twenty through March thirty-first, two thousand twenty-three,  
51 [and] up to one million six hundred five thousand dollars each state  
52 fiscal year for the period April first, two thousand twenty-three  
53 through March thirty-first, two thousand twenty-six, and up to one  
54 million six hundred five thousand dollars each state fiscal year for the  
55 period April first, two thousand twenty-six through March thirty-first,  
56 two thousand twenty-nine, shall be set aside and reserved by the commis-

1 sioner from the regional pools established pursuant to subdivision two  
2 of this section and shall be available for distributions to the Associ-  
3 ated Medical Schools of New York to fund its [diversity program] schol-  
4 ars in medicine and science and scholarships in medicine programs  
5 including existing and new post-baccalaureate programs for minority and  
6 economically disadvantaged students and encourage participation from all  
7 medical schools in New York. The associated medical schools of New York  
8 shall report to the commissioner on an annual basis regarding the use of  
9 funds for such purpose in such form and manner as specified by the  
10 commissioner.

11 § 11. Subparagraph (xvi) of paragraph (a) of subdivision 7 of section  
12 2807-s of the public health law, as amended by section 8 of part Y of  
13 chapter 56 of the laws of 2020, is amended to read as follows:

14 (xvi) provided further, however, for periods prior to July first, two  
15 thousand nine, amounts set forth in this paragraph shall be reduced by  
16 an amount equal to the actual distribution reductions for all facilities  
17 pursuant to paragraph (s) of subdivision one of section twenty-eight  
18 hundred seven-m of this article.

19 § 12. Subdivision (c) of section 92-dd of the state finance law, as  
20 amended by section 9 of part Y of chapter 56 of the laws of 2020, is  
21 amended to read as follows:

22 (c) The pool administrator shall, from appropriated funds transferred  
23 to the pool administrator from the comptroller, continue to make  
24 payments as required pursuant to sections twenty-eight hundred seven-k,  
25 twenty-eight hundred seven-m (not including payments made pursuant to  
26 subdivision five-b and paragraphs (c), (d), (e), (f) and (g) of subdivi-  
27 sion five-a of section twenty-eight hundred seven-m), and twenty-eight  
28 hundred seven-w of the public health law, paragraph (e) of subdivision  
29 twenty-five of section twenty-eight hundred seven-c of the public health  
30 law, paragraphs (b) and (c) of subdivision thirty of section twenty-  
31 eight hundred seven-c of the public health law, paragraph (b) of subdivi-  
32 sion eighteen of section twenty-eight hundred eight of the public  
33 health law, subdivision seven of section twenty-five hundred-d of the  
34 public health law and section eighty-eight of chapter one of the laws of  
35 nineteen hundred ninety-nine.

36 § 13. Subdivision 4-c of section 2807-p of the public health law, as  
37 amended by section 7 of part C of chapter 57 of the laws of 2023, is  
38 amended to read as follows:

39 4-c. Notwithstanding any provision of law to the contrary, the commis-  
40 sioner shall make additional payments for uncompensated care to volun-  
41 tary non-profit diagnostic and treatment centers that are eligible for  
42 distributions under subdivision four of this section in the following  
43 amounts: for the period June first, two thousand six through December  
44 thirty-first, two thousand six, in the amount of seven million five  
45 hundred thousand dollars, for the period January first, two thousand  
46 seven through December thirty-first, two thousand seven, seven million  
47 five hundred thousand dollars, for the period January first, two thou-  
48 sand eight through December thirty-first, two thousand eight, seven  
49 million five hundred thousand dollars, for the period January first, two  
50 thousand nine through December thirty-first, two thousand nine, fifteen  
51 million five hundred thousand dollars, for the period January first, two  
52 thousand ten through December thirty-first, two thousand ten, seven  
53 million five hundred thousand dollars, for the period January first, two  
54 thousand eleven through December thirty-first, two thousand eleven, seven  
55 million five hundred thousand dollars, for the period January first, two  
56 thousand twelve through December thirty-first, two thousand twelve,

1 seven million five hundred thousand dollars, for the period January  
2 first, two thousand thirteen through December thirty-first, two thousand  
3 thirteen, seven million five hundred thousand dollars, for the period  
4 January first, two thousand fourteen through December thirty-first, two  
5 thousand fourteen, seven million five hundred thousand dollars, for the  
6 period January first, two thousand fifteen through December thirty-  
7 first, two thousand fifteen, seven million five hundred thousand  
8 dollars, for the period January first two thousand sixteen through  
9 December thirty-first, two thousand sixteen, seven million five hundred  
10 thousand dollars, for the period January first, two thousand seventeen  
11 through December thirty-first, two thousand seventeen, seven million  
12 five hundred thousand dollars, for the period January first, two thou-  
13 sand eighteen through December thirty-first, two thousand eighteen,  
14 seven million five hundred thousand dollars, for the period January  
15 first, two thousand nineteen through December thirty-first, two thousand  
16 nineteen, seven million five hundred thousand dollars, for the period  
17 January first, two thousand twenty through December thirty-first, two  
18 thousand twenty, seven million five hundred thousand dollars, for the  
19 period January first, two thousand twenty-one through December thirty-  
20 first, two thousand twenty-one, seven million five hundred thousand  
21 dollars, for the period January first, two thousand twenty-two through  
22 December thirty-first, two thousand twenty-two, seven million five  
23 hundred thousand dollars, for the period January first, two thousand  
24 twenty-three through December thirty-first, two thousand twenty-three,  
25 seven million five hundred thousand dollars, for the period January  
26 first, two thousand twenty-four through December thirty-first, two thou-  
27 sand twenty-four, seven million five hundred thousand dollars, for the  
28 period January first, two thousand twenty-five through December thirty-  
29 first, two thousand twenty-five, seven million five hundred thousand  
30 dollars, for the period January first, two thousand twenty-six through  
31 December thirty-first, two thousand twenty-six, seven million five  
32 hundred thousand dollars, for the period January first, two thousand  
33 twenty-seven through December thirty-first, two thousand twenty-seven,  
34 seven million five hundred thousand dollars, for the period January  
35 first, two thousand twenty-eight through December thirty-first, two  
36 thousand twenty-eight, seven million five hundred thousand dollars, and  
37 for the period January first, two thousand [twenty-six] twenty-nine  
38 through March thirty-first, two thousand [twenty-six] twenty-nine, in  
39 the amount of one million six hundred thousand dollars, provided, howev-  
40 er, that for periods on and after January first, two thousand eight,  
41 such additional payments shall be distributed to voluntary, non-profit  
42 diagnostic and treatment centers and to public diagnostic and treatment  
43 centers in accordance with paragraph (g) of subdivision four of this  
44 section. In the event that federal financial participation is available  
45 for rate adjustments pursuant to this section, the commissioner shall  
46 make such payments as additional adjustments to rates of payment for  
47 voluntary non-profit diagnostic and treatment centers that are eligible  
48 for distributions under subdivision four-a of this section in the  
49 following amounts: for the period June first, two thousand six through  
50 December thirty-first, two thousand six, fifteen million dollars in the  
51 aggregate, and for the period January first, two thousand seven through  
52 June thirtieth, two thousand seven, seven million five hundred thousand  
53 dollars in the aggregate. The amounts allocated pursuant to this para-  
54 graph shall be aggregated with and distributed pursuant to the same  
55 methodology applicable to the amounts allocated to such diagnostic and  
56 treatment centers for such periods pursuant to subdivision four of this



1 section if federal financial participation is not available, or pursuant  
2 to subdivision four-a of this section if federal financial participation  
3 is available. Notwithstanding section three hundred sixty-eight-a of the  
4 social services law, there shall be no local share in a medical assist-  
5 ance payment adjustment under this subdivision.

6 § 14. Paragraph (a) of subdivision 6 of section 2807-s of the public  
7 health law is amended by adding a new subparagraph (xvii) to read as  
8 follows:

9 (xvii) A gross annual statewide amount for the period January first,  
10 two thousand twenty-seven to December thirty-first, two thousand twen-  
11 ty-nine shall be one billion eighty-five million dollars, forty million  
12 dollars annually of which shall be allocated under section twenty-eight  
13 hundred seven-o of this article among the municipalities of and the  
14 state of New York based on each municipality's share and the state's  
15 share of early intervention program expenditures not reimbursable by the  
16 medical assistance program for the latest twelve month period for which  
17 such data is available.

18 § 15. Subparagraph (xiii) of paragraph (a) of subdivision 7 of section  
19 2807-s of the public health law, as amended by section 10 of part C of  
20 chapter 57 of the laws of 2023, is amended to read as follows:

21 (xiii) twenty-three million eight hundred thirty-six thousand dollars  
22 each state fiscal year for the period April first, two thousand twelve  
23 through March thirty-first, two thousand [twenty-six] twenty-nine;

24 § 16. Paragraph (b) of subdivision 6 of section 2807-t of the public  
25 health law, as amended by section 11 of part C of chapter 57 of the laws  
26 of 2023, is amended to read as follows:

27 (b) Notwithstanding the provisions of paragraph (a) of this subdivi-  
28 sion, for covered lives assessment rate periods on and after January  
29 first, two thousand fifteen through December thirty-first, two thousand  
30 twenty-one, for amounts collected in the aggregate in excess of one  
31 billion forty-five million dollars on an annual basis, and for the peri-  
32 od January first, two thousand twenty-two to December thirty-first, two  
33 thousand [twenty-six] twenty-nine for amounts collected in the aggregate  
34 in excess of one billion eighty-five million dollars on an annual basis,  
35 prospective adjustments shall be suspended if the annual reconciliation  
36 calculation from the prior year would otherwise result in a decrease to  
37 the regional allocation of the specified gross annual payment amount for  
38 that region, provided, however, that such suspension shall be lifted  
39 upon a determination by the commissioner, in consultation with the  
40 director of the budget, that sixty-five million dollars in aggregate  
41 collections on an annual basis over and above one billion forty-five  
42 million dollars on an annual basis for the period on and after January  
43 first, two thousand fifteen through December thirty-first, two thousand  
44 twenty-one and for the period January first, two thousand twenty-two to  
45 December thirty-first, two thousand [twenty-six] twenty-nine for amounts  
46 collected in the aggregate in excess of one billion eighty-five million  
47 dollars on an annual basis have been reserved and set aside for deposit  
48 in the HCRA resources fund. Any amounts collected in the aggregate at or  
49 below one billion forty-five million dollars on an annual basis for the  
50 period on and after January first, two thousand fifteen through December  
51 thirty-first, two thousand twenty-two, and for the period January first,  
52 two thousand twenty-three to December thirty-first, two thousand [twen-  
53 ty-six] twenty-nine for amounts collected in the aggregate in excess of  
54 one billion eighty-five million dollars on an annual basis, shall be  
55 subject to regional adjustments reconciling any decreases or increases

1 to the regional allocation in accordance with paragraph (a) of this  
2 subdivision.

3 § 17. Section 2807-v of the public health law, as amended by section  
4 12 of part C of chapter 57 of the laws of 2023, is amended to read as  
5 follows:

6 § 2807-v. Tobacco control and insurance initiatives pool distrib-  
7 utions. 1. Funds accumulated in the tobacco control and insurance  
8 initiatives pool or in the health care reform act (HCRA) resources fund  
9 established pursuant to section ninety-two-dd of the state finance law,  
10 whichever is applicable, including income from invested funds, shall be  
11 distributed or retained by the commissioner or by the state comptroller,  
12 as applicable, in accordance with the following:

13 (a) Funds shall be deposited by the commissioner, within amounts  
14 appropriated, and the state comptroller is hereby authorized and  
15 directed to receive for deposit to the credit of the state special  
16 revenue funds - other, HCRA transfer fund, medicaid fraud hotline and  
17 medicaid administration account, or any successor fund or account, for  
18 purposes of services and expenses related to the toll-free medicaid  
19 fraud hotline established pursuant to section one hundred eight of chap-  
20 ter one of the laws of nineteen hundred ninety-nine from the tobacco  
21 control and insurance initiatives pool established for the following  
22 periods in the following amounts: four hundred thousand dollars annually  
23 for the periods January first, two thousand through December thirty-  
24 first, two thousand two, up to four hundred thousand dollars for the  
25 period January first, two thousand three through December thirty-first,  
26 two thousand three, up to four hundred thousand dollars for the period  
27 January first, two thousand four through December thirty-first, two  
28 thousand four, up to four hundred thousand dollars for the period Janu-  
29 ary first, two thousand five through December thirty-first, two thousand  
30 five, up to four hundred thousand dollars for the period January first,  
31 two thousand six through December thirty-first, two thousand six, up to  
32 four hundred thousand dollars for the period January first, two thousand  
33 seven through December thirty-first, two thousand seven, up to four  
34 hundred thousand dollars for the period January first, two thousand  
35 eight through December thirty-first, two thousand eight, up to four  
36 hundred thousand dollars for the period January first, two thousand nine  
37 through December thirty-first, two thousand nine, up to four hundred  
38 thousand dollars for the period January first, two thousand ten through  
39 December thirty-first, two thousand ten, up to one hundred thousand  
40 dollars for the period January first, two thousand eleven through March  
41 thirty-first, two thousand eleven and within amounts appropriated on and  
42 after April first, two thousand eleven.

43 (b) Funds shall be reserved and accumulated from year to year and  
44 shall be available, including income from invested funds, for purposes  
45 of payment of audits or audit contracts necessary to determine payor and  
46 provider compliance with requirements set forth in sections twenty-eight  
47 hundred seven-j, twenty-eight hundred seven-s and twenty-eight hundred  
48 seven-t of this article from the tobacco control and insurance initi-  
49 atives pool established for the following periods in the following  
50 amounts: five million six hundred thousand dollars annually for the  
51 periods January first, two thousand through December thirty-first, two  
52 thousand two, up to five million dollars for the period January first,  
53 two thousand three through December thirty-first, two thousand three, up  
54 to five million dollars for the period January first, two thousand four  
55 through December thirty-first, two thousand four, up to five million  
56 dollars for the period January first, two thousand five through December

1 thirty-first, two thousand five, up to five million dollars for the  
2 period January first, two thousand six through December thirty-first,  
3 two thousand six, up to seven million eight hundred thousand dollars for  
4 the period January first, two thousand seven through December thirty-  
5 first, two thousand seven, and up to eight million three hundred twen-  
6 ty-five thousand dollars for the period January first, two thousand  
7 eight through December thirty-first, two thousand eight, up to eight  
8 million five hundred thousand dollars for the period January first, two  
9 thousand nine through December thirty-first, two thousand nine, up to  
10 eight million five hundred thousand dollars for the period January  
11 first, two thousand ten through December thirty-first, two thousand ten,  
12 up to two million one hundred twenty-five thousand dollars for the peri-  
13 od January first, two thousand eleven through March thirty-first, two  
14 thousand eleven, up to fourteen million seven hundred thousand dollars  
15 each state fiscal year for the period April first, two thousand eleven  
16 through March thirty-first, two thousand fourteen, up to eleven million  
17 one hundred thousand dollars each state fiscal year for the period April  
18 first, two thousand fourteen through March thirty-first, two thousand  
19 seventeen, up to eleven million one hundred thousand dollars each state  
20 fiscal year for the period April first, two thousand seventeen through  
21 March thirty-first, two thousand twenty, up to eleven million one  
22 hundred thousand dollars each state fiscal year for the period April  
23 first, two thousand twenty through March thirty-first, two thousand  
24 twenty-three, [and] up to eleven million one hundred thousand dollars  
25 each state fiscal year for the period April first, two thousand twenty-  
26 three through March thirty-first, two thousand twenty-six, and up to  
27 eleven million one hundred thousand dollars each state fiscal year for  
28 the period April first, two thousand twenty-six through March thirty-  
29 first, two thousand twenty-nine.

30 (c) Funds shall be deposited by the commissioner, within amounts  
31 appropriated, and the state comptroller is hereby authorized and  
32 directed to receive for deposit to the credit of the state special  
33 revenue funds - other, HCRA transfer fund, enhanced community services  
34 account, or any successor fund or account, for mental health services  
35 programs for case management services for adults and children; supported  
36 housing; home and community based waiver services; family based treat-  
37 ment; family support services; mobile mental health teams; transitional  
38 housing; and community oversight, established pursuant to articles seven  
39 and forty-one of the mental hygiene law and subdivision nine of section  
40 three hundred sixty-six of the social services law; and for comprehen-  
41 sive care centers for eating disorders pursuant to the former section  
42 twenty-seven hundred ninety-nine-1 of this chapter, provided however  
43 that, for such centers, funds in the amount of five hundred thousand  
44 dollars on an annualized basis shall be transferred from the enhanced  
45 community services account, or any successor fund or account, and depos-  
46 ited into the fund established by section ninety-five-e of the state  
47 finance law; from the tobacco control and insurance initiatives pool  
48 established for the following periods in the following amounts:

49 (i) forty-eight million dollars to be reserved, to be retained or for  
50 distribution pursuant to a chapter of the laws of two thousand, for the  
51 period January first, two thousand through December thirty-first, two  
52 thousand;

53 (ii) eighty-seven million dollars to be reserved, to be retained or  
54 for distribution pursuant to a chapter of the laws of two thousand one,  
55 for the period January first, two thousand one through December thirty-  
56 first, two thousand one;

1 (iii) eighty-seven million dollars to be reserved, to be retained or  
2 for distribution pursuant to a chapter of the laws of two thousand two,  
3 for the period January first, two thousand two through December thirty-  
4 first, two thousand two;

5 (iv) eighty-eight million dollars to be reserved, to be retained or  
6 for distribution pursuant to a chapter of the laws of two thousand  
7 three, for the period January first, two thousand three through December  
8 thirty-first, two thousand three;

9 (v) eighty-eight million dollars, plus five hundred thousand dollars,  
10 to be reserved, to be retained or for distribution pursuant to a chapter  
11 of the laws of two thousand four, and pursuant to the former section  
12 twenty-seven hundred ninety-nine-1 of this chapter, for the period Janu-  
13 ary first, two thousand four through December thirty-first, two thousand  
14 four;

15 (vi) eighty-eight million dollars, plus five hundred thousand dollars,  
16 to be reserved, to be retained or for distribution pursuant to a chapter  
17 of the laws of two thousand five, and pursuant to the former section  
18 twenty-seven hundred ninety-nine-1 of this chapter, for the period Janu-  
19 ary first, two thousand five through December thirty-first, two thousand  
20 five;

21 (vii) eighty-eight million dollars, plus five hundred thousand  
22 dollars, to be reserved, to be retained or for distribution pursuant to  
23 a chapter of the laws of two thousand six, and pursuant to former  
24 section twenty-seven hundred ninety-nine-1 of this chapter, for the  
25 period January first, two thousand six through December thirty-first,  
26 two thousand six;

27 (viii) eighty-six million four hundred thousand dollars, plus five  
28 hundred thousand dollars, to be reserved, to be retained or for distrib-  
29 ution pursuant to a chapter of the laws of two thousand seven and pursu-  
30 ant to the former section twenty-seven hundred ninety-nine-1 of this  
31 chapter, for the period January first, two thousand seven through Decem-  
32 ber thirty-first, two thousand seven; and

33 (ix) twenty-two million nine hundred thirteen thousand dollars, plus  
34 one hundred twenty-five thousand dollars, to be reserved, to be retained  
35 or for distribution pursuant to a chapter of the laws of two thousand  
36 eight and pursuant to the former section twenty-seven hundred ninety-  
37 nine-1 of this chapter, for the period January first, two thousand eight  
38 through March thirty-first, two thousand eight.

39 (d) Funds shall be deposited by the commissioner, within amounts  
40 appropriated, and the state comptroller is hereby authorized and  
41 directed to receive for deposit to the credit of the state special  
42 revenue funds - other, HCRA transfer fund, medical assistance account,  
43 or any successor fund or account, for purposes of funding the state  
44 share of services and expenses related to the family health plus program  
45 including up to two and one-half million dollars annually for the period  
46 January first, two thousand through December thirty-first, two thousand  
47 two, for administration and marketing costs associated with such program  
48 established pursuant to clause (A) of subparagraph (v) of paragraph (a)  
49 of subdivision two of former section three hundred sixty-nine-ee of the  
50 social services law from the tobacco control and insurance initiatives  
51 pool established for the following periods in the following amounts:

52 (i) three million five hundred thousand dollars for the period January  
53 first, two thousand through December thirty-first, two thousand;

54 (ii) twenty-seven million dollars for the period January first, two  
55 thousand one through December thirty-first, two thousand one; and

1 (iii) fifty-seven million dollars for the period January first, two  
2 thousand two through December thirty-first, two thousand two.

3 (e) Funds shall be deposited by the commissioner, within amounts  
4 appropriated, and the state comptroller is hereby authorized and  
5 directed to receive for deposit to the credit of the state special  
6 revenue funds - other, HCRA transfer fund, medical assistance account,  
7 or any successor fund or account, for purposes of funding the state  
8 share of services and expenses related to the family health plus program  
9 including up to two and one-half million dollars annually for the period  
10 January first, two thousand through December thirty-first, two thousand  
11 two for administration and marketing costs associated with such program  
12 established pursuant to clause (B) of subparagraph (v) of paragraph (a)  
13 of subdivision two of former section three hundred sixty-nine-ee of the  
14 social services law from the tobacco control and insurance initiatives  
15 pool established for the following periods in the following amounts:

16 (i) two million five hundred thousand dollars for the period January  
17 first, two thousand through December thirty-first, two thousand;

18 (ii) thirty million five hundred thousand dollars for the period Janu-  
19 ary first, two thousand one through December thirty-first, two thousand  
20 one; and

21 (iii) sixty-six million dollars for the period January first, two  
22 thousand two through December thirty-first, two thousand two.

23 (f) Funds shall be deposited by the commissioner, within amounts  
24 appropriated, and the state comptroller is hereby authorized and  
25 directed to receive for deposit to the credit of the state special  
26 revenue funds - other, HCRA transfer fund, medicaid fraud hotline and  
27 medicaid administration account, or any successor fund or account, for  
28 purposes of payment of administrative expenses of the department related  
29 to the family health plus program established pursuant to former section  
30 three hundred sixty-nine-ee of the social services law from the tobacco  
31 control and insurance initiatives pool established for the following  
32 periods in the following amounts: five hundred thousand dollars on an  
33 annual basis for the periods January first, two thousand through Decem-  
34 ber thirty-first, two thousand six, five hundred thousand dollars for  
35 the period January first, two thousand seven through December thirty-  
36 first, two thousand seven, and five hundred thousand dollars for the  
37 period January first, two thousand eight through December thirty-first,  
38 two thousand eight, five hundred thousand dollars for the period January  
39 first, two thousand nine through December thirty-first, two thousand  
40 nine, five hundred thousand dollars for the period January first, two  
41 thousand ten through December thirty-first, two thousand ten, one  
42 hundred twenty-five thousand dollars for the period January first, two  
43 thousand eleven through March thirty-first, two thousand eleven and  
44 within amounts appropriated on and after April first, two thousand elev-  
45 en.

46 (g) Funds shall be reserved and accumulated from year to year and  
47 shall be available, including income from invested funds, for purposes  
48 of services and expenses related to the health maintenance organization  
49 direct pay market program established pursuant to sections [forty-three]  
50 four thousand three hundred twenty-one-a and [forty-three] four thousand  
51 three hundred twenty-two-a of the insurance law from the tobacco control  
52 and insurance initiatives pool established for the following periods in  
53 the following amounts:

54 (i) up to thirty-five million dollars for the period January first,  
55 two thousand through December thirty-first, two thousand of which fifty  
56 percentum shall be allocated to the program pursuant to section four

1 thousand three hundred twenty-one-a of the insurance law and fifty  
2 percentum to the program pursuant to section four thousand three hundred  
3 twenty-two-a of the insurance law;

4 (ii) up to thirty-six million dollars for the period January first,  
5 two thousand one through December thirty-first, two thousand one of  
6 which fifty percentum shall be allocated to the program pursuant to  
7 section four thousand three hundred twenty-one-a of the insurance law  
8 and fifty percentum to the program pursuant to section four thousand  
9 three hundred twenty-two-a of the insurance law;

10 (iii) up to thirty-nine million dollars for the period January first,  
11 two thousand two through December thirty-first, two thousand two of  
12 which fifty percentum shall be allocated to the program pursuant to  
13 section four thousand three hundred twenty-one-a of the insurance law  
14 and fifty percentum to the program pursuant to section four thousand  
15 three hundred twenty-two-a of the insurance law;

16 (iv) up to forty million dollars for the period January first, two  
17 thousand three through December thirty-first, two thousand three of  
18 which fifty percentum shall be allocated to the program pursuant to  
19 section four thousand three hundred twenty-one-a of the insurance law  
20 and fifty percentum to the program pursuant to section four thousand  
21 three hundred twenty-two-a of the insurance law;

22 (v) up to forty million dollars for the period January first, two  
23 thousand four through December thirty-first, two thousand four of which  
24 fifty percentum shall be allocated to the program pursuant to section  
25 four thousand three hundred twenty-one-a of the insurance law and fifty  
26 percentum to the program pursuant to section four thousand three hundred  
27 twenty-two-a of the insurance law;

28 (vi) up to forty million dollars for the period January first, two  
29 thousand five through December thirty-first, two thousand five of which  
30 fifty percentum shall be allocated to the program pursuant to section  
31 four thousand three hundred twenty-one-a of the insurance law and fifty  
32 percentum to the program pursuant to section four thousand three hundred  
33 twenty-two-a of the insurance law;

34 (vii) up to forty million dollars for the period January first, two  
35 thousand six through December thirty-first, two thousand six of which  
36 fifty percentum shall be allocated to the program pursuant to section  
37 four thousand three hundred twenty-one-a of the insurance law and fifty  
38 percentum shall be allocated to the program pursuant to section four  
39 thousand three hundred twenty-two-a of the insurance law;

40 (viii) up to forty million dollars for the period January first, two  
41 thousand seven through December thirty-first, two thousand seven of  
42 which fifty percentum shall be allocated to the program pursuant to  
43 section four thousand three hundred twenty-one-a of the insurance law  
44 and fifty percentum shall be allocated to the program pursuant to  
45 section four thousand three hundred twenty-two-a of the insurance law;  
46 and

47 (ix) up to forty million dollars for the period January first, two  
48 thousand eight through December thirty-first, two thousand eight of  
49 which fifty per centum shall be allocated to the program pursuant to  
50 section four thousand three hundred twenty-one-a of the insurance law  
51 and fifty per centum shall be allocated to the program pursuant to  
52 section four thousand three hundred twenty-two-a of the insurance law.

53 (h) Funds shall be reserved and accumulated from year to year and  
54 shall be available, including income from invested funds, for purposes  
55 of services and expenses related to the healthy New York individual  
56 program established pursuant to sections four thousand three hundred

1 twenty-six and four thousand three hundred twenty-seven of the insurance  
2 law from the tobacco control and insurance initiatives pool established  
3 for the following periods in the following amounts:

4 (i) up to six million dollars for the period January first, two thou-  
5 sand one through December thirty-first, two thousand one;

6 (ii) up to twenty-nine million dollars for the period January first,  
7 two thousand two through December thirty-first, two thousand two;

8 (iii) up to five million one hundred thousand dollars for the period  
9 January first, two thousand three through December thirty-first, two  
10 thousand three;

11 (iv) up to twenty-four million six hundred thousand dollars for the  
12 period January first, two thousand four through December thirty-first,  
13 two thousand four;

14 (v) up to thirty-four million six hundred thousand dollars for the  
15 period January first, two thousand five through December thirty-first,  
16 two thousand five;

17 (vi) up to fifty-four million eight hundred thousand dollars for the  
18 period January first, two thousand six through December thirty-first,  
19 two thousand six;

20 (vii) up to sixty-one million seven hundred thousand dollars for the  
21 period January first, two thousand seven through December thirty-first,  
22 two thousand seven; and

23 (viii) up to one hundred three million seven hundred fifty thousand  
24 dollars for the period January first, two thousand eight through Decem-  
25 ber thirty-first, two thousand eight.

26 (i) Funds shall be reserved and accumulated from year to year and  
27 shall be available, including income from invested funds, for purposes  
28 of services and expenses related to the healthy New York group program  
29 established pursuant to sections four thousand three hundred twenty-six  
30 and four thousand three hundred twenty-seven of the insurance law from  
31 the tobacco control and insurance initiatives pool established for the  
32 following periods in the following amounts:

33 (i) up to thirty-four million dollars for the period January first,  
34 two thousand one through December thirty-first, two thousand one;

35 (ii) up to seventy-seven million dollars for the period January first,  
36 two thousand two through December thirty-first, two thousand two;

37 (iii) up to ten million five hundred thousand dollars for the period  
38 January first, two thousand three through December thirty-first, two  
39 thousand three;

40 (iv) up to twenty-four million six hundred thousand dollars for the  
41 period January first, two thousand four through December thirty-first,  
42 two thousand four;

43 (v) up to thirty-four million six hundred thousand dollars for the  
44 period January first, two thousand five through December thirty-first,  
45 two thousand five;

46 (vi) up to fifty-four million eight hundred thousand dollars for the  
47 period January first, two thousand six through December thirty-first,  
48 two thousand six;

49 (vii) up to sixty-one million seven hundred thousand dollars for the  
50 period January first, two thousand seven through December thirty-first,  
51 two thousand seven; and

52 (viii) up to one hundred three million seven hundred fifty thousand  
53 dollars for the period January first, two thousand eight through Decem-  
54 ber thirty-first, two thousand eight.

55 (i-1) Notwithstanding the provisions of paragraphs (h) and (i) of this  
56 subdivision, the commissioner shall reserve and accumulate up to two

1 million five hundred thousand dollars annually for the periods January  
2 first, two thousand four through December thirty-first, two thousand  
3 six, one million four hundred thousand dollars for the period January  
4 first, two thousand seven through December thirty-first, two thousand  
5 seven, two million dollars for the period January first, two thousand  
6 eight through December thirty-first, two thousand eight, from funds  
7 otherwise available for distribution under such paragraphs for the  
8 services and expenses related to the pilot program for entertainment  
9 industry employees included in subsection (b) of section one thousand  
10 one hundred twenty-two of the insurance law, and an additional seven  
11 hundred thousand dollars annually for the periods January first, two  
12 thousand four through December thirty-first, two thousand six, an addi-  
13 tional three hundred thousand dollars for the period January first, two  
14 thousand seven through June thirtieth, two thousand seven for services  
15 and expenses related to the pilot program for displaced workers included  
16 in subsection (c) of section one thousand one hundred twenty-two of the  
17 insurance law.

18 (j) Funds shall be reserved and accumulated from year to year and  
19 shall be available, including income from invested funds, for purposes  
20 of services and expenses related to the tobacco use prevention and  
21 control program established pursuant to sections thirteen hundred nine-  
22 ty-nine-ii and thirteen hundred ninety-nine-jj of this chapter, from the  
23 tobacco control and insurance initiatives pool established for the  
24 following periods in the following amounts:

25 (i) up to thirty million dollars for the period January first, two  
26 thousand through December thirty-first, two thousand;

27 (ii) up to forty million dollars for the period January first, two  
28 thousand one through December thirty-first, two thousand one;

29 (iii) up to forty million dollars for the period January first, two  
30 thousand two through December thirty-first, two thousand two;

31 (iv) up to thirty-six million nine hundred fifty thousand dollars for  
32 the period January first, two thousand three through December thirty-  
33 first, two thousand three;

34 (v) up to thirty-six million nine hundred fifty thousand dollars for  
35 the period January first, two thousand four through December thirty-  
36 first, two thousand four;

37 (vi) up to forty million six hundred thousand dollars for the period  
38 January first, two thousand five through December thirty-first, two  
39 thousand five;

40 (vii) up to eighty-one million nine hundred thousand dollars for the  
41 period January first, two thousand six through December thirty-first,  
42 two thousand six, provided, however, that within amounts appropriated, a  
43 portion of such funds may be transferred to the Roswell Park Cancer  
44 Institute Corporation to support costs associated with cancer research;

45 (viii) up to ninety-four million one hundred fifty thousand dollars  
46 for the period January first, two thousand seven through December thir-  
47 ty-first, two thousand seven, provided, however, that within amounts  
48 appropriated, a portion of such funds may be transferred to the Roswell  
49 Park Cancer Institute Corporation to support costs associated with  
50 cancer research;

51 (ix) up to ninety-four million one hundred fifty thousand dollars for  
52 the period January first, two thousand eight through December thirty-  
53 first, two thousand eight;

54 (x) up to ninety-four million one hundred fifty thousand dollars for  
55 the period January first, two thousand nine through December thirty-  
56 first, two thousand nine;

- 1 (xi) up to eighty-seven million seven hundred seventy-five thousand  
2 dollars for the period January first, two thousand ten through December  
3 thirty-first, two thousand ten;
- 4 (xii) up to twenty-one million four hundred twelve thousand dollars  
5 for the period January first, two thousand eleven through March thirty-  
6 first, two thousand eleven;
- 7 (xiii) up to fifty-two million one hundred thousand dollars each state  
8 fiscal year for the period April first, two thousand eleven through  
9 March thirty-first, two thousand fourteen;
- 10 (xiv) up to six million dollars each state fiscal year for the period  
11 April first, two thousand fourteen through March thirty-first, two thou-  
12 sand seventeen;
- 13 (xv) up to six million dollars each state fiscal year for the period  
14 April first, two thousand seventeen through March thirty-first, two  
15 thousand twenty;
- 16 (xvi) up to six million dollars each state fiscal year for the period  
17 April first, two thousand twenty through March thirty-first, two thou-  
18 sand twenty-three; [and]
- 19 (xvii) up to six million dollars each state fiscal year for the period  
20 April first, two thousand twenty-three through March thirty-first, two  
21 thousand twenty-six[.]; and
- 22 (xviii) up to six million dollars each state fiscal year for the peri-  
23 od April first, two thousand twenty-six through March thirty-first, two  
24 thousand twenty-nine.
- 25 (k) Funds shall be deposited by the commissioner, within amounts  
26 appropriated, and the state comptroller is hereby authorized and  
27 directed to receive for deposit to the credit of the state special  
28 revenue fund - other, HCRA transfer fund, health care services account,  
29 or any successor fund or account, for purposes of services and expenses  
30 related to public health programs, including comprehensive care centers  
31 for eating disorders pursuant to the former section twenty-seven hundred  
32 ninety-nine-1 of this chapter, provided however that, for such centers,  
33 funds in the amount of five hundred thousand dollars on an annualized  
34 basis shall be transferred from the health care services account, or any  
35 successor fund or account, and deposited into the fund established by  
36 section ninety-five-e of the state finance law for periods prior to  
37 March thirty-first, two thousand eleven, from the tobacco control and  
38 insurance initiatives pool established for the following periods in the  
39 following amounts:
- 40 (i) up to thirty-one million dollars for the period January first, two  
41 thousand through December thirty-first, two thousand;
- 42 (ii) up to forty-one million dollars for the period January first, two  
43 thousand one through December thirty-first, two thousand one;
- 44 (iii) up to eighty-one million dollars for the period January first,  
45 two thousand two through December thirty-first, two thousand two;
- 46 (iv) one hundred twenty-two million five hundred thousand dollars for  
47 the period January first, two thousand three through December thirty-  
48 first, two thousand three;
- 49 (v) one hundred eight million five hundred seventy-five thousand  
50 dollars, plus an additional five hundred thousand dollars, for the peri-  
51 od January first, two thousand four through December thirty-first, two  
52 thousand four;
- 53 (vi) ninety-one million eight hundred thousand dollars, plus an addi-  
54 tional five hundred thousand dollars, for the period January first, two  
55 thousand five through December thirty-first, two thousand five;



- 1 (vii) one hundred fifty-six million six hundred thousand dollars, plus  
2 an additional five hundred thousand dollars, for the period January  
3 first, two thousand six through December thirty-first, two thousand six;  
4 (viii) one hundred fifty-one million four hundred thousand dollars,  
5 plus an additional five hundred thousand dollars, for the period January  
6 first, two thousand seven through December thirty-first, two thousand  
7 seven;
- 8 (ix) one hundred sixteen million nine hundred forty-nine thousand  
9 dollars, plus an additional five hundred thousand dollars, for the peri-  
10 od January first, two thousand eight through December thirty-first, two  
11 thousand eight;
- 12 (x) one hundred sixteen million nine hundred forty-nine thousand  
13 dollars, plus an additional five hundred thousand dollars, for the peri-  
14 od January first, two thousand nine through December thirty-first, two  
15 thousand nine;
- 16 (xi) one hundred sixteen million nine hundred forty-nine thousand  
17 dollars, plus an additional five hundred thousand dollars, for the peri-  
18 od January first, two thousand ten through December thirty-first, two  
19 thousand ten;
- 20 (xii) twenty-nine million two hundred thirty-seven thousand two  
21 hundred fifty dollars, plus an additional one hundred twenty-five thou-  
22 sand dollars, for the period January first, two thousand eleven through  
23 March thirty-first, two thousand eleven;
- 24 (xiii) one hundred twenty million thirty-eight thousand dollars for  
25 the period April first, two thousand eleven through March thirty-first,  
26 two thousand twelve; and
- 27 (xiv) one hundred nineteen million four hundred seven thousand dollars  
28 each state fiscal year for the period April first, two thousand twelve  
29 through March thirty-first, two thousand fourteen.
- 30 (l) Funds shall be deposited by the commissioner, within amounts  
31 appropriated, and the state comptroller is hereby authorized and  
32 directed to receive for deposit to the credit of the state special  
33 revenue funds - other, HCRA transfer fund, medical assistance account,  
34 or any successor fund or account, for purposes of funding the state  
35 share of the personal care and certified home health agency rate or fee  
36 increases established pursuant to subdivision three of section three  
37 hundred sixty-seven-o of the social services law from the tobacco  
38 control and insurance initiatives pool established for the following  
39 periods in the following amounts:
- 40 (i) twenty-three million two hundred thousand dollars for the period  
41 January first, two thousand through December thirty-first, two thousand;
- 42 (ii) twenty-three million two hundred thousand dollars for the period  
43 January first, two thousand one through December thirty-first, two thou-  
44 sand one;
- 45 (iii) twenty-three million two hundred thousand dollars for the period  
46 January first, two thousand two through December thirty-first, two thou-  
47 sand two;
- 48 (iv) up to sixty-five million two hundred thousand dollars for the  
49 period January first, two thousand three through December thirty-first,  
50 two thousand three;
- 51 (v) up to sixty-five million two hundred thousand dollars for the  
52 period January first, two thousand four through December thirty-first,  
53 two thousand four;
- 54 (vi) up to sixty-five million two hundred thousand dollars for the  
55 period January first, two thousand five through December thirty-first,  
56 two thousand five;

1 (vii) up to sixty-five million two hundred thousand dollars for the  
2 period January first, two thousand six through December thirty-first,  
3 two thousand six;

4 (viii) up to sixty-five million two hundred thousand dollars for the  
5 period January first, two thousand seven through December thirty-first,  
6 two thousand seven; and

7 (ix) up to sixteen million three hundred thousand dollars for the  
8 period January first, two thousand eight through March thirty-first, two  
9 thousand eight.

10 (m) Funds shall be deposited by the commissioner, within amounts  
11 appropriated, and the state comptroller is hereby authorized and  
12 directed to receive for deposit to the credit of the state special  
13 revenue funds - other, HCRA transfer fund, medical assistance account,  
14 or any successor fund or account, for purposes of funding the state  
15 share of services and expenses related to home care workers insurance  
16 pilot demonstration programs established pursuant to subdivision two of  
17 section three hundred sixty-seven-o of the social services law from the  
18 tobacco control and insurance initiatives pool established for the  
19 following periods in the following amounts:

20 (i) three million eight hundred thousand dollars for the period Janu-  
21 ary first, two thousand through December thirty-first, two thousand;

22 (ii) three million eight hundred thousand dollars for the period Janu-  
23 ary first, two thousand one through December thirty-first, two thousand  
24 one;

25 (iii) three million eight hundred thousand dollars for the period  
26 January first, two thousand two through December thirty-first, two thou-  
27 sand two;

28 (iv) up to three million eight hundred thousand dollars for the period  
29 January first, two thousand three through December thirty-first, two  
30 thousand three;

31 (v) up to three million eight hundred thousand dollars for the period  
32 January first, two thousand four through December thirty-first, two  
33 thousand four;

34 (vi) up to three million eight hundred thousand dollars for the period  
35 January first, two thousand five through December thirty-first, two  
36 thousand five;

37 (vii) up to three million eight hundred thousand dollars for the peri-  
38 od January first, two thousand six through December thirty-first, two  
39 thousand six;

40 (viii) up to three million eight hundred thousand dollars for the  
41 period January first, two thousand seven through December thirty-first,  
42 two thousand seven; and

43 (ix) up to nine hundred fifty thousand dollars for the period January  
44 first, two thousand eight through March thirty-first, two thousand  
45 eight.

46 (n) Funds shall be transferred by the commissioner and shall be depos-  
47 ited to the credit of the special revenue funds - other, miscellaneous  
48 special revenue fund - 339, elderly pharmaceutical insurance coverage  
49 program premium account authorized pursuant to the provisions of title  
50 three of article two of the elder law, or any successor fund or account,  
51 for funding state expenses relating to the program from the tobacco  
52 control and insurance initiatives pool established for the following  
53 periods in the following amounts:

54 (i) one hundred seven million dollars for the period January first,  
55 two thousand through December thirty-first, two thousand;

- 1 (ii) one hundred sixty-four million dollars for the period January  
2 first, two thousand one through December thirty-first, two thousand one;
- 3 (iii) three hundred twenty-two million seven hundred thousand dollars  
4 for the period January first, two thousand two through December thirty-  
5 first, two thousand two;
- 6 (iv) four hundred thirty-three million three hundred thousand dollars  
7 for the period January first, two thousand three through December thir-  
8 ty-first, two thousand three;
- 9 (v) five hundred four million one hundred fifty thousand dollars for  
10 the period January first, two thousand four through December thirty-  
11 first, two thousand four;
- 12 (vi) five hundred sixty-six million eight hundred thousand dollars for  
13 the period January first, two thousand five through December thirty-  
14 first, two thousand five;
- 15 (vii) six hundred three million one hundred fifty thousand dollars for  
16 the period January first, two thousand six through December thirty-  
17 first, two thousand six;
- 18 (viii) six hundred sixty million eight hundred thousand dollars for  
19 the period January first, two thousand seven through December thirty-  
20 first, two thousand seven;
- 21 (ix) three hundred sixty-seven million four hundred sixty-three thou-  
22 sand dollars for the period January first, two thousand eight through  
23 December thirty-first, two thousand eight;
- 24 (x) three hundred thirty-four million eight hundred twenty-five thou-  
25 sand dollars for the period January first, two thousand nine through  
26 December thirty-first, two thousand nine;
- 27 (xi) three hundred forty-four million nine hundred thousand dollars  
28 for the period January first, two thousand ten through December thirty-  
29 first, two thousand ten;
- 30 (xii) eighty-seven million seven hundred eighty-eight thousand dollars  
31 for the period January first, two thousand eleven through March thirty-  
32 first, two thousand eleven;
- 33 (xiii) one hundred forty-three million one hundred fifty thousand  
34 dollars for the period April first, two thousand eleven through March  
35 thirty-first, two thousand twelve;
- 36 (xiv) one hundred twenty million nine hundred fifty thousand dollars  
37 for the period April first, two thousand twelve through March thirty-  
38 first, two thousand thirteen;
- 39 (xv) one hundred twenty-eight million eight hundred fifty thousand  
40 dollars for the period April first, two thousand thirteen through March  
41 thirty-first, two thousand fourteen;
- 42 (xvi) one hundred twenty-seven million four hundred sixteen thousand  
43 dollars each state fiscal year for the period April first, two thousand  
44 fourteen through March thirty-first, two thousand seventeen;
- 45 (xvii) one hundred twenty-seven million four hundred sixteen thousand  
46 dollars each state fiscal year for the period April first, two thousand  
47 seventeen through March thirty-first, two thousand twenty;
- 48 (xviii) one hundred twenty-seven million four hundred sixteen thousand  
49 dollars each state fiscal year for the period April first, two thousand  
50 twenty through March thirty-first, two thousand twenty-three; [and]
- 51 (xix) one hundred twenty-seven million four hundred sixteen thousand  
52 dollars each state fiscal year for the period April first, two thousand  
53 twenty-three through March thirty-first, two thousand twenty-six[.]; and
- 54 (xx) one hundred twenty-seven million four hundred sixteen thousand  
55 dollars each state fiscal year for the period April first, two thousand  
56 twenty-six through March thirty-first, two thousand twenty-nine.



1 (o) Funds shall be reserved and accumulated and shall be transferred  
2 to the Roswell Park Cancer Institute Corporation, from the tobacco  
3 control and insurance initiatives pool established for the following  
4 periods in the following amounts:

5 (i) up to ninety million dollars for the period January first, two  
6 thousand through December thirty-first, two thousand;

7 (ii) up to sixty million dollars for the period January first, two  
8 thousand one through December thirty-first, two thousand one;

9 (iii) up to eighty-five million dollars for the period January first,  
10 two thousand two through December thirty-first, two thousand two;

11 (iv) eighty-five million two hundred fifty thousand dollars for the  
12 period January first, two thousand three through December thirty-first,  
13 two thousand three;

14 (v) seventy-eight million dollars for the period January first, two  
15 thousand four through December thirty-first, two thousand four;

16 (vi) seventy-eight million dollars for the period January first, two  
17 thousand five through December thirty-first, two thousand five;

18 (vii) ninety-one million dollars for the period January first, two  
19 thousand six through December thirty-first, two thousand six;

20 (viii) seventy-eight million dollars for the period January first, two  
21 thousand seven through December thirty-first, two thousand seven;

22 (ix) seventy-eight million dollars for the period January first, two  
23 thousand eight through December thirty-first, two thousand eight;

24 (x) seventy-eight million dollars for the period January first, two  
25 thousand nine through December thirty-first, two thousand nine;

26 (xi) seventy-eight million dollars for the period January first, two  
27 thousand ten through December thirty-first, two thousand ten;

28 (xii) nineteen million five hundred thousand dollars for the period  
29 January first, two thousand eleven through March thirty-first, two thou-  
30 sand eleven;

31 (xiii) sixty-nine million eight hundred forty thousand dollars each  
32 state fiscal year for the period April first, two thousand eleven  
33 through March thirty-first, two thousand fourteen;

34 (xiv) up to ninety-six million six hundred thousand dollars each state  
35 fiscal year for the period April first, two thousand fourteen through  
36 March thirty-first, two thousand seventeen;

37 (xv) up to ninety-six million six hundred thousand dollars each state  
38 fiscal year for the period April first, two thousand seventeen through  
39 March thirty-first, two thousand twenty;

40 (xvi) up to ninety-six million six hundred thousand dollars each state  
41 fiscal year for the period April first, two thousand twenty through  
42 March thirty-first, two thousand twenty-three; [and]

43 (xvii) up to ninety-six million six hundred thousand dollars each  
44 state fiscal year for the period April first, two thousand twenty-three  
45 through March thirty-first, two thousand twenty-six[.]; and

46 (xviii) up to ninety-six million six hundred thousand dollars each  
47 state fiscal year for the period April first, two thousand twenty-six  
48 through March thirty-first, two thousand twenty-nine.

49 (p) Funds shall be deposited by the commissioner, within amounts  
50 appropriated, and the state comptroller is hereby authorized and  
51 directed to receive for deposit to the credit of the state special  
52 revenue funds - other, indigent care fund - 068, indigent care account,  
53 or any successor fund or account, for purposes of providing a medicaid  
54 disproportionate share payment from the high need indigent care adjust-  
55 ment pool established pursuant to section twenty-eight hundred seven-w

1 of this article, from the tobacco control and insurance initiatives pool  
2 established for the following periods in the following amounts:

3 (i) eighty-two million dollars annually for the periods January first,  
4 two thousand through December thirty-first, two thousand two;

5 (ii) up to eighty-two million dollars for the period January first,  
6 two thousand three through December thirty-first, two thousand three;

7 (iii) up to eighty-two million dollars for the period January first,  
8 two thousand four through December thirty-first, two thousand four;

9 (iv) up to eighty-two million dollars for the period January first,  
10 two thousand five through December thirty-first, two thousand five;

11 (v) up to eighty-two million dollars for the period January first, two  
12 thousand six through December thirty-first, two thousand six;

13 (vi) up to eighty-two million dollars for the period January first,  
14 two thousand seven through December thirty-first, two thousand seven;

15 (vii) up to eighty-two million dollars for the period January first,  
16 two thousand eight through December thirty-first, two thousand eight;

17 (viii) up to eighty-two million dollars for the period January first,  
18 two thousand nine through December thirty-first, two thousand nine;

19 (ix) up to eighty-two million dollars for the period January first,  
20 two thousand ten through December thirty-first, two thousand ten;

21 (x) up to twenty million five hundred thousand dollars for the period  
22 January first, two thousand eleven through March thirty-first, two thou-  
23 sand eleven; and

24 (xi) up to eighty-two million dollars each state fiscal year for the  
25 period April first, two thousand eleven through March thirty-first, two  
26 thousand fourteen.

27 (q) Funds shall be reserved and accumulated from year to year and  
28 shall be available, including income from invested funds, for purposes  
29 of providing distributions to eligible school based health centers  
30 established pursuant to section eighty-eight of chapter one of the laws  
31 of nineteen hundred ninety-nine, from the tobacco control and insurance  
32 initiatives pool established for the following periods in the following  
33 amounts:

34 (i) seven million dollars annually for the period January first, two  
35 thousand through December thirty-first, two thousand two;

36 (ii) up to seven million dollars for the period January first, two  
37 thousand three through December thirty-first, two thousand three;

38 (iii) up to seven million dollars for the period January first, two  
39 thousand four through December thirty-first, two thousand four;

40 (iv) up to seven million dollars for the period January first, two  
41 thousand five through December thirty-first, two thousand five;

42 (v) up to seven million dollars for the period January first, two  
43 thousand six through December thirty-first, two thousand six;

44 (vi) up to seven million dollars for the period January first, two  
45 thousand seven through December thirty-first, two thousand seven;

46 (vii) up to seven million dollars for the period January first, two  
47 thousand eight through December thirty-first, two thousand eight;

48 (viii) up to seven million dollars for the period January first, two  
49 thousand nine through December thirty-first, two thousand nine;

50 (ix) up to seven million dollars for the period January first, two  
51 thousand ten through December thirty-first, two thousand ten;

52 (x) up to one million seven hundred fifty thousand dollars for the  
53 period January first, two thousand eleven through March thirty-first,  
54 two thousand eleven;

- 1 (xi) up to five million six hundred thousand dollars each state fiscal  
2 year for the period April first, two thousand eleven through March thir-  
3 ty-first, two thousand fourteen;
- 4 (xii) up to five million two hundred eighty-eight thousand dollars  
5 each state fiscal year for the period April first, two thousand fourteen  
6 through March thirty-first, two thousand seventeen;
- 7 (xiii) up to five million two hundred eighty-eight thousand dollars  
8 each state fiscal year for the period April first, two thousand seven-  
9 teen through March thirty-first, two thousand twenty;
- 10 (xiv) up to five million two hundred eighty-eight thousand dollars  
11 each state fiscal year for the period April first, two thousand twenty  
12 through March thirty-first, two thousand twenty-three; [and]
- 13 (xv) up to five million two hundred eighty-eight thousand dollars each  
14 state fiscal year for the period April first, two thousand twenty-three  
15 through March thirty-first, two thousand twenty-six[.]; and
- 16 (xvi) up to five million two hundred eighty-eight thousand dollars  
17 each state fiscal year for the period April first, two thousand twenty-  
18 six through March thirty-first, two thousand twenty-nine.
- 19 (r) Funds shall be deposited by the commissioner within amounts appro-  
20 priated, and the state comptroller is hereby authorized and directed to  
21 receive for deposit to the credit of the state special revenue funds -  
22 other, HCRA transfer fund, medical assistance account, or any successor  
23 fund or account, for purposes of providing distributions for supplemen-  
24 tary medical insurance for Medicare part B premiums, physicians  
25 services, outpatient services, medical equipment, supplies and other  
26 health services, from the tobacco control and insurance initiatives pool  
27 established for the following periods in the following amounts:
- 28 (i) forty-three million dollars for the period January first, two  
29 thousand through December thirty-first, two thousand;
- 30 (ii) sixty-one million dollars for the period January first, two thou-  
31 sand one through December thirty-first, two thousand one;
- 32 (iii) sixty-five million dollars for the period January first, two  
33 thousand two through December thirty-first, two thousand two;
- 34 (iv) sixty-seven million five hundred thousand dollars for the period  
35 January first, two thousand three through December thirty-first, two  
36 thousand three;
- 37 (v) sixty-eight million dollars for the period January first, two  
38 thousand four through December thirty-first, two thousand four;
- 39 (vi) sixty-eight million dollars for the period January first, two  
40 thousand five through December thirty-first, two thousand five;
- 41 (vii) sixty-eight million dollars for the period January first, two  
42 thousand six through December thirty-first, two thousand six;
- 43 (viii) seventeen million five hundred thousand dollars for the period  
44 January first, two thousand seven through December thirty-first, two  
45 thousand seven;
- 46 (ix) sixty-eight million dollars for the period January first, two  
47 thousand eight through December thirty-first, two thousand eight;
- 48 (x) sixty-eight million dollars for the period January first, two  
49 thousand nine through December thirty-first, two thousand nine;
- 50 (xi) sixty-eight million dollars for the period January first, two  
51 thousand ten through December thirty-first, two thousand ten;
- 52 (xii) seventeen million dollars for the period January first, two  
53 thousand eleven through March thirty-first, two thousand eleven; and
- 54 (xiii) sixty-eight million dollars each state fiscal year for the  
55 period April first, two thousand eleven through March thirty-first, two  
56 thousand fourteen.



1 (s) Funds shall be deposited by the commissioner within amounts appro-  
2 priated, and the state comptroller is hereby authorized and directed to  
3 receive for deposit to the credit of the state special revenue funds -  
4 other, HCRA transfer fund, medical assistance account, or any successor  
5 fund or account, for purposes of providing distributions pursuant to  
6 paragraphs (s-5), (s-6), (s-7) and (s-8) of subdivision eleven of  
7 section twenty-eight hundred seven-c of this article from the tobacco  
8 control and insurance initiatives pool established for the following  
9 periods in the following amounts:

10 (i) eighteen million dollars for the period January first, two thou-  
11 sand through December thirty-first, two thousand;

12 (ii) twenty-four million dollars annually for the periods January  
13 first, two thousand one through December thirty-first, two thousand two;

14 (iii) up to twenty-four million dollars for the period January first,  
15 two thousand three through December thirty-first, two thousand three;

16 (iv) up to twenty-four million dollars for the period January first,  
17 two thousand four through December thirty-first, two thousand four;

18 (v) up to twenty-four million dollars for the period January first,  
19 two thousand five through December thirty-first, two thousand five;

20 (vi) up to twenty-four million dollars for the period January first,  
21 two thousand six through December thirty-first, two thousand six;

22 (vii) up to twenty-four million dollars for the period January first,  
23 two thousand seven through December thirty-first, two thousand seven;

24 (viii) up to twenty-four million dollars for the period January first,  
25 two thousand eight through December thirty-first, two thousand eight;

26 and

27 (ix) up to twenty-two million dollars for the period January first,  
28 two thousand nine through November thirtieth, two thousand nine.

29 (t) Funds shall be reserved and accumulated from year to year by the  
30 commissioner and shall be made available, including income from invested  
31 funds:

32 (i) For the purpose of making grants to a state owned and operated  
33 medical school which does not have a state owned and operated hospital  
34 on site and available for teaching purposes. Notwithstanding sections  
35 one hundred twelve and one hundred sixty-three of the state finance law,  
36 such grants shall be made in the amount of up to five hundred thousand  
37 dollars for the period January first, two thousand through December  
38 thirty-first, two thousand;

39 (ii) For the purpose of making grants to medical schools pursuant to  
40 section eighty-six-a of chapter one of the laws of nineteen hundred  
41 ninety-nine in the sum of up to four million dollars for the period  
42 January first, two thousand through December thirty-first, two thousand;  
43 and

44 (iii) The funds disbursed pursuant to subparagraphs (i) and (ii) of  
45 this paragraph from the tobacco control and insurance initiatives pool  
46 are contingent upon meeting all funding amounts established pursuant to  
47 paragraphs (a), (b), (c), (d), (e), (f), (l), (m), (n), (p), (q), (r)  
48 and (s) of this subdivision, paragraph (a) of subdivision nine of  
49 section twenty-eight hundred seven-j of this article, and paragraphs  
50 (a), (i) and (k) of subdivision one of section twenty-eight hundred  
51 seven-l of this article.

52 (u) Funds shall be deposited by the commissioner, within amounts  
53 appropriated, and the state comptroller is hereby authorized and  
54 directed to receive for deposit to the credit of the state special  
55 revenue funds - other, HCRA transfer fund, medical assistance account,  
56 or any successor fund or account, for purposes of funding the state

1 share of services and expenses related to the nursing home quality  
2 improvement demonstration program established pursuant to section twen-  
3 ty-eight hundred eight-d of this article from the tobacco control and  
4 insurance initiatives pool established for the following periods in the  
5 following amounts:

6 (i) up to twenty-five million dollars for the period beginning April  
7 first, two thousand two and ending December thirty-first, two thousand  
8 two, and on an annualized basis, for each annual period thereafter  
9 beginning January first, two thousand three and ending December thirty-  
10 first, two thousand four;

11 (ii) up to eighteen million seven hundred fifty thousand dollars for  
12 the period January first, two thousand five through December thirty-  
13 first, two thousand five; and

14 (iii) up to fifty-six million five hundred thousand dollars for the  
15 period January first, two thousand six through December thirty-first,  
16 two thousand six.

17 (v) Funds shall be transferred by the commissioner and shall be depos-  
18 ited to the credit of the hospital excess liability pool created pursu-  
19 ant to section eighteen of chapter two hundred sixty-six of the laws of  
20 nineteen hundred eighty-six, or any successor fund or account, for  
21 purposes of expenses related to the purchase of excess medical malprac-  
22 tice insurance and the cost of administrating the pool, including costs  
23 associated with the risk management program established pursuant to  
24 section forty-two of part A of chapter one of the laws of two thousand  
25 two required by paragraph (a) of subdivision one of section eighteen of  
26 chapter two hundred sixty-six of the laws of nineteen hundred eighty-six  
27 as may be amended from time to time, from the tobacco control and insur-  
28 ance initiatives pool established for the following periods in the  
29 following amounts:

30 (i) up to fifty million dollars or so much as is needed for the period  
31 January first, two thousand two through December thirty-first, two thou-  
32 sand two;

33 (ii) up to seventy-six million seven hundred thousand dollars for the  
34 period January first, two thousand three through December thirty-first,  
35 two thousand three;

36 (iii) up to sixty-five million dollars for the period January first,  
37 two thousand four through December thirty-first, two thousand four;

38 (iv) up to sixty-five million dollars for the period January first,  
39 two thousand five through December thirty-first, two thousand five;

40 (v) up to one hundred thirteen million eight hundred thousand dollars  
41 for the period January first, two thousand six through December thirty-  
42 first, two thousand six;

43 (vi) up to one hundred thirty million dollars for the period January  
44 first, two thousand seven through December thirty-first, two thousand  
45 seven;

46 (vii) up to one hundred thirty million dollars for the period January  
47 first, two thousand eight through December thirty-first, two thousand  
48 eight;

49 (viii) up to one hundred thirty million dollars for the period January  
50 first, two thousand nine through December thirty-first, two thousand  
51 nine;

52 (ix) up to one hundred thirty million dollars for the period January  
53 first, two thousand ten through December thirty-first, two thousand ten;

54 (x) up to thirty-two million five hundred thousand dollars for the  
55 period January first, two thousand eleven through March thirty-first,  
56 two thousand eleven;



- 1 (xi) up to one hundred twenty-seven million four hundred thousand  
2 dollars each state fiscal year for the period April first, two thousand  
3 eleven through March thirty-first, two thousand fourteen;
- 4 (xii) up to one hundred twenty-seven million four hundred thousand  
5 dollars each state fiscal year for the period April first, two thousand  
6 fourteen through March thirty-first, two thousand seventeen;
- 7 (xiii) up to one hundred twenty-seven million four hundred thousand  
8 dollars each state fiscal year for the period April first, two thousand  
9 seventeen through March thirty-first, two thousand twenty;
- 10 (xiv) up to one hundred twenty-seven million four hundred thousand  
11 dollars each state fiscal year for the period April first, two thousand  
12 twenty through March thirty-first, two thousand twenty-three; [and]
- 13 (xv) up to one hundred twenty-seven million four hundred thousand  
14 dollars each state fiscal year for the period April first, two thousand  
15 twenty-three through March thirty-first, two thousand twenty-six[.]; and  
16 (xvi) up to one hundred twenty-seven million four hundred thousand  
17 dollars each state fiscal year for the period April first, two thousand  
18 twenty-six through March thirty-first, two thousand twenty-nine.
- 19 (w) Funds shall be deposited by the commissioner, within amounts  
20 appropriated, and the state comptroller is hereby authorized and  
21 directed to receive for deposit to the credit of the state special  
22 revenue funds - other, HCRA transfer fund, medical assistance account,  
23 or any successor fund or account, for purposes of funding the state  
24 share of the treatment of breast and cervical cancer pursuant to para-  
25 graph (d) of subdivision four of section three hundred sixty-six of the  
26 social services law, from the tobacco control and insurance initiatives  
27 pool established for the following periods in the following amounts:
- 28 (i) up to four hundred fifty thousand dollars for the period January  
29 first, two thousand two through December thirty-first, two thousand two;
- 30 (ii) up to two million one hundred thousand dollars for the period  
31 January first, two thousand three through December thirty-first, two  
32 thousand three;
- 33 (iii) up to two million one hundred thousand dollars for the period  
34 January first, two thousand four through December thirty-first, two  
35 thousand four;
- 36 (iv) up to two million one hundred thousand dollars for the period  
37 January first, two thousand five through December thirty-first, two  
38 thousand five;
- 39 (v) up to two million one hundred thousand dollars for the period  
40 January first, two thousand six through December thirty-first, two thou-  
41 sand six;
- 42 (vi) up to two million one hundred thousand dollars for the period  
43 January first, two thousand seven through December thirty-first, two  
44 thousand seven;
- 45 (vii) up to two million one hundred thousand dollars for the period  
46 January first, two thousand eight through December thirty-first, two  
47 thousand eight;
- 48 (viii) up to two million one hundred thousand dollars for the period  
49 January first, two thousand nine through December thirty-first, two  
50 thousand nine;
- 51 (ix) up to two million one hundred thousand dollars for the period  
52 January first, two thousand ten through December thirty-first, two thou-  
53 sand ten;
- 54 (x) up to five hundred twenty-five thousand dollars for the period  
55 January first, two thousand eleven through March thirty-first, two thou-  
56 sand eleven;



1 (xi) up to two million one hundred thousand dollars each state fiscal  
2 year for the period April first, two thousand eleven through March thir-  
3 ty-first, two thousand fourteen;

4 (xii) up to two million one hundred thousand dollars each state fiscal  
5 year for the period April first, two thousand fourteen through March  
6 thirty-first, two thousand seventeen;

7 (xiii) up to two million one hundred thousand dollars each state  
8 fiscal year for the period April first, two thousand seventeen through  
9 March thirty-first, two thousand twenty;

10 (xiv) up to two million one hundred thousand dollars each state fiscal  
11 year for the period April first, two thousand twenty through March thir-  
12 ty-first, two thousand twenty-three; [and]

13 (xv) up to two million one hundred thousand dollars each state fiscal  
14 year for the period April first, two thousand twenty-three through March  
15 thirty-first, two thousand twenty-six[.]; and

16 (xvi) up to two million one hundred thousand dollars each state fiscal  
17 year for the period April first, two thousand twenty-six through March  
18 thirty-first, two thousand twenty-nine.

19 (x) Funds shall be deposited by the commissioner, within amounts  
20 appropriated, and the state comptroller is hereby authorized and  
21 directed to receive for deposit to the credit of the state special  
22 revenue funds - other, HCRA transfer fund, medical assistance account,  
23 or any successor fund or account, for purposes of funding the state  
24 share of the non-public general hospital rates increases for recruitment  
25 and retention of health care workers from the tobacco control and insur-  
26 ance initiatives pool established for the following periods in the  
27 following amounts:

28 (i) twenty-seven million one hundred thousand dollars on an annualized  
29 basis for the period January first, two thousand two through December  
30 thirty-first, two thousand two;

31 (ii) fifty million eight hundred thousand dollars on an annualized  
32 basis for the period January first, two thousand three through December  
33 thirty-first, two thousand three;

34 (iii) sixty-nine million three hundred thousand dollars on an annual-  
35 ized basis for the period January first, two thousand four through  
36 December thirty-first, two thousand four;

37 (iv) sixty-nine million three hundred thousand dollars for the period  
38 January first, two thousand five through December thirty-first, two  
39 thousand five;

40 (v) sixty-nine million three hundred thousand dollars for the period  
41 January first, two thousand six through December thirty-first, two thou-  
42 sand six;

43 (vi) sixty-five million three hundred thousand dollars for the period  
44 January first, two thousand seven through December thirty-first, two  
45 thousand seven;

46 (vii) sixty-one million one hundred fifty thousand dollars for the  
47 period January first, two thousand eight through December thirty-first,  
48 two thousand eight; and

49 (viii) forty-eight million seven hundred twenty-one thousand dollars  
50 for the period January first, two thousand nine through November thirti-  
51 eth, two thousand nine.

52 (y) Funds shall be reserved and accumulated from year to year and  
53 shall be available, including income from invested funds, for purposes  
54 of grants to public general hospitals for recruitment and retention of  
55 health care workers pursuant to paragraph (b) of subdivision thirty of  
56 section twenty-eight hundred seven-c of this article from the tobacco

1 control and insurance initiatives pool established for the following  
2 periods in the following amounts:

3 (i) eighteen million five hundred thousand dollars on an annualized  
4 basis for the period January first, two thousand two through December  
5 thirty-first, two thousand two;

6 (ii) thirty-seven million four hundred thousand dollars on an annual-  
7 ized basis for the period January first, two thousand three through  
8 December thirty-first, two thousand three;

9 (iii) fifty-two million two hundred thousand dollars on an annualized  
10 basis for the period January first, two thousand four through December  
11 thirty-first, two thousand four;

12 (iv) fifty-two million two hundred thousand dollars for the period  
13 January first, two thousand five through December thirty-first, two  
14 thousand five;

15 (v) fifty-two million two hundred thousand dollars for the period  
16 January first, two thousand six through December thirty-first, two thou-  
17 sand six;

18 (vi) forty-nine million dollars for the period January first, two  
19 thousand seven through December thirty-first, two thousand seven;

20 (vii) forty-nine million dollars for the period January first, two  
21 thousand eight through December thirty-first, two thousand eight; and

22 (viii) twelve million two hundred fifty thousand dollars for the peri-  
23 od January first, two thousand nine through March thirty-first, two  
24 thousand nine.

25 Provided, however, amounts pursuant to this paragraph may be reduced  
26 in an amount to be approved by the director of the budget to reflect  
27 amounts received from the federal government under the state's 1115  
28 waiver which are directed under its terms and conditions to the health  
29 workforce recruitment and retention program.

30 (z) Funds shall be deposited by the commissioner, within amounts  
31 appropriated, and the state comptroller is hereby authorized and  
32 directed to receive for deposit to the credit of the state special  
33 revenue funds - other, HCRA transfer fund, medical assistance account,  
34 or any successor fund or account, for purposes of funding the state  
35 share of the non-public residential health care facility rate increases  
36 for recruitment and retention of health care workers pursuant to para-  
37 graph (a) of subdivision eighteen of section twenty-eight hundred eight  
38 of this article from the tobacco control and insurance initiatives pool  
39 established for the following periods in the following amounts:

40 (i) twenty-one million five hundred thousand dollars on an annualized  
41 basis for the period January first, two thousand two through December  
42 thirty-first, two thousand two;

43 (ii) thirty-three million three hundred thousand dollars on an annual-  
44 ized basis for the period January first, two thousand three through  
45 December thirty-first, two thousand three;

46 (iii) forty-six million three hundred thousand dollars on an annual-  
47 ized basis for the period January first, two thousand four through  
48 December thirty-first, two thousand four;

49 (iv) forty-six million three hundred thousand dollars for the period  
50 January first, two thousand five through December thirty-first, two  
51 thousand five;

52 (v) forty-six million three hundred thousand dollars for the period  
53 January first, two thousand six through December thirty-first, two thou-  
54 sand six;



1 (vi) thirty million nine hundred thousand dollars for the period Janu-  
2 ary first, two thousand seven through December thirty-first, two thou-  
3 sand seven;

4 (vii) twenty-four million seven hundred thousand dollars for the peri-  
5 od January first, two thousand eight through December thirty-first, two  
6 thousand eight;

7 (viii) twelve million three hundred seventy-five thousand dollars for  
8 the period January first, two thousand nine through December thirty-  
9 first, two thousand nine;

10 (ix) nine million three hundred thousand dollars for the period Janu-  
11 ary first, two thousand ten through December thirty-first, two thousand  
12 ten; and

13 (x) two million three hundred twenty-five thousand dollars for the  
14 period January first, two thousand eleven through March thirty-first,  
15 two thousand eleven.

16 (aa) Funds shall be reserved and accumulated from year to year and  
17 shall be available, including income from invested funds, for purposes  
18 of grants to public residential health care facilities for recruitment  
19 and retention of health care workers pursuant to paragraph (b) of subdi-  
20 vision eighteen of section twenty-eight hundred eight of this article  
21 from the tobacco control and insurance initiatives pool established for  
22 the following periods in the following amounts:

23 (i) seven million five hundred thousand dollars on an annualized basis  
24 for the period January first, two thousand two through December thirty-  
25 first, two thousand two;

26 (ii) eleven million seven hundred thousand dollars on an annualized  
27 basis for the period January first, two thousand three through December  
28 thirty-first, two thousand three;

29 (iii) sixteen million two hundred thousand dollars on an annualized  
30 basis for the period January first, two thousand four through December  
31 thirty-first, two thousand four;

32 (iv) sixteen million two hundred thousand dollars for the period Janu-  
33 ary first, two thousand five through December thirty-first, two thousand  
34 five;

35 (v) sixteen million two hundred thousand dollars for the period Janu-  
36 ary first, two thousand six through December thirty-first, two thousand  
37 six;

38 (vi) ten million eight hundred thousand dollars for the period January  
39 first, two thousand seven through December thirty-first, two thousand  
40 seven;

41 (vii) six million seven hundred fifty thousand dollars for the period  
42 January first, two thousand eight through December thirty-first, two  
43 thousand eight; and

44 (viii) one million three hundred fifty thousand dollars for the period  
45 January first, two thousand nine through December thirty-first, two  
46 thousand nine.

47 (bb) (i) Funds shall be deposited by the commissioner, within amounts  
48 appropriated, and subject to the availability of federal financial  
49 participation, and the state comptroller is hereby authorized and  
50 directed to receive for deposit to the credit of the state special  
51 revenue funds - other, HCRA transfer fund, medical assistance account,  
52 or any successor fund or account, for the purpose of supporting the  
53 state share of adjustments to Medicaid rates of payment for personal  
54 care services provided pursuant to paragraph (e) of subdivision two of  
55 section three hundred sixty-five-a of the social services law, for local  
56 social service districts which include a city with a population of over

1 one million persons and computed and distributed in accordance with  
2 memorandums of understanding to be entered into between the state of New  
3 York and such local social service districts for the purpose of support-  
4 ing the recruitment and retention of personal care service workers or  
5 any worker with direct patient care responsibility, from the tobacco  
6 control and insurance initiatives pool established for the following  
7 periods and the following amounts:

8 (A) forty-four million dollars, on an annualized basis, for the period  
9 April first, two thousand two through December thirty-first, two thou-  
10 sand two;

11 (B) seventy-four million dollars, on an annualized basis, for the  
12 period January first, two thousand three through December thirty-first,  
13 two thousand three;

14 (C) one hundred four million dollars, on an annualized basis, for the  
15 period January first, two thousand four through December thirty-first,  
16 two thousand four;

17 (D) one hundred thirty-six million dollars, on an annualized basis,  
18 for the period January first, two thousand five through December thir-  
19 ty-first, two thousand five;

20 (E) one hundred thirty-six million dollars, on an annualized basis,  
21 for the period January first, two thousand six through December thirty-  
22 first, two thousand six;

23 (F) one hundred thirty-six million dollars for the period January  
24 first, two thousand seven through December thirty-first, two thousand  
25 seven;

26 (G) one hundred thirty-six million dollars for the period January  
27 first, two thousand eight through December thirty-first, two thousand  
28 eight;

29 (H) one hundred thirty-six million dollars for the period January  
30 first, two thousand nine through December thirty-first, two thousand  
31 nine;

32 (I) one hundred thirty-six million dollars for the period January  
33 first, two thousand ten through December thirty-first, two thousand ten;

34 (J) thirty-four million dollars for the period January first, two  
35 thousand eleven through March thirty-first, two thousand eleven;

36 (K) up to one hundred thirty-six million dollars each state fiscal  
37 year for the period April first, two thousand eleven through March thir-  
38 ty-first, two thousand fourteen;

39 (L) up to one hundred thirty-six million dollars each state fiscal  
40 year for the period March thirty-first, two thousand fourteen through  
41 April first, two thousand seventeen;

42 (M) up to one hundred thirty-six million dollars each state fiscal  
43 year for the period April first, two thousand seventeen through March  
44 thirty-first, two thousand twenty;

45 (N) up to one hundred thirty-six million dollars each state fiscal  
46 year for the period April first, two thousand twenty through March thir-  
47 ty-first, two thousand twenty-three; [and]

48 (O) up to one hundred thirty-six million dollars each state fiscal  
49 year for the period April first, two thousand twenty-three through March  
50 thirty-first, two thousand twenty-six[.]; and

51 (P) up to one hundred thirty-six million dollars each state fiscal  
52 year for the period April first, two thousand twenty-six through March  
53 thirty-first, two thousand twenty-nine.

54 (ii) Adjustments to Medicaid rates made pursuant to this paragraph  
55 shall not, in aggregate, exceed the following amounts for the following  
56 periods:

1 (A) for the period April first, two thousand two through December  
2 thirty-first, two thousand two, one hundred ten million dollars;

3 (B) for the period January first, two thousand three through December  
4 thirty-first, two thousand three, one hundred eighty-five million  
5 dollars;

6 (C) for the period January first, two thousand four through December  
7 thirty-first, two thousand four, two hundred sixty million dollars;

8 (D) for the period January first, two thousand five through December  
9 thirty-first, two thousand five, three hundred forty million dollars;

10 (E) for the period January first, two thousand six through December  
11 thirty-first, two thousand six, three hundred forty million dollars;

12 (F) for the period January first, two thousand seven through December  
13 thirty-first, two thousand seven, three hundred forty million dollars;

14 (G) for the period January first, two thousand eight through December  
15 thirty-first, two thousand eight, three hundred forty million dollars;

16 (H) for the period January first, two thousand nine through December  
17 thirty-first, two thousand nine, three hundred forty million dollars;

18 (I) for the period January first, two thousand ten through December  
19 thirty-first, two thousand ten, three hundred forty million dollars;

20 (J) for the period January first, two thousand eleven through March  
21 thirty-first, two thousand eleven, eighty-five million dollars;

22 (K) for each state fiscal year within the period April first, two  
23 thousand eleven through March thirty-first, two thousand fourteen, three  
24 hundred forty million dollars;

25 (L) for each state fiscal year within the period April first, two  
26 thousand fourteen through March thirty-first, two thousand seventeen,  
27 three hundred forty million dollars;

28 (M) for each state fiscal year within the period April first, two  
29 thousand seventeen through March thirty-first, two thousand twenty,  
30 three hundred forty million dollars;

31 (N) for each state fiscal year within the period April first, two  
32 thousand twenty through March thirty-first, two thousand twenty-three,  
33 three hundred forty million dollars; [and]

34 (O) for each state fiscal year within the period April first, two  
35 thousand twenty-three through March thirty-first, two thousand twenty-  
36 six, three hundred forty million dollars[.]; and

37 (P) for each state fiscal year within the period April first, two  
38 thousand twenty-six through March thirty-first, two thousand twenty-  
39 nine, three hundred forty million dollars.

40 (iii) Personal care service providers which have their rates adjusted  
41 pursuant to this paragraph shall use such funds for the purpose of  
42 recruitment and retention of non-supervisory personal care services  
43 workers or any worker with direct patient care responsibility only and  
44 are prohibited from using such funds for any other purpose. Each such  
45 personal care services provider shall submit, at a time and in a manner  
46 to be determined by the commissioner, a written certification attesting  
47 that such funds will be used solely for the purpose of recruitment and  
48 retention of non-supervisory personal care services workers or any work-  
49 er with direct patient care responsibility. The commissioner is author-  
50 ized to audit each such provider to ensure compliance with the written  
51 certification required by this subdivision and shall recoup any funds  
52 determined to have been used for purposes other than recruitment and  
53 retention of non-supervisory personal care services workers or any work-  
54 er with direct patient care responsibility. Such recoupment shall be in  
55 addition to any other penalties provided by law.

1 (cc) Funds shall be deposited by the commissioner, within amounts  
2 appropriated, and the state comptroller is hereby authorized and  
3 directed to receive for deposit to the credit of the state special  
4 revenue funds - other, HCRA transfer fund, medical assistance account,  
5 or any successor fund or account, for the purpose of supporting the  
6 state share of adjustments to Medicaid rates of payment for personal  
7 care services provided pursuant to paragraph (e) of subdivision two of  
8 section three hundred sixty-five-a of the social services law, for local  
9 social service districts which shall not include a city with a popu-  
10 lation of over one million persons for the purpose of supporting the  
11 personal care services worker recruitment and retention program as  
12 established pursuant to section three hundred sixty-seven-q of the  
13 social services law, from the tobacco control and insurance initiatives  
14 pool established for the following periods and the following amounts:

15 (i) two million eight hundred thousand dollars for the period April  
16 first, two thousand two through December thirty-first, two thousand two;  
17 (ii) five million six hundred thousand dollars, on an annualized  
18 basis, for the period January first, two thousand three through December  
19 thirty-first, two thousand three;  
20 (iii) eight million four hundred thousand dollars, on an annualized  
21 basis, for the period January first, two thousand four through December  
22 thirty-first, two thousand four;  
23 (iv) ten million eight hundred thousand dollars, on an annualized  
24 basis, for the period January first, two thousand five through December  
25 thirty-first, two thousand five;  
26 (v) ten million eight hundred thousand dollars, on an annualized  
27 basis, for the period January first, two thousand six through December  
28 thirty-first, two thousand six;  
29 (vi) eleven million two hundred thousand dollars for the period Janu-  
30 ary first, two thousand seven through December thirty-first, two thou-  
31 sand seven;  
32 (vii) eleven million two hundred thousand dollars for the period Janu-  
33 ary first, two thousand eight through December thirty-first, two thou-  
34 sand eight;  
35 (viii) eleven million two hundred thousand dollars for the period  
36 January first, two thousand nine through December thirty-first, two  
37 thousand nine;  
38 (ix) eleven million two hundred thousand dollars for the period Janu-  
39 ary first, two thousand ten through December thirty-first, two thousand  
40 ten;  
41 (x) two million eight hundred thousand dollars for the period January  
42 first, two thousand eleven through March thirty-first, two thousand  
43 eleven;  
44 (xi) up to eleven million two hundred thousand dollars each state  
45 fiscal year for the period April first, two thousand eleven through  
46 March thirty-first, two thousand fourteen;  
47 (xii) up to eleven million two hundred thousand dollars each state  
48 fiscal year for the period April first, two thousand fourteen through  
49 March thirty-first, two thousand seventeen;  
50 (xiii) up to eleven million two hundred thousand dollars each state  
51 fiscal year for the period April first, two thousand seventeen through  
52 March thirty-first, two thousand twenty;  
53 (xiv) up to eleven million two hundred thousand dollars each state  
54 fiscal year for the period April first, two thousand twenty through  
55 March thirty-first, two thousand twenty-three; [and]



1 (xv) up to eleven million two hundred thousand dollars each state  
2 fiscal year for the period April first, two thousand twenty-three  
3 through March thirty-first, two thousand twenty-six[.]; and

4 (xvi) up to eleven million two hundred thousand dollars each state  
5 fiscal year for the period April first, two thousand twenty-six through  
6 March thirty-first, two thousand twenty-nine.

7 (dd) Funds shall be deposited by the commissioner, within amounts  
8 appropriated, and the state comptroller is hereby authorized and  
9 directed to receive for deposit to the credit of the state special  
10 revenue fund - other, HCRA transfer fund, medical assistance account, or  
11 any successor fund or account, for purposes of funding the state share  
12 of Medicaid expenditures for physician services from the tobacco control  
13 and insurance initiatives pool established for the following periods in  
14 the following amounts:

15 (i) up to fifty-two million dollars for the period January first, two  
16 thousand two through December thirty-first, two thousand two;

17 (ii) eighty-one million two hundred thousand dollars for the period  
18 January first, two thousand three through December thirty-first, two  
19 thousand three;

20 (iii) eighty-five million two hundred thousand dollars for the period  
21 January first, two thousand four through December thirty-first, two  
22 thousand four;

23 (iv) eighty-five million two hundred thousand dollars for the period  
24 January first, two thousand five through December thirty-first, two  
25 thousand five;

26 (v) eighty-five million two hundred thousand dollars for the period  
27 January first, two thousand six through December thirty-first, two thou-  
28 sand six;

29 (vi) eighty-five million two hundred thousand dollars for the period  
30 January first, two thousand seven through December thirty-first, two  
31 thousand seven;

32 (vii) eighty-five million two hundred thousand dollars for the period  
33 January first, two thousand eight through December thirty-first, two  
34 thousand eight;

35 (viii) eighty-five million two hundred thousand dollars for the period  
36 January first, two thousand nine through December thirty-first, two  
37 thousand nine;

38 (ix) eighty-five million two hundred thousand dollars for the period  
39 January first, two thousand ten through December thirty-first, two thou-  
40 sand ten;

41 (x) twenty-one million three hundred thousand dollars for the period  
42 January first, two thousand eleven through March thirty-first, two thou-  
43 sand eleven; and

44 (xi) eighty-five million two hundred thousand dollars each state  
45 fiscal year for the period April first, two thousand eleven through  
46 March thirty-first, two thousand fourteen.

47 (ee) Funds shall be deposited by the commissioner, within amounts  
48 appropriated, and the state comptroller is hereby authorized and  
49 directed to receive for deposit to the credit of the state special  
50 revenue fund - other, HCRA transfer fund, medical assistance account, or  
51 any successor fund or account, for purposes of funding the state share  
52 of the free-standing diagnostic and treatment center rate increases for  
53 recruitment and retention of health care workers pursuant to subdivision  
54 seventeen of section twenty-eight hundred seven of this article from the  
55 tobacco control and insurance initiatives pool established for the  
56 following periods in the following amounts:

- 1 (i) three million two hundred fifty thousand dollars for the period  
2 April first, two thousand two through December thirty-first, two thou-  
3 sand two;
- 4 (ii) three million two hundred fifty thousand dollars on an annualized  
5 basis for the period January first, two thousand three through December  
6 thirty-first, two thousand three;
- 7 (iii) three million two hundred fifty thousand dollars on an annual-  
8 ized basis for the period January first, two thousand four through  
9 December thirty-first, two thousand four;
- 10 (iv) three million two hundred fifty thousand dollars for the period  
11 January first, two thousand five through December thirty-first, two  
12 thousand five;
- 13 (v) three million two hundred fifty thousand dollars for the period  
14 January first, two thousand six through December thirty-first, two thou-  
15 sand six;
- 16 (vi) three million two hundred fifty thousand dollars for the period  
17 January first, two thousand seven through December thirty-first, two  
18 thousand seven;
- 19 (vii) three million four hundred thirty-eight thousand dollars for the  
20 period January first, two thousand eight through December thirty-first,  
21 two thousand eight;
- 22 (viii) two million four hundred fifty thousand dollars for the period  
23 January first, two thousand nine through December thirty-first, two  
24 thousand nine;
- 25 (ix) one million five hundred thousand dollars for the period January  
26 first, two thousand ten through December thirty-first, two thousand ten;  
27 and
- 28 (x) three hundred twenty-five thousand dollars for the period January  
29 first, two thousand eleven through March thirty-first, two thousand  
30 eleven.
- 31 (ff) Funds shall be deposited by the commissioner, within amounts  
32 appropriated, and the state comptroller is hereby authorized and  
33 directed to receive for deposit to the credit of the state special  
34 revenue fund - other, HCRA transfer fund, medical assistance account, or  
35 any successor fund or account, for purposes of funding the state share  
36 of Medicaid expenditures for disabled persons as authorized pursuant to  
37 former subparagraphs twelve and thirteen of paragraph (a) of subdivision  
38 one of section three hundred sixty-six of the social services law from  
39 the tobacco control and insurance initiatives pool established for the  
40 following periods in the following amounts:
- 41 (i) one million eight hundred thousand dollars for the period April  
42 first, two thousand two through December thirty-first, two thousand two;
- 43 (ii) sixteen million four hundred thousand dollars on an annualized  
44 basis for the period January first, two thousand three through December  
45 thirty-first, two thousand three;
- 46 (iii) eighteen million seven hundred thousand dollars on an annualized  
47 basis for the period January first, two thousand four through December  
48 thirty-first, two thousand four;
- 49 (iv) thirty million six hundred thousand dollars for the period Janu-  
50 ary first, two thousand five through December thirty-first, two thousand  
51 five;
- 52 (v) thirty million six hundred thousand dollars for the period January  
53 first, two thousand six through December thirty-first, two thousand six;
- 54 (vi) thirty million six hundred thousand dollars for the period Janu-  
55 ary first, two thousand seven through December thirty-first, two thou-  
56 sand seven;



- 1 (vii) fifteen million dollars for the period January first, two thou-  
2 sand eight through December thirty-first, two thousand eight;
- 3 (viii) fifteen million dollars for the period January first, two thou-  
4 sand nine through December thirty-first, two thousand nine;
- 5 (ix) fifteen million dollars for the period January first, two thou-  
6 sand ten through December thirty-first, two thousand ten;
- 7 (x) three million seven hundred fifty thousand dollars for the period  
8 January first, two thousand eleven through March thirty-first, two thou-  
9 sand eleven;
- 10 (xi) fifteen million dollars each state fiscal year for the period  
11 April first, two thousand eleven through March thirty-first, two thou-  
12 sand fourteen;
- 13 (xii) fifteen million dollars each state fiscal year for the period  
14 April first, two thousand fourteen through March thirty-first, two thou-  
15 sand seventeen;
- 16 (xiii) fifteen million dollars each state fiscal year for the period  
17 April first, two thousand seventeen through March thirty-first, two  
18 thousand twenty;
- 19 (xiv) fifteen million dollars each state fiscal year for the period  
20 April first, two thousand twenty through March thirty-first, two thou-  
21 sand twenty-three; [and]
- 22 (xv) fifteen million dollars each state fiscal year for the period  
23 April first, two thousand twenty-three through March thirty-first, two  
24 thousand twenty-six[.]; and
- 25 (xvi) fifteen million dollars each state fiscal year for the period  
26 April first, two thousand twenty-six through March thirty-first, two  
27 thousand twenty-nine.
- 28 (gg) Funds shall be reserved and accumulated from year to year and  
29 shall be available, including income from invested funds, for purposes  
30 of grants to non-public general hospitals pursuant to paragraph (c) of  
31 subdivision thirty of section twenty-eight hundred seven-c of this arti-  
32 cle from the tobacco control and insurance initiatives pool established  
33 for the following periods in the following amounts:
- 34 (i) up to one million three hundred thousand dollars on an annualized  
35 basis for the period January first, two thousand two through December  
36 thirty-first, two thousand two;
- 37 (ii) up to three million two hundred thousand dollars on an annualized  
38 basis for the period January first, two thousand three through December  
39 thirty-first, two thousand three;
- 40 (iii) up to five million six hundred thousand dollars on an annualized  
41 basis for the period January first, two thousand four through December  
42 thirty-first, two thousand four;
- 43 (iv) up to eight million six hundred thousand dollars for the period  
44 January first, two thousand five through December thirty-first, two  
45 thousand five;
- 46 (v) up to eight million six hundred thousand dollars on an annualized  
47 basis for the period January first, two thousand six through December  
48 thirty-first, two thousand six;
- 49 (vi) up to two million six hundred thousand dollars for the period  
50 January first, two thousand seven through December thirty-first, two  
51 thousand seven;
- 52 (vii) up to two million six hundred thousand dollars for the period  
53 January first, two thousand eight through December thirty-first, two  
54 thousand eight;

1 (viii) up to two million six hundred thousand dollars for the period  
2 January first, two thousand nine through December thirty-first, two  
3 thousand nine;

4 (ix) up to two million six hundred thousand dollars for the period  
5 January first, two thousand ten through December thirty-first, two thou-  
6 sand ten; and

7 (x) up to six hundred fifty thousand dollars for the period January  
8 first, two thousand eleven through March thirty-first, two thousand  
9 eleven.

10 (hh) Funds shall be deposited by the commissioner, within amounts  
11 appropriated, and the state comptroller is hereby authorized and  
12 directed to receive for deposit to the credit of the special revenue  
13 fund - other, HCRA transfer fund, medical assistance account for  
14 purposes of providing financial assistance to residential health care  
15 facilities pursuant to subdivisions nineteen and twenty-one of section  
16 twenty-eight hundred eight of this article, from the tobacco control and  
17 insurance initiatives pool established for the following periods in the  
18 following amounts:

19 (i) for the period April first, two thousand two through December  
20 thirty-first, two thousand two, ten million dollars;

21 (ii) for the period January first, two thousand three through December  
22 thirty-first, two thousand three, nine million four hundred fifty thou-  
23 sand dollars;

24 (iii) for the period January first, two thousand four through December  
25 thirty-first, two thousand four, nine million three hundred fifty thou-  
26 sand dollars;

27 (iv) up to fifteen million dollars for the period January first, two  
28 thousand five through December thirty-first, two thousand five;

29 (v) up to fifteen million dollars for the period January first, two  
30 thousand six through December thirty-first, two thousand six;

31 (vi) up to fifteen million dollars for the period January first, two  
32 thousand seven through December thirty-first, two thousand seven;

33 (vii) up to fifteen million dollars for the period January first, two  
34 thousand eight through December thirty-first, two thousand eight;

35 (viii) up to fifteen million dollars for the period January first, two  
36 thousand nine through December thirty-first, two thousand nine;

37 (ix) up to fifteen million dollars for the period January first, two  
38 thousand ten through December thirty-first, two thousand ten;

39 (x) up to three million seven hundred fifty thousand dollars for the  
40 period January first, two thousand eleven through March thirty-first,  
41 two thousand eleven; and

42 (xi) fifteen million dollars each state fiscal year for the period  
43 April first, two thousand eleven through March thirty-first, two thou-  
44 sand fourteen.

45 (ii) Funds shall be deposited by the commissioner, within amounts  
46 appropriated, and the state comptroller is hereby authorized and  
47 directed to receive for deposit to the credit of the state special  
48 revenue funds - other, HCRA transfer fund, medical assistance account,  
49 or any successor fund or account, for the purpose of supporting the  
50 state share of Medicaid expenditures for disabled persons as authorized  
51 by sections 1619 (a) and (b) of the federal social security act pursuant  
52 to the tobacco control and insurance initiatives pool established for  
53 the following periods in the following amounts:

54 (i) six million four hundred thousand dollars for the period April  
55 first, two thousand two through December thirty-first, two thousand two;

- 1 (ii) eight million five hundred thousand dollars, for the period Janu-  
2 ary first, two thousand three through December thirty-first, two thou-  
3 sand three;
- 4 (iii) eight million five hundred thousand dollars for the period Janu-  
5 ary first, two thousand four through December thirty-first, two thousand  
6 four;
- 7 (iv) eight million five hundred thousand dollars for the period Janu-  
8 ary first, two thousand five through December thirty-first, two thousand  
9 five;
- 10 (v) eight million five hundred thousand dollars for the period January  
11 first, two thousand six through December thirty-first, two thousand six;
- 12 (vi) eight million six hundred thousand dollars for the period January  
13 first, two thousand seven through December thirty-first, two thousand  
14 seven;
- 15 (vii) eight million five hundred thousand dollars for the period Janu-  
16 ary first, two thousand eight through December thirty-first, two thou-  
17 sand eight;
- 18 (viii) eight million five hundred thousand dollars for the period  
19 January first, two thousand nine through December thirty-first, two  
20 thousand nine;
- 21 (ix) eight million five hundred thousand dollars for the period Janu-  
22 ary first, two thousand ten through December thirty-first, two thousand  
23 ten;
- 24 (x) two million one hundred twenty-five thousand dollars for the peri-  
25 od January first, two thousand eleven through March thirty-first, two  
26 thousand eleven;
- 27 (xi) eight million five hundred thousand dollars each state fiscal  
28 year for the period April first, two thousand eleven through March thir-  
29 ty-first, two thousand fourteen;
- 30 (xii) eight million five hundred thousand dollars each state fiscal  
31 year for the period April first, two thousand fourteen through March  
32 thirty-first, two thousand seventeen;
- 33 (xiii) eight million five hundred thousand dollars each state fiscal  
34 year for the period April first, two thousand seventeen through March  
35 thirty-first, two thousand twenty;
- 36 (xiv) eight million five hundred thousand dollars each state fiscal  
37 year for the period April first, two thousand twenty through March thir-  
38 ty-first, two thousand twenty-three; [and]
- 39 (xv) eight million five hundred thousand dollars each state fiscal  
40 year for the period April first, two thousand twenty-three through March  
41 thirty-first, two thousand twenty-six[.]; and
- 42 (xvi) eight million five hundred thousand dollars each state fiscal  
43 year for the period April first, two thousand twenty-six through March  
44 thirty-first, two thousand twenty-nine.
- 45 (jj) Funds shall be reserved and accumulated from year to year and  
46 shall be available, including income from invested funds, for the  
47 purposes of a grant program to improve access to infertility services,  
48 treatments and procedures, from the tobacco control and insurance initi-  
49 atives pool established for the period January first, two thousand two  
50 through December thirty-first, two thousand two in the amount of nine  
51 million one hundred seventy-five thousand dollars, for the period April  
52 first, two thousand six through March thirty-first, two thousand seven  
53 in the amount of five million dollars, for the period April first, two  
54 thousand seven through March thirty-first, two thousand eight in the  
55 amount of five million dollars, for the period April first, two thousand  
56 eight through March thirty-first, two thousand nine in the amount of



1 five million dollars, and for the period April first, two thousand nine  
2 through March thirty-first, two thousand ten in the amount of five  
3 million dollars, for the period April first, two thousand ten through  
4 March thirty-first, two thousand eleven in the amount of two million two  
5 hundred thousand dollars, and for the period April first, two thousand  
6 eleven through March thirty-first, two thousand twelve up to one million  
7 one hundred thousand dollars.

8 (kk) Funds shall be deposited by the commissioner, within amounts  
9 appropriated, and the state comptroller is hereby authorized and  
10 directed to receive for deposit to the credit of the state special  
11 revenue funds -- other, HCRA transfer fund, medical assistance account,  
12 or any successor fund or account, for purposes of funding the state  
13 share of Medical Assistance Program expenditures from the tobacco  
14 control and insurance initiatives pool established for the following  
15 periods in the following amounts:

16 (i) thirty-eight million eight hundred thousand dollars for the period  
17 January first, two thousand two through December thirty-first, two thou-  
18 sand two;

19 (ii) up to two hundred ninety-five million dollars for the period  
20 January first, two thousand three through December thirty-first, two  
21 thousand three;

22 (iii) up to four hundred seventy-two million dollars for the period  
23 January first, two thousand four through December thirty-first, two  
24 thousand four;

25 (iv) up to nine hundred million dollars for the period January first,  
26 two thousand five through December thirty-first, two thousand five;

27 (v) up to eight hundred sixty-six million three hundred thousand  
28 dollars for the period January first, two thousand six through December  
29 thirty-first, two thousand six;

30 (vi) up to six hundred sixteen million seven hundred thousand dollars  
31 for the period January first, two thousand seven through December thir-  
32 ty-first, two thousand seven;

33 (vii) up to five hundred seventy-eight million nine hundred twenty-  
34 five thousand dollars for the period January first, two thousand eight  
35 through December thirty-first, two thousand eight; and

36 (viii) within amounts appropriated on and after January first, two  
37 thousand nine.

38 (ll) Funds shall be deposited by the commissioner, within amounts  
39 appropriated, and the state comptroller is hereby authorized and  
40 directed to receive for deposit to the credit of the state special  
41 revenue funds -- other, HCRA transfer fund, medical assistance account,  
42 or any successor fund or account, for purposes of funding the state  
43 share of Medicaid expenditures related to the city of New York from the  
44 tobacco control and insurance initiatives pool established for the  
45 following periods in the following amounts:

46 (i) eighty-two million seven hundred thousand dollars for the period  
47 January first, two thousand two through December thirty-first, two thou-  
48 sand two;

49 (ii) one hundred twenty-four million six hundred thousand dollars for  
50 the period January first, two thousand three through December thirty-  
51 first, two thousand three;

52 (iii) one hundred twenty-four million seven hundred thousand dollars  
53 for the period January first, two thousand four through December thir-  
54 ty-first, two thousand four;



1 (iv) one hundred twenty-four million seven hundred thousand dollars  
2 for the period January first, two thousand five through December thir-  
3 ty-first, two thousand five;

4 (v) one hundred twenty-four million seven hundred thousand dollars for  
5 the period January first, two thousand six through December thirty-  
6 first, two thousand six;

7 (vi) one hundred twenty-four million seven hundred thousand dollars  
8 for the period January first, two thousand seven through December thir-  
9 ty-first, two thousand seven;

10 (vii) one hundred twenty-four million seven hundred thousand dollars  
11 for the period January first, two thousand eight through December thir-  
12 ty-first, two thousand eight;

13 (viii) one hundred twenty-four million seven hundred thousand dollars  
14 for the period January first, two thousand nine through December thir-  
15 ty-first, two thousand nine;

16 (ix) one hundred twenty-four million seven hundred thousand dollars  
17 for the period January first, two thousand ten through December thirty-  
18 first, two thousand ten;

19 (x) thirty-one million one hundred seventy-five thousand dollars for  
20 the period January first, two thousand eleven through March thirty-  
21 first, two thousand eleven; and

22 (xi) one hundred twenty-four million seven hundred thousand dollars  
23 each state fiscal year for the period April first, two thousand eleven  
24 through March thirty-first, two thousand fourteen.

25 (mm) Funds shall be deposited by the commissioner, within amounts  
26 appropriated, and the state comptroller is hereby authorized and  
27 directed to receive for deposit to the credit of the state special  
28 revenue funds - other, HCRA transfer fund, medical assistance account,  
29 or any successor fund or account, for purposes of funding specified  
30 percentages of the state share of services and expenses related to the  
31 family health plus program in accordance with the following schedule:

32 (i) (A) for the period January first, two thousand three through  
33 December thirty-first, two thousand four, one hundred percent of the  
34 state share;

35 (B) for the period January first, two thousand five through December  
36 thirty-first, two thousand five, seventy-five percent of the state  
37 share; and

38 (C) for periods beginning on and after January first, two thousand  
39 six, fifty percent of the state share.

40 (ii) Funding for the family health plus program will include up to  
41 five million dollars annually for the period January first, two thousand  
42 three through December thirty-first, two thousand six, up to five  
43 million dollars for the period January first, two thousand seven through  
44 December thirty-first, two thousand seven, up to seven million two  
45 hundred thousand dollars for the period January first, two thousand  
46 eight through December thirty-first, two thousand eight, up to seven  
47 million two hundred thousand dollars for the period January first, two  
48 thousand nine through December thirty-first, two thousand nine, up to  
49 seven million two hundred thousand dollars for the period January first,  
50 two thousand ten through December thirty-first, two thousand ten, up to  
51 one million eight hundred thousand dollars for the period January first,  
52 two thousand eleven through March thirty-first, two thousand eleven, up  
53 to six million forty-nine thousand dollars for the period April first,  
54 two thousand eleven through March thirty-first, two thousand twelve, up  
55 to six million two hundred eighty-nine thousand dollars for the period  
56 April first, two thousand twelve through March thirty-first, two thou-

1 sand thirteen, and up to six million four hundred sixty-one thousand  
2 dollars for the period April first, two thousand thirteen through March  
3 thirty-first, two thousand fourteen, for administration and marketing  
4 costs associated with such program established pursuant to clauses (A)  
5 and (B) of subparagraph (v) of paragraph (a) of subdivision two of the  
6 former section three hundred sixty-nine-ee of the social services law  
7 from the tobacco control and insurance initiatives pool established for  
8 the following periods in the following amounts:

9 (A) one hundred ninety million six hundred thousand dollars for the  
10 period January first, two thousand three through December thirty-first,  
11 two thousand three;

12 (B) three hundred seventy-four million dollars for the period January  
13 first, two thousand four through December thirty-first, two thousand  
14 four;

15 (C) five hundred thirty-eight million four hundred thousand dollars  
16 for the period January first, two thousand five through December thir-  
17 ty-first, two thousand five;

18 (D) three hundred eighteen million seven hundred seventy-five thousand  
19 dollars for the period January first, two thousand six through December  
20 thirty-first, two thousand six;

21 (E) four hundred eighty-two million eight hundred thousand dollars for  
22 the period January first, two thousand seven through December thirty-  
23 first, two thousand seven;

24 (F) five hundred seventy million twenty-five thousand dollars for the  
25 period January first, two thousand eight through December thirty-first,  
26 two thousand eight;

27 (G) six hundred ten million seven hundred twenty-five thousand dollars  
28 for the period January first, two thousand nine through December thir-  
29 ty-first, two thousand nine;

30 (H) six hundred twenty-seven million two hundred seventy-five thousand  
31 dollars for the period January first, two thousand ten through December  
32 thirty-first, two thousand ten;

33 (I) one hundred fifty-seven million eight hundred seventy-five thou-  
34 sand dollars for the period January first, two thousand eleven through  
35 March thirty-first, two thousand eleven;

36 (J) six hundred twenty-eight million four hundred thousand dollars for  
37 the period April first, two thousand eleven through March thirty-first,  
38 two thousand twelve;

39 (K) six hundred fifty million four hundred thousand dollars for the  
40 period April first, two thousand twelve through March thirty-first, two  
41 thousand thirteen;

42 (L) six hundred fifty million four hundred thousand dollars for the  
43 period April first, two thousand thirteen through March thirty-first,  
44 two thousand fourteen; and

45 (M) up to three hundred ten million five hundred ninety-five thousand  
46 dollars for the period April first, two thousand fourteen through March  
47 thirty-first, two thousand fifteen.

48 (nn) Funds shall be deposited by the commissioner, within amounts  
49 appropriated, and the state comptroller is hereby authorized and  
50 directed to receive for deposit to the credit of the state special  
51 revenue fund - other, HCRA transfer fund, health care services account,  
52 or any successor fund or account, for purposes related to adult home  
53 initiatives for medicaid eligible residents of residential facilities  
54 licensed pursuant to section four hundred sixty-b of the social services  
55 law from the tobacco control and insurance initiatives pool established  
56 for the following periods in the following amounts:

- 1 (i) up to four million dollars for the period January first, two thou-  
2 sand three through December thirty-first, two thousand three;
- 3 (ii) up to six million dollars for the period January first, two thou-  
4 sand four through December thirty-first, two thousand four;
- 5 (iii) up to eight million dollars for the period January first, two  
6 thousand five through December thirty-first, two thousand five,  
7 provided, however, that up to five million two hundred fifty thousand  
8 dollars of such funds shall be received by the comptroller and deposited  
9 to the credit of the special revenue fund - other / aid to localities,  
10 HCRA transfer fund - 061, enhanced community services account - 05, or  
11 any successor fund or account, for the purposes set forth in this para-  
12 graph;
- 13 (iv) up to eight million dollars for the period January first, two  
14 thousand six through December thirty-first, two thousand six, provided,  
15 however, that up to five million two hundred fifty thousand dollars of  
16 such funds shall be received by the comptroller and deposited to the  
17 credit of the special revenue fund - other / aid to localities, HCRA  
18 transfer fund - 061, enhanced community services account - 05, or any  
19 successor fund or account, for the purposes set forth in this paragraph;
- 20 (v) up to eight million dollars for the period January first, two  
21 thousand seven through December thirty-first, two thousand seven,  
22 provided, however, that up to five million two hundred fifty thousand  
23 dollars of such funds shall be received by the comptroller and deposited  
24 to the credit of the special revenue fund - other / aid to localities,  
25 HCRA transfer fund - 061, enhanced community services account - 05, or  
26 any successor fund or account, for the purposes set forth in this para-  
27 graph;
- 28 (vi) up to two million seven hundred fifty thousand dollars for the  
29 period January first, two thousand eight through December thirty-first,  
30 two thousand eight;
- 31 (vii) up to two million seven hundred fifty thousand dollars for the  
32 period January first, two thousand nine through December thirty-first,  
33 two thousand nine;
- 34 (viii) up to two million seven hundred fifty thousand dollars for the  
35 period January first, two thousand ten through December thirty-first,  
36 two thousand ten; and
- 37 (ix) up to six hundred eighty-eight thousand dollars for the period  
38 January first, two thousand eleven through March thirty-first, two thou-  
39 sand eleven.
- 40 (oo) Funds shall be reserved and accumulated from year to year and  
41 shall be available, including income from invested funds, for purposes  
42 of grants to non-public general hospitals pursuant to paragraph (e) of  
43 subdivision twenty-five of section twenty-eight hundred seven-c of this  
44 article from the tobacco control and insurance initiatives pool estab-  
45 lished for the following periods in the following amounts:
- 46 (i) up to five million dollars on an annualized basis for the period  
47 January first, two thousand four through December thirty-first, two  
48 thousand four;
- 49 (ii) up to five million dollars for the period January first, two  
50 thousand five through December thirty-first, two thousand five;
- 51 (iii) up to five million dollars for the period January first, two  
52 thousand six through December thirty-first, two thousand six;
- 53 (iv) up to five million dollars for the period January first, two  
54 thousand seven through December thirty-first, two thousand seven;
- 55 (v) up to five million dollars for the period January first, two thou-  
56 sand eight through December thirty-first, two thousand eight;



1 (vi) up to five million dollars for the period January first, two  
2 thousand nine through December thirty-first, two thousand nine;

3 (vii) up to five million dollars for the period January first, two  
4 thousand ten through December thirty-first, two thousand ten; and

5 (viii) up to one million two hundred fifty thousand dollars for the  
6 period January first, two thousand eleven through March thirty-first,  
7 two thousand eleven.

8 (pp) Funds shall be reserved and accumulated from year to year and  
9 shall be available, including income from invested funds, for the  
10 purpose of supporting the provision of tax credits for long term care  
11 insurance pursuant to subdivision one of section one hundred ninety of  
12 the tax law, paragraph (a) of subdivision fourteen of section two  
13 hundred ten-B of such law, subsection (aa) of section six hundred six of  
14 such law and paragraph one of subdivision (m) of section fifteen hundred  
15 eleven of such law, in the following amounts:

16 (i) ten million dollars for the period January first, two thousand  
17 four through December thirty-first, two thousand four;

18 (ii) ten million dollars for the period January first, two thousand  
19 five through December thirty-first, two thousand five;

20 (iii) ten million dollars for the period January first, two thousand  
21 six through December thirty-first, two thousand six; and

22 (iv) five million dollars for the period January first, two thousand  
23 seven through June thirtieth, two thousand seven.

24 (qq) Funds shall be reserved and accumulated from year to year and  
25 shall be available, including income from invested funds, for the  
26 purpose of supporting the long-term care insurance education and  
27 outreach program established pursuant to section two hundred seventeen-a  
28 of the elder law for the following periods in the following amounts:

29 (i) up to five million dollars for the period January first, two thou-  
30 sand four through December thirty-first, two thousand four; of such  
31 funds one million nine hundred fifty thousand dollars shall be made  
32 available to the department for the purpose of developing, implementing  
33 and administering the long-term care insurance education and outreach  
34 program and three million fifty thousand dollars shall be deposited by  
35 the commissioner, within amounts appropriated, and the comptroller is  
36 hereby authorized and directed to receive for deposit to the credit of  
37 the special revenue funds - other, HCRA transfer fund, long term care  
38 insurance resource center account of the state office for the aging or  
39 any future account designated for the purpose of implementing the long  
40 term care insurance education and outreach program and providing the  
41 long term care insurance resource centers with the necessary resources  
42 to carry out their operations;

43 (ii) up to five million dollars for the period January first, two  
44 thousand five through December thirty-first, two thousand five; of such  
45 funds one million nine hundred fifty thousand dollars shall be made  
46 available to the department for the purpose of developing, implementing  
47 and administering the long-term care insurance education and outreach  
48 program and three million fifty thousand dollars shall be deposited by  
49 the commissioner, within amounts appropriated, and the comptroller is  
50 hereby authorized and directed to receive for deposit to the credit of  
51 the special revenue funds - other, HCRA transfer fund, long term care  
52 insurance resource center account of the state office for the aging or  
53 any future account designated for the purpose of implementing the long  
54 term care insurance education and outreach program and providing the  
55 long term care insurance resource centers with the necessary resources  
56 to carry out their operations;

1 (iii) up to five million dollars for the period January first, two  
2 thousand six through December thirty-first, two thousand six; of such  
3 funds one million nine hundred fifty thousand dollars shall be made  
4 available to the department for the purpose of developing, implementing  
5 and administering the long-term care insurance education and outreach  
6 program and three million fifty thousand dollars shall be made available  
7 to the office for the aging for the purpose of providing the long term  
8 care insurance resource centers with the necessary resources to carry  
9 out their operations;

10 (iv) up to five million dollars for the period January first, two  
11 thousand seven through December thirty-first, two thousand seven; of  
12 such funds one million nine hundred fifty thousand dollars shall be made  
13 available to the department for the purpose of developing, implementing  
14 and administering the long-term care insurance education and outreach  
15 program and three million fifty thousand dollars shall be made available  
16 to the office for the aging for the purpose of providing the long term  
17 care insurance resource centers with the necessary resources to carry  
18 out their operations;

19 (v) up to five million dollars for the period January first, two thou-  
20 sand eight through December thirty-first, two thousand eight; of such  
21 funds one million nine hundred fifty thousand dollars shall be made  
22 available to the department for the purpose of developing, implementing  
23 and administering the long term care insurance education and outreach  
24 program and three million fifty thousand dollars shall be made available  
25 to the office for the aging for the purpose of providing the long term  
26 care insurance resource centers with the necessary resources to carry  
27 out their operations;

28 (vi) up to five million dollars for the period January first, two  
29 thousand nine through December thirty-first, two thousand nine; of such  
30 funds one million nine hundred fifty thousand dollars shall be made  
31 available to the department for the purpose of developing, implementing  
32 and administering the long-term care insurance education and outreach  
33 program and three million fifty thousand dollars shall be made available  
34 to the office for the aging for the purpose of providing the long-term  
35 care insurance resource centers with the necessary resources to carry  
36 out their operations;

37 (vii) up to four hundred eighty-eight thousand dollars for the period  
38 January first, two thousand ten through March thirty-first, two thousand  
39 ten; of such funds four hundred eighty-eight thousand dollars shall be  
40 made available to the department for the purpose of developing, imple-  
41 menting and administering the long-term care insurance education and  
42 outreach program.

43 (rr) Funds shall be reserved and accumulated from the tobacco control  
44 and insurance initiatives pool and shall be available, including income  
45 from invested funds, for the purpose of supporting expenses related to  
46 implementation of the provisions of title three of article twenty-nine-D  
47 of this chapter, for the following periods and in the following amounts:

48 (i) up to ten million dollars for the period January first, two thou-  
49 sand six through December thirty-first, two thousand six;

50 (ii) up to ten million dollars for the period January first, two thou-  
51 sand seven through December thirty-first, two thousand seven;

52 (iii) up to ten million dollars for the period January first, two  
53 thousand eight through December thirty-first, two thousand eight;

54 (iv) up to ten million dollars for the period January first, two thou-  
55 sand nine through December thirty-first, two thousand nine;

1 (v) up to ten million dollars for the period January first, two thou-  
2 sand ten through December thirty-first, two thousand ten; and

3 (vi) up to two million five hundred thousand dollars for the period  
4 January first, two thousand eleven through March thirty-first, two thou-  
5 sand eleven.

6 (ss) Funds shall be reserved and accumulated from the tobacco control  
7 and insurance initiatives pool and used for a health care stabilization  
8 program established by the commissioner for the purposes of stabilizing  
9 critical health care providers and health care programs whose ability to  
10 continue to provide appropriate services are threatened by financial or  
11 other challenges, in the amount of up to twenty-eight million dollars  
12 for the period July first, two thousand four through June thirtieth, two  
13 thousand five. Notwithstanding the provisions of section one hundred  
14 twelve of the state finance law or any other inconsistent provision of  
15 the state finance law or any other law, funds available for distribution  
16 pursuant to this paragraph may be allocated and distributed by the  
17 commissioner, or the state comptroller as applicable without a compet-  
18 itive bid or request for proposal process. Considerations relied upon by  
19 the commissioner in determining the allocation and distribution of these  
20 funds shall include, but not be limited to, the following: (i) the  
21 importance of the provider or program in meeting critical health care  
22 needs in the community in which it operates; (ii) the provider or  
23 program provision of care to under-served populations; (iii) the quality  
24 of the care or services the provider or program delivers; (iv) the abil-  
25 ity of the provider or program to continue to deliver an appropriate  
26 level of care or services if additional funding is made available; (v)  
27 the ability of the provider or program to access, in a timely manner,  
28 alternative sources of funding, including other sources of government  
29 funding; (vi) the ability of other providers or programs in the communi-  
30 ty to meet the community health care needs; (vii) whether the provider  
31 or program has an appropriate plan to improve its financial condition;  
32 and (viii) whether additional funding would permit the provider or  
33 program to consolidate, relocate, or close programs or services where  
34 such actions would result in greater stability and efficiency in the  
35 delivery of needed health care services or programs.

36 (tt) Funds shall be reserved and accumulated from year to year and  
37 shall be available, including income from invested funds, for purposes  
38 of providing grants for two long term care demonstration projects  
39 designed to test new models for the delivery of long term care services  
40 established pursuant to section twenty-eight hundred seven-x of this  
41 [chapter] article, for the following periods and in the following  
42 amounts:

43 (i) up to five hundred thousand dollars for the period January first,  
44 two thousand four through December thirty-first, two thousand four;

45 (ii) up to five hundred thousand dollars for the period January first,  
46 two thousand five through December thirty-first, two thousand five;

47 (iii) up to five hundred thousand dollars for the period January  
48 first, two thousand six through December thirty-first, two thousand six;

49 (iv) up to one million dollars for the period January first, two thou-  
50 sand seven through December thirty-first, two thousand seven; and

51 (v) up to two hundred fifty thousand dollars for the period January  
52 first, two thousand eight through March thirty-first, two thousand  
53 eight.

54 (uu) Funds shall be reserved and accumulated from year to year and  
55 shall be available, including income from invested funds, for the  
56 purpose of supporting disease management and telemedicine demonstration

1 programs authorized pursuant to section twenty-one hundred eleven of  
2 this chapter for the following periods in the following amounts:

3 (i) five million dollars for the period January first, two thousand  
4 four through December thirty-first, two thousand four, of which three  
5 million dollars shall be available for disease management demonstration  
6 programs and two million dollars shall be available for telemedicine  
7 demonstration programs;

8 (ii) five million dollars for the period January first, two thousand  
9 five through December thirty-first, two thousand five, of which three  
10 million dollars shall be available for disease management demonstration  
11 programs and two million dollars shall be available for telemedicine  
12 demonstration programs;

13 (iii) nine million five hundred thousand dollars for the period Janu-  
14 ary first, two thousand six through December thirty-first, two thousand  
15 six, of which seven million five hundred thousand dollars shall be  
16 available for disease management demonstration programs and two million  
17 dollars shall be available for telemedicine demonstration programs;

18 (iv) nine million five hundred thousand dollars for the period January  
19 first, two thousand seven through December thirty-first, two thousand  
20 seven, of which seven million five hundred thousand dollars shall be  
21 available for disease management demonstration programs and one million  
22 dollars shall be available for telemedicine demonstration programs;

23 (v) nine million five hundred thousand dollars for the period January  
24 first, two thousand eight through December thirty-first, two thousand  
25 eight, of which seven million five hundred thousand dollars shall be  
26 available for disease management demonstration programs and two million  
27 dollars shall be available for telemedicine demonstration programs;

28 (vi) seven million eight hundred thirty-three thousand three hundred  
29 thirty-three dollars for the period January first, two thousand nine  
30 through December thirty-first, two thousand nine, of which seven million  
31 five hundred thousand dollars shall be available for disease management  
32 demonstration programs and three hundred thirty-three thousand three  
33 hundred thirty-three dollars shall be available for telemedicine demon-  
34 stration programs for the period January first, two thousand nine  
35 through March first, two thousand nine;

36 (vii) one million eight hundred seventy-five thousand dollars for the  
37 period January first, two thousand ten through March thirty-first, two  
38 thousand ten shall be available for disease management demonstration  
39 programs.

40 (ww) Funds shall be deposited by the commissioner, within amounts  
41 appropriated, and the state comptroller is hereby authorized and  
42 directed to receive for the deposit to the credit of the state special  
43 revenue funds - other, HCRA transfer fund, medical assistance account,  
44 or any successor fund or account, for purposes of funding the state  
45 share of the general hospital rates increases for recruitment and  
46 retention of health care workers pursuant to paragraph (e) of subdivi-  
47 sion thirty of section twenty-eight hundred seven-c of this article from  
48 the tobacco control and insurance initiatives pool established for the  
49 following periods in the following amounts:

50 (i) sixty million five hundred thousand dollars for the period January  
51 first, two thousand five through December thirty-first, two thousand  
52 five; and

53 (ii) sixty million five hundred thousand dollars for the period Janu-  
54 ary first, two thousand six through December thirty-first, two thousand  
55 six.

1 (xx) Funds shall be deposited by the commissioner, within amounts  
2 appropriated, and the state comptroller is hereby authorized and  
3 directed to receive for the deposit to the credit of the state special  
4 revenue funds - other, HCRA transfer fund, medical assistance account,  
5 or any successor fund or account, for purposes of funding the state  
6 share of the general hospital rates increases for rural hospitals pursu-  
7 ant to subdivision thirty-two of section twenty-eight hundred seven-c of  
8 this article from the tobacco control and insurance initiatives pool  
9 established for the following periods in the following amounts:

10 (i) three million five hundred thousand dollars for the period January  
11 first, two thousand five through December thirty-first, two thousand  
12 five;

13 (ii) three million five hundred thousand dollars for the period Janu-  
14 ary first, two thousand six through December thirty-first, two thousand  
15 six;

16 (iii) three million five hundred thousand dollars for the period Janu-  
17 ary first, two thousand seven through December thirty-first, two thou-  
18 sand seven;

19 (iv) three million five hundred thousand dollars for the period Janu-  
20 ary first, two thousand eight through December thirty-first, two thou-  
21 sand eight; and

22 (v) three million two hundred eight thousand dollars for the period  
23 January first, two thousand nine through November thirtieth, two thou-  
24 sand nine.

25 (yy) Funds shall be reserved and accumulated from year to year and  
26 shall be available, within amounts appropriated and notwithstanding  
27 section one hundred twelve of the state finance law and any other  
28 contrary provision of law, for the purpose of supporting grants not to  
29 exceed five million dollars to be made by the commissioner without a  
30 competitive bid or request for proposal process, in support of the  
31 delivery of critically needed health care services, to health care  
32 providers located in the counties of Erie and Niagara which executed a  
33 memorandum of closing and conducted a merger closing in escrow on Novem-  
34 ber twenty-fourth, nineteen hundred ninety-seven and which entered into  
35 a settlement dated December thirtieth, two thousand four for a loss on  
36 disposal of assets under the provisions of title XVIII of the federal  
37 social security act applicable to mergers occurring prior to December  
38 first, nineteen hundred ninety-seven.

39 (zz) Funds shall be reserved and accumulated from year to year and  
40 shall be available, within amounts appropriated, for the purpose of  
41 supporting expenditures authorized pursuant to section twenty-eight  
42 hundred eighteen of this article from the tobacco control and insurance  
43 initiatives pool established for the following periods in the following  
44 amounts:

45 (i) six million five hundred thousand dollars for the period January  
46 first, two thousand five through December thirty-first, two thousand  
47 five;

48 (ii) one hundred eight million three hundred thousand dollars for the  
49 period January first, two thousand six through December thirty-first,  
50 two thousand six, provided, however, that within amounts appropriated in  
51 the two thousand six through two thousand seven state fiscal year, a  
52 portion of such funds may be transferred to the Roswell Park Cancer  
53 Institute Corporation to fund capital costs;

54 (iii) one hundred seventy-one million dollars for the period January  
55 first, two thousand seven through December thirty-first, two thousand  
56 seven, provided, however, that within amounts appropriated in the two

1 thousand six through two thousand seven state fiscal year, a portion of  
2 such funds may be transferred to the Roswell Park Cancer Institute  
3 Corporation to fund capital costs;

4 (iv) one hundred seventy-one million five hundred thousand dollars for  
5 the period January first, two thousand eight through December thirty-  
6 first, two thousand eight;

7 (v) one hundred twenty-eight million seven hundred fifty thousand  
8 dollars for the period January first, two thousand nine through December  
9 thirty-first, two thousand nine;

10 (vi) one hundred thirty-one million three hundred seventy-five thou-  
11 sand dollars for the period January first, two thousand ten through  
12 December thirty-first, two thousand ten;

13 (vii) thirty-four million two hundred fifty thousand dollars for the  
14 period January first, two thousand eleven through March thirty-first,  
15 two thousand eleven;

16 (viii) four hundred thirty-three million three hundred sixty-six thou-  
17 sand dollars for the period April first, two thousand eleven through  
18 March thirty-first, two thousand twelve;

19 (ix) one hundred fifty million eight hundred six thousand dollars for  
20 the period April first, two thousand twelve through March thirty-first,  
21 two thousand thirteen;

22 (x) seventy-eight million seventy-one thousand dollars for the period  
23 April first, two thousand thirteen through March thirty-first, two thou-  
24 sand fourteen.

25 (aaa) Funds shall be reserved and accumulated from year to year and  
26 shall be available, including income from invested funds, for services  
27 and expenses related to school based health centers, in an amount up to  
28 three million five hundred thousand dollars for the period April first,  
29 two thousand six through March thirty-first, two thousand seven, up to  
30 three million five hundred thousand dollars for the period April first,  
31 two thousand seven through March thirty-first, two thousand eight, up to  
32 three million five hundred thousand dollars for the period April first,  
33 two thousand eight through March thirty-first, two thousand nine, up to  
34 three million five hundred thousand dollars for the period April first,  
35 two thousand nine through March thirty-first, two thousand ten, up to  
36 three million five hundred thousand dollars for the period April first,  
37 two thousand ten through March thirty-first, two thousand eleven, up to  
38 two million eight hundred thousand dollars each state fiscal year for  
39 the period April first, two thousand eleven through March thirty-first,  
40 two thousand fourteen, up to two million six hundred forty-four thousand  
41 dollars each state fiscal year for the period April first, two thousand  
42 fourteen through March thirty-first, two thousand seventeen, up to two  
43 million six hundred forty-four thousand dollars each state fiscal year  
44 for the period April first, two thousand seventeen through March thir-  
45 ty-first, two thousand twenty, up to two million six hundred forty-four  
46 thousand dollars each state fiscal year for the period April first, two  
47 thousand twenty through March thirty-first, two thousand twenty-three,  
48 [and] up to two million six hundred forty-four thousand dollars each  
49 state fiscal year for the period April first, two thousand twenty-three  
50 through March thirty-first, two thousand twenty-six, and up to two  
51 million six hundred forty-four thousand dollars each state fiscal year  
52 for the period April first, two thousand twenty-six through March thir-  
53 ty-first, two thousand twenty-nine. The total amount of funds provided  
54 herein shall be distributed as grants based on the ratio of each provid-  
55 er's total enrollment for all sites to the total enrollment of all

1 providers. This formula shall be applied to the total amount provided  
2 herein.

3 (bbb) Funds shall be reserved and accumulated from year to year and  
4 shall be available, including income from invested funds, for purposes  
5 of awarding grants to operators of adult homes, enriched housing  
6 programs and residences through the enhancing abilities and life experi-  
7 ence (EnAbLe) program to provide for the installation, operation and  
8 maintenance of air conditioning in resident rooms, consistent with this  
9 paragraph, in an amount up to two million dollars for the period April  
10 first, two thousand six through March thirty-first, two thousand seven,  
11 up to three million eight hundred thousand dollars for the period April  
12 first, two thousand seven through March thirty-first, two thousand  
13 eight, up to three million eight hundred thousand dollars for the period  
14 April first, two thousand eight through March thirty-first, two thousand  
15 nine, up to three million eight hundred thousand dollars for the period  
16 April first, two thousand nine through March thirty-first, two thousand  
17 ten, and up to three million eight hundred thousand dollars for the  
18 period April first, two thousand ten through March thirty-first, two  
19 thousand eleven. Residents shall not be charged utility cost for the use  
20 of air conditioners supplied under the EnAbLe program. All such air  
21 conditioners must be operated in occupied resident rooms consistent with  
22 requirements applicable to common areas.

23 (ccc) Funds shall be deposited by the commissioner, within amounts  
24 appropriated, and the state comptroller is hereby authorized and  
25 directed to receive for the deposit to the credit of the state special  
26 revenue funds - other, HCRA transfer fund, medical assistance account,  
27 or any successor fund or account, for purposes of funding the state  
28 share of increases in the rates for certified home health agencies, long  
29 term home health care programs, AIDS home care programs, hospice  
30 programs and managed long term care plans and approved managed long term  
31 care operating demonstrations as defined in section forty-four hundred  
32 three-f of this chapter for recruitment and retention of health care  
33 workers pursuant to subdivisions nine and ten of section thirty-six  
34 hundred fourteen of this chapter from the tobacco control and insurance  
35 initiatives pool established for the following periods in the following  
36 amounts:

37 (i) twenty-five million dollars for the period June first, two thou-  
38 sand six through December thirty-first, two thousand six;

39 (ii) fifty million dollars for the period January first, two thousand  
40 seven through December thirty-first, two thousand seven;

41 (iii) fifty million dollars for the period January first, two thousand  
42 eight through December thirty-first, two thousand eight;

43 (iv) fifty million dollars for the period January first, two thousand  
44 nine through December thirty-first, two thousand nine;

45 (v) fifty million dollars for the period January first, two thousand  
46 ten through December thirty-first, two thousand ten;

47 (vi) twelve million five hundred thousand dollars for the period Janu-  
48 ary first, two thousand eleven through March thirty-first, two thousand  
49 eleven;

50 (vii) up to fifty million dollars each state fiscal year for the peri-  
51 od April first, two thousand eleven through March thirty-first, two  
52 thousand fourteen;

53 (viii) up to fifty million dollars each state fiscal year for the  
54 period April first, two thousand fourteen through March thirty-first,  
55 two thousand seventeen;



1 (ix) up to fifty million dollars each state fiscal year for the period  
2 April first, two thousand seventeen through March thirty-first, two  
3 thousand twenty;

4 (x) up to fifty million dollars each state fiscal year for the period  
5 April first, two thousand twenty through March thirty-first, two thou-  
6 sand twenty-three; [and]

7 (xi) up to fifty million dollars each state fiscal year for the period  
8 April first, two thousand twenty-three through March thirty-first, two  
9 thousand twenty-six[.]; and

10 (xii) up to fifty million dollars each state fiscal year for the peri-  
11 od April first, two thousand twenty-six through March thirty-first, two  
12 thousand twenty-nine.

13 (ddd) Funds shall be deposited by the commissioner, within amounts  
14 appropriated, and the state comptroller is hereby authorized and  
15 directed to receive for the deposit to the credit of the state special  
16 revenue funds - other, HCRA transfer fund, medical assistance account,  
17 or any successor fund or account, for purposes of funding the state  
18 share of increases in the medical assistance rates for providers for  
19 purposes of enhancing the provision, quality and/or efficiency of home  
20 care services pursuant to subdivision eleven of section thirty-six  
21 hundred fourteen of this chapter from the tobacco control and insurance  
22 initiatives pool established for the following period in the amount of  
23 eight million dollars for the period April first, two thousand six  
24 through December thirty-first, two thousand six.

25 (eee) Funds shall be reserved and accumulated from year to year and  
26 shall be available, including income from invested funds, to the Center  
27 for Functional Genomics at the State University of New York at Albany,  
28 for the purposes of the Adirondack network for cancer education and  
29 research in rural communities grant program to improve access to health  
30 care and shall be made available from the tobacco control and insurance  
31 initiatives pool established for the following period in the amount of  
32 up to five million dollars for the period January first, two thousand  
33 six through December thirty-first, two thousand six.

34 (fff) Funds shall be made available to the empire state stem cell  
35 trust fund established by section ninety-nine-p of the state finance law  
36 within amounts appropriated up to fifty million dollars annually and  
37 shall not exceed five hundred million dollars in total.

38 (ggg) Funds shall be deposited by the commissioner, within amounts  
39 appropriated, and the state comptroller is hereby authorized and  
40 directed to receive for deposit to the credit of the state special  
41 revenue fund - other, HCRA transfer fund, medical assistance account, or  
42 any successor fund or account, for the purpose of supporting the state  
43 share of Medicaid expenditures for hospital translation services as  
44 authorized pursuant to paragraph (k) of subdivision one of section twen-  
45 ty-eight hundred seven-c of this article from the tobacco control and  
46 initiatives pool established for the following periods in the following  
47 amounts:

48 (i) sixteen million dollars for the period July first, two thousand  
49 eight through December thirty-first, two thousand eight; and

50 (ii) fourteen million seven hundred thousand dollars for the period  
51 January first, two thousand nine through November thirtieth, two thou-  
52 sand nine.

53 (hhh) Funds shall be deposited by the commissioner, within amounts  
54 appropriated, and the state comptroller is hereby authorized and  
55 directed to receive for deposit to the credit of the state special  
56 revenue fund - other, HCRA transfer fund, medical assistance account, or

1 any successor fund or account, for the purpose of supporting the state  
2 share of Medicaid expenditures for adjustments to inpatient rates of  
3 payment for general hospitals located in the counties of Nassau and  
4 Suffolk as authorized pursuant to paragraph (1) of subdivision one of  
5 section twenty-eight hundred seven-c of this article from the tobacco  
6 control and initiatives pool established for the following periods in  
7 the following amounts:

8 (i) two million five hundred thousand dollars for the period April  
9 first, two thousand eight through December thirty-first, two thousand  
10 eight; and

11 (ii) two million two hundred ninety-two thousand dollars for the peri-  
12 od January first, two thousand nine through November thirtieth, two  
13 thousand nine.

14 (iii) Funds shall be reserved and set aside and accumulated from year  
15 to year and shall be made available, including income from investment  
16 funds, for the purpose of supporting the New York state medical indem-  
17 nity fund as authorized pursuant to title four of article twenty-nine-D  
18 of this chapter, for the following periods and in the following amounts,  
19 provided, however, that the commissioner is authorized to seek waiver  
20 authority from the federal centers for medicare and Medicaid for the  
21 purpose of securing Medicaid federal financial participation for such  
22 program, in which case the funding authorized pursuant to this paragraph  
23 shall be utilized as the non-federal share for such payments:

24 Thirty million dollars for the period April first, two thousand eleven  
25 through March thirty-first, two thousand twelve.

26 2. (a) For periods prior to January first, two thousand five, the  
27 commissioner is authorized to contract with the article forty-three  
28 insurance law plans, or such other contractors as the commissioner shall  
29 designate, to receive and distribute funds from the tobacco control and  
30 insurance initiatives pool established pursuant to this section. In the  
31 event contracts with the article forty-three insurance law plans or  
32 other commissioner's designees are effectuated, the commissioner shall  
33 conduct annual audits of the receipt and distribution of such funds. The  
34 reasonable costs and expenses of an administrator as approved by the  
35 commissioner, not to exceed for personnel services on an annual basis  
36 five hundred thousand dollars, for collection and distribution of funds  
37 pursuant to this section shall be paid from such funds.

38 (b) Notwithstanding any inconsistent provision of section one hundred  
39 twelve or one hundred sixty-three of the state finance law or any other  
40 law, at the discretion of the commissioner without a competitive bid or  
41 request for proposal process, contracts in effect for administration of  
42 pools established pursuant to sections twenty-eight hundred seven-k,  
43 twenty-eight hundred seven-l and twenty-eight hundred seven-m of this  
44 article for the period January first, nineteen hundred ninety-nine  
45 through December thirty-first, nineteen hundred ninety-nine may be  
46 extended to provide for administration pursuant to this section and may  
47 be amended as may be necessary.

48 § 18. Paragraph (a) of subdivision 12 of section 367-b of the social  
49 services law, as amended by section 13 of part C of chapter 57 of the  
50 laws of 2023, is amended to read as follows:

51 (a) For the purpose of regulating cash flow for general hospitals, the  
52 department shall develop and implement a payment methodology to provide  
53 for timely payments for inpatient hospital services eligible for case  
54 based payments per discharge based on diagnosis-related groups provided  
55 during the period January first, nineteen hundred eighty-eight through

1 March thirty-first two thousand [twenty-six] twenty-nine, by such hospi-  
2 tals which elect to participate in the system.

3 § 19. Paragraph (u) of subdivision 9 of section 3614 of the public  
4 health law, as added by section 14 of part C of chapter 57 of the laws  
5 of 2023, is amended and three new paragraphs (v), (w) and (x) are added  
6 to read as follows:

7 (u) for the period April first, two thousand twenty-five through March  
8 thirty-first, two thousand twenty-six, up to one hundred million  
9 dollars[.];

10 (v) for the period April first, two thousand twenty-six through March  
11 thirty-first, two thousand twenty-seven, up to one hundred million  
12 dollars;

13 (w) for the period April first, two thousand twenty-seven through  
14 March thirty-first, two thousand twenty-eight, up to one hundred million  
15 dollars;

16 (x) for the period April first, two thousand twenty-eight through  
17 March thirty-first, two thousand twenty-nine, up to one hundred million  
18 dollars.

19 § 20. Paragraph (y) of subdivision 1 of section 367-q of the social  
20 services law, as added by section 15 of part C of chapter 57 of the laws  
21 of 2023, is amended and three new paragraphs (z), (aa) and (bb) are  
22 added to read as follows:

23 (y) for the period April first, two thousand twenty-five through March  
24 thirty-first, two thousand twenty-six, up to twenty-eight million five  
25 hundred thousand dollars[.];

26 (z) for the period April first, two thousand twenty-six through March  
27 thirty-first, two thousand twenty-seven, up to twenty-eight million five  
28 hundred thousand dollars;

29 (aa) for the period April first, two thousand twenty-seven through  
30 March thirty-first, two thousand twenty-eight, up to twenty-eight  
31 million five hundred thousand dollars;

32 (bb) for the period April first, two thousand twenty-eight through  
33 March thirty-first, two thousand twenty-nine, up to twenty-eight million  
34 five hundred thousand dollars.

35 § 21. This act shall take effect April 1, 2026; provided, however, if  
36 this act shall become a law after such date it shall take effect imme-  
37 diately and shall be deemed to have been in full force and effect on and  
38 after April 1, 2026; and further provided, that:

39 (a) the amendments to sections 2807-j and 2807-s of the public health  
40 law made by sections two, eleven, fourteen and fifteen of this act shall  
41 not affect the expiration of such sections and shall expire therewith;

42 (b) the amendments to subdivision 6 of section 2807-t of the public  
43 health law made by section sixteen of this act shall not affect the  
44 expiration of such section and shall be deemed to expire therewith; and

45 (c) the amendments to paragraph (i-1) of subdivision 1 of section  
46 2807-v of the public health law made by section seventeen of this act  
47 shall not affect the repeal of such paragraph and shall be deemed  
48 repealed therewith.

49

## PART D

50 Section 1. Paragraph (a) of subdivision 1 of section 18 of chapter 266  
51 of the laws of 1986, amending the civil practice law and rules and other  
52 laws relating to malpractice and professional medical conduct, as  
53 amended by section 1 of part G of chapter 57 of the laws of 2025, is  
54 amended to read as follows:

1 (a) The superintendent of financial services and the commissioner of  
2 health or their designee shall, from funds available in the hospital  
3 excess liability pool created pursuant to subdivision 5 of this section,  
4 purchase a policy or policies for excess insurance coverage, as author-  
5 ized by paragraph 1 of subsection (e) of section 5502 of the insurance  
6 law; or from an insurer, other than an insurer described in section 5502  
7 of the insurance law, duly authorized to write such coverage and actual-  
8 ly writing medical malpractice insurance in this state; or shall  
9 purchase equivalent excess coverage in a form previously approved by the  
10 superintendent of financial services for purposes of providing equiv-  
11 alent excess coverage in accordance with section 19 of chapter 294 of  
12 the laws of 1985, for medical or dental malpractice occurrences between  
13 July 1, 1986 and June 30, 1987, between July 1, 1987 and June 30, 1988,  
14 between July 1, 1988 and June 30, 1989, between July 1, 1989 and June  
15 30, 1990, between July 1, 1990 and June 30, 1991, between July 1, 1991  
16 and June 30, 1992, between July 1, 1992 and June 30, 1993, between July  
17 1, 1993 and June 30, 1994, between July 1, 1994 and June 30, 1995,  
18 between July 1, 1995 and June 30, 1996, between July 1, 1996 and June  
19 30, 1997, between July 1, 1997 and June 30, 1998, between July 1, 1998  
20 and June 30, 1999, between July 1, 1999 and June 30, 2000, between July  
21 1, 2000 and June 30, 2001, between July 1, 2001 and June 30, 2002,  
22 between July 1, 2002 and June 30, 2003, between July 1, 2003 and June  
23 30, 2004, between July 1, 2004 and June 30, 2005, between July 1, 2005  
24 and June 30, 2006, between July 1, 2006 and June 30, 2007, between July  
25 1, 2007 and June 30, 2008, between July 1, 2008 and June 30, 2009,  
26 between July 1, 2009 and June 30, 2010, between July 1, 2010 and June  
27 30, 2011, between July 1, 2011 and June 30, 2012, between July 1, 2012  
28 and June 30, 2013, between July 1, 2013 and June 30, 2014, between July  
29 1, 2014 and June 30, 2015, between July 1, 2015 and June 30, 2016,  
30 between July 1, 2016 and June 30, 2017, between July 1, 2017 and June  
31 30, 2018, between July 1, 2018 and June 30, 2019, between July 1, 2019  
32 and June 30, 2020, between July 1, 2020 and June 30, 2021, between July  
33 1, 2021 and June 30, 2022, between July 1, 2022 and June 30, 2023,  
34 between July 1, 2023 and June 30, 2024, between July 1, 2024 and June  
35 30, 2025, [and] between July 1, 2025 and June 30, 2026, and between July  
36 1, 2026 and June 30, 2027 or reimburse the hospital where the hospital  
37 purchases equivalent excess coverage as defined in subparagraph (i) of  
38 paragraph (a) of subdivision 1-a of this section for medical or dental  
39 malpractice occurrences between July 1, 1987 and June 30, 1988, between  
40 July 1, 1988 and June 30, 1989, between July 1, 1989 and June 30, 1990,  
41 between July 1, 1990 and June 30, 1991, between July 1, 1991 and June  
42 30, 1992, between July 1, 1992 and June 30, 1993, between July 1, 1993  
43 and June 30, 1994, between July 1, 1994 and June 30, 1995, between July  
44 1, 1995 and June 30, 1996, between July 1, 1996 and June 30, 1997,  
45 between July 1, 1997 and June 30, 1998, between July 1, 1998 and June  
46 30, 1999, between July 1, 1999 and June 30, 2000, between July 1, 2000  
47 and June 30, 2001, between July 1, 2001 and June 30, 2002, between July  
48 1, 2002 and June 30, 2003, between July 1, 2003 and June 30, 2004,  
49 between July 1, 2004 and June 30, 2005, between July 1, 2005 and June  
50 30, 2006, between July 1, 2006 and June 30, 2007, between July 1, 2007  
51 and June 30, 2008, between July 1, 2008 and June 30, 2009, between July  
52 1, 2009 and June 30, 2010, between July 1, 2010 and June 30, 2011,  
53 between July 1, 2011 and June 30, 2012, between July 1, 2012 and June  
54 30, 2013, between July 1, 2013 and June 30, 2014, between July 1, 2014  
55 and June 30, 2015, between July 1, 2015 and June 30, 2016, between July  
56 1, 2016 and June 30, 2017, between July 1, 2017 and June 30, 2018,



1 between July 1, 2018 and June 30, 2019, between July 1, 2019 and June  
2 30, 2020, between July 1, 2020 and June 30, 2021, between July 1, 2021  
3 and June 30, 2022, between July 1, 2022 and June 30, 2023, between July  
4 1, 2023 and June 30, 2024, between July 1, 2024 and June 30, 2025, [and]  
5 between July 1, 2025 and June 30, 2026, and between July 1, 2026 and  
6 June 30, 2027 for physicians or dentists certified as eligible for each  
7 such period or periods pursuant to subdivision 2 of this section by a  
8 general hospital licensed pursuant to article 28 of the public health  
9 law; provided that no single insurer shall write more than fifty percent  
10 of the total excess premium for a given policy year; and provided,  
11 however, that such eligible physicians or dentists must have in force an  
12 individual policy, from an insurer licensed in this state of primary  
13 malpractice insurance coverage in amounts of no less than one million  
14 three hundred thousand dollars for each claimant and three million nine  
15 hundred thousand dollars for all claimants under that policy during the  
16 period of such excess coverage for such occurrences or be endorsed as  
17 additional insureds under a hospital professional liability policy which  
18 is offered through a voluntary attending physician ("channeling")  
19 program previously permitted by the superintendent of financial services  
20 during the period of such excess coverage for such occurrences. During  
21 such period, such policy for excess coverage or such equivalent excess  
22 coverage shall, when combined with the physician's or dentist's primary  
23 malpractice insurance coverage or coverage provided through a voluntary  
24 attending physician ("channeling") program, total an aggregate level of  
25 two million three hundred thousand dollars for each claimant and six  
26 million nine hundred thousand dollars for all claimants from all such  
27 policies with respect to occurrences in each of such years provided,  
28 however, if the cost of primary malpractice insurance coverage in excess  
29 of one million dollars, but below the excess medical malpractice insur-  
30 ance coverage provided pursuant to this act, exceeds the rate of nine  
31 percent per annum, then the required level of primary malpractice insur-  
32 ance coverage in excess of one million dollars for each claimant shall  
33 be in an amount of not less than the dollar amount of such coverage  
34 available at nine percent per annum; the required level of such coverage  
35 for all claimants under that policy shall be in an amount not less than  
36 three times the dollar amount of coverage for each claimant; and excess  
37 coverage, when combined with such primary malpractice insurance cover-  
38 age, shall increase the aggregate level for each claimant by one million  
39 dollars and three million dollars for all claimants; and provided  
40 further, that, with respect to policies of primary medical malpractice  
41 coverage that include occurrences between April 1, 2002 and June 30,  
42 2002, such requirement that coverage be in amounts no less than one  
43 million three hundred thousand dollars for each claimant and three  
44 million nine hundred thousand dollars for all claimants for such occur-  
45 rences shall be effective April 1, 2002.

46 § 2. Subdivision 3 of section 18 of chapter 266 of the laws of 1986,  
47 amending the civil practice law and rules and other laws relating to  
48 malpractice and professional medical conduct, as amended by section 2 of  
49 part G of chapter 57 of the laws of 2025, is amended to read as follows:

50 (3)(a) The superintendent of financial services shall determine and  
51 certify to each general hospital and to the commissioner of health the  
52 cost of excess malpractice insurance for medical or dental malpractice  
53 occurrences between July 1, 1986 and June 30, 1987, between July 1, 1988  
54 and June 30, 1989, between July 1, 1989 and June 30, 1990, between July  
55 1, 1990 and June 30, 1991, between July 1, 1991 and June 30, 1992,  
56 between July 1, 1992 and June 30, 1993, between July 1, 1993 and June



1 30, 1994, between July 1, 1994 and June 30, 1995, between July 1, 1995  
2 and June 30, 1996, between July 1, 1996 and June 30, 1997, between July  
3 1, 1997 and June 30, 1998, between July 1, 1998 and June 30, 1999,  
4 between July 1, 1999 and June 30, 2000, between July 1, 2000 and June  
5 30, 2001, between July 1, 2001 and June 30, 2002, between July 1, 2002  
6 and June 30, 2003, between July 1, 2003 and June 30, 2004, between July  
7 1, 2004 and June 30, 2005, between July 1, 2005 and June 30, 2006,  
8 between July 1, 2006 and June 30, 2007, between July 1, 2007 and June  
9 30, 2008, between July 1, 2008 and June 30, 2009, between July 1, 2009  
10 and June 30, 2010, between July 1, 2010 and June 30, 2011, between July  
11 1, 2011 and June 30, 2012, between July 1, 2012 and June 30, 2013,  
12 between July 1, 2013 and June 30, 2014, between July 1, 2014 and June  
13 30, 2015, between July 1, 2015 and June 30, 2016, between July 1, 2016  
14 and June 30, 2017, between July 1, 2017 and June 30, 2018, between July  
15 1, 2018 and June 30, 2019, between July 1, 2019 and June 30, 2020,  
16 between July 1, 2020 and June 30, 2021, between July 1, 2021 and June  
17 30, 2022, between July 1, 2022 and June 30, 2023, between July 1, 2023  
18 and June 30, 2024, between July 1, 2024 and June 30, 2025, [and] between  
19 July 1, 2025 and June 30, 2026, and between July 1, 2026 and June 30,  
20 2027 allocable to each general hospital for physicians or dentists  
21 certified as eligible for purchase of a policy for excess insurance  
22 coverage by such general hospital in accordance with subdivision 2 of  
23 this section, and may amend such determination and certification as  
24 necessary.

25 (b) The superintendent of financial services shall determine and  
26 certify to each general hospital and to the commissioner of health the  
27 cost of excess malpractice insurance or equivalent excess coverage for  
28 medical or dental malpractice occurrences between July 1, 1987 and June  
29 30, 1988, between July 1, 1988 and June 30, 1989, between July 1, 1989  
30 and June 30, 1990, between July 1, 1990 and June 30, 1991, between July  
31 1, 1991 and June 30, 1992, between July 1, 1992 and June 30, 1993,  
32 between July 1, 1993 and June 30, 1994, between July 1, 1994 and June  
33 30, 1995, between July 1, 1995 and June 30, 1996, between July 1, 1996  
34 and June 30, 1997, between July 1, 1997 and June 30, 1998, between July  
35 1, 1998 and June 30, 1999, between July 1, 1999 and June 30, 2000,  
36 between July 1, 2000 and June 30, 2001, between July 1, 2001 and June  
37 30, 2002, between July 1, 2002 and June 30, 2003, between July 1, 2003  
38 and June 30, 2004, between July 1, 2004 and June 30, 2005, between July  
39 1, 2005 and June 30, 2006, between July 1, 2006 and June 30, 2007,  
40 between July 1, 2007 and June 30, 2008, between July 1, 2008 and June  
41 30, 2009, between July 1, 2009 and June 30, 2010, between July 1, 2010  
42 and June 30, 2011, between July 1, 2011 and June 30, 2012, between July  
43 1, 2012 and June 30, 2013, between July 1, 2013 and June 30, 2014,  
44 between July 1, 2014 and June 30, 2015, between July 1, 2015 and June  
45 30, 2016, between July 1, 2016 and June 30, 2017, between July 1, 2017  
46 and June 30, 2018, between July 1, 2018 and June 30, 2019, between July  
47 1, 2019 and June 30, 2020, between July 1, 2020 and June 30, 2021,  
48 between July 1, 2021 and June 30, 2022, between July 1, 2022 and June  
49 30, 2023, between July 1, 2023 and June 30, 2024, between July 1, 2024  
50 and June 30, 2025, [and] between July 1, 2025 and June 30, 2026, and  
51 between July 1, 2026 and June 30, 2027 allocable to each general hospi-  
52 tal for physicians or dentists certified as eligible for purchase of a  
53 policy for excess insurance coverage or equivalent excess coverage by  
54 such general hospital in accordance with subdivision 2 of this section,  
55 and may amend such determination and certification as necessary. The  
56 superintendent of financial services shall determine and certify to each

1 general hospital and to the commissioner of health the ratable share of  
2 such cost allocable to the period July 1, 1987 to December 31, 1987, to  
3 the period January 1, 1988 to June 30, 1988, to the period July 1, 1988  
4 to December 31, 1988, to the period January 1, 1989 to June 30, 1989, to  
5 the period July 1, 1989 to December 31, 1989, to the period January 1,  
6 1990 to June 30, 1990, to the period July 1, 1990 to December 31, 1990,  
7 to the period January 1, 1991 to June 30, 1991, to the period July 1,  
8 1991 to December 31, 1991, to the period January 1, 1992 to June 30,  
9 1992, to the period July 1, 1992 to December 31, 1992, to the period  
10 January 1, 1993 to June 30, 1993, to the period July 1, 1993 to December  
11 31, 1993, to the period January 1, 1994 to June 30, 1994, to the period  
12 July 1, 1994 to December 31, 1994, to the period January 1, 1995 to June  
13 30, 1995, to the period July 1, 1995 to December 31, 1995, to the period  
14 January 1, 1996 to June 30, 1996, to the period July 1, 1996 to December  
15 31, 1996, to the period January 1, 1997 to June 30, 1997, to the period  
16 July 1, 1997 to December 31, 1997, to the period January 1, 1998 to June  
17 30, 1998, to the period July 1, 1998 to December 31, 1998, to the period  
18 January 1, 1999 to June 30, 1999, to the period July 1, 1999 to December  
19 31, 1999, to the period January 1, 2000 to June 30, 2000, to the period  
20 July 1, 2000 to December 31, 2000, to the period January 1, 2001 to June  
21 30, 2001, to the period July 1, 2001 to June 30, 2002, to the period  
22 July 1, 2002 to June 30, 2003, to the period July 1, 2003 to June 30,  
23 2004, to the period July 1, 2004 to June 30, 2005, to the period July 1,  
24 2005 and June 30, 2006, to the period July 1, 2006 and June 30, 2007, to  
25 the period July 1, 2007 and June 30, 2008, to the period July 1, 2008  
26 and June 30, 2009, to the period July 1, 2009 and June 30, 2010, to the  
27 period July 1, 2010 and June 30, 2011, to the period July 1, 2011 and  
28 June 30, 2012, to the period July 1, 2012 and June 30, 2013, to the  
29 period July 1, 2013 and June 30, 2014, to the period July 1, 2014 and  
30 June 30, 2015, to the period July 1, 2015 and June 30, 2016, to the  
31 period July 1, 2016 and June 30, 2017, to the period July 1, 2017 to  
32 June 30, 2018, to the period July 1, 2018 to June 30, 2019, to the peri-  
33 od July 1, 2019 to June 30, 2020, to the period July 1, 2020 to June 30,  
34 2021, to the period July 1, 2021 to June 30, 2022, to the period July 1,  
35 2022 to June 30, 2023, to the period July 1, 2023 to June 30, 2024, to  
36 the period July 1, 2024 to June 30, 2025, [and] to the period July 1,  
37 2025 to June 30, 2026, and to the period July 1, 2026 to June 30, 2027.

38 § 3. Paragraphs (a), (b), (c), (d) and (e) of subdivision 8 of section  
39 18 of chapter 266 of the laws of 1986, amending the civil practice law  
40 and rules and other laws relating to malpractice and professional  
41 medical conduct, as amended by section 3 of part G of chapter 57 of the  
42 laws of 2025, are amended to read as follows:

43 (a) To the extent funds available to the hospital excess liability  
44 pool pursuant to subdivision 5 of this section as amended, and pursuant  
45 to section 6 of part J of chapter 63 of the laws of 2001, as may from  
46 time to time be amended, which amended this subdivision, are insuffi-  
47 cient to meet the costs of excess insurance coverage or equivalent  
48 excess coverage for coverage periods during the period July 1, 1992 to  
49 June 30, 1993, during the period July 1, 1993 to June 30, 1994, during  
50 the period July 1, 1994 to June 30, 1995, during the period July 1, 1995  
51 to June 30, 1996, during the period July 1, 1996 to June 30, 1997,  
52 during the period July 1, 1997 to June 30, 1998, during the period July  
53 1, 1998 to June 30, 1999, during the period July 1, 1999 to June 30,  
54 2000, during the period July 1, 2000 to June 30, 2001, during the period  
55 July 1, 2001 to October 29, 2001, during the period April 1, 2002 to  
56 June 30, 2002, during the period July 1, 2002 to June 30, 2003, during

1 the period July 1, 2003 to June 30, 2004, during the period July 1, 2004  
2 to June 30, 2005, during the period July 1, 2005 to June 30, 2006,  
3 during the period July 1, 2006 to June 30, 2007, during the period July  
4 1, 2007 to June 30, 2008, during the period July 1, 2008 to June 30,  
5 2009, during the period July 1, 2009 to June 30, 2010, during the period  
6 July 1, 2010 to June 30, 2011, during the period July 1, 2011 to June  
7 30, 2012, during the period July 1, 2012 to June 30, 2013, during the  
8 period July 1, 2013 to June 30, 2014, during the period July 1, 2014 to  
9 June 30, 2015, during the period July 1, 2015 to June 30, 2016, during  
10 the period July 1, 2016 to June 30, 2017, during the period July 1, 2017  
11 to June 30, 2018, during the period July 1, 2018 to June 30, 2019,  
12 during the period July 1, 2019 to June 30, 2020, during the period July  
13 1, 2020 to June 30, 2021, during the period July 1, 2021 to June 30,  
14 2022, during the period July 1, 2022 to June 30, 2023, during the period  
15 July 1, 2023 to June 30, 2024, during the period July 1, 2024 to June  
16 30, 2025, [and] during the period July 1, 2025 to June 30, 2026, and  
17 during the period July 1, 2026 to June 30, 2027 allocated or reallocated  
18 in accordance with paragraph (a) of subdivision 4-a of this section to  
19 rates of payment applicable to state governmental agencies, each physi-  
20 cian or dentist for whom a policy for excess insurance coverage or  
21 equivalent excess coverage is purchased for such period shall be respon-  
22 sible for payment to the provider of excess insurance coverage or equiv-  
23 alent excess coverage of an allocable share of such insufficiency, based  
24 on the ratio of the total cost of such coverage for such physician to  
25 the sum of the total cost of such coverage for all physicians applied to  
26 such insufficiency.

27 (b) Each provider of excess insurance coverage or equivalent excess  
28 coverage covering the period July 1, 1992 to June 30, 1993, or covering  
29 the period July 1, 1993 to June 30, 1994, or covering the period July 1,  
30 1994 to June 30, 1995, or covering the period July 1, 1995 to June 30,  
31 1996, or covering the period July 1, 1996 to June 30, 1997, or covering  
32 the period July 1, 1997 to June 30, 1998, or covering the period July 1,  
33 1998 to June 30, 1999, or covering the period July 1, 1999 to June 30,  
34 2000, or covering the period July 1, 2000 to June 30, 2001, or covering  
35 the period July 1, 2001 to October 29, 2001, or covering the period  
36 April 1, 2002 to June 30, 2002, or covering the period July 1, 2002 to  
37 June 30, 2003, or covering the period July 1, 2003 to June 30, 2004, or  
38 covering the period July 1, 2004 to June 30, 2005, or covering the peri-  
39 od July 1, 2005 to June 30, 2006, or covering the period July 1, 2006 to  
40 June 30, 2007, or covering the period July 1, 2007 to June 30, 2008, or  
41 covering the period July 1, 2008 to June 30, 2009, or covering the peri-  
42 od July 1, 2009 to June 30, 2010, or covering the period July 1, 2010 to  
43 June 30, 2011, or covering the period July 1, 2011 to June 30, 2012, or  
44 covering the period July 1, 2012 to June 30, 2013, or covering the peri-  
45 od July 1, 2013 to June 30, 2014, or covering the period July 1, 2014 to  
46 June 30, 2015, or covering the period July 1, 2015 to June 30, 2016, or  
47 covering the period July 1, 2016 to June 30, 2017, or covering the peri-  
48 od July 1, 2017 to June 30, 2018, or covering the period July 1, 2018 to  
49 June 30, 2019, or covering the period July 1, 2019 to June 30, 2020, or  
50 covering the period July 1, 2020 to June 30, 2021, or covering the peri-  
51 od July 1, 2021 to June 30, 2022, or covering the period July 1, 2022 to  
52 June 30, 2023, or covering the period July 1, 2023 to June 30, 2024, or  
53 covering the period July 1, 2024 to June 30, 2025, or covering the peri-  
54 od July 1, 2025 to June 30, 2026, or covering the period July 1, 2026 to  
55 June 30, 2027 shall notify a covered physician or dentist by mail,  
56 mailed to the address shown on the last application for excess insurance

1 coverage or equivalent excess coverage, of the amount due to such  
2 provider from such physician or dentist for such coverage period deter-  
3 mined in accordance with paragraph (a) of this subdivision. Such amount  
4 shall be due from such physician or dentist to such provider of excess  
5 insurance coverage or equivalent excess coverage in a time and manner  
6 determined by the superintendent of financial services.

7 (c) If a physician or dentist liable for payment of a portion of the  
8 costs of excess insurance coverage or equivalent excess coverage cover-  
9 ing the period July 1, 1992 to June 30, 1993, or covering the period  
10 July 1, 1993 to June 30, 1994, or covering the period July 1, 1994 to  
11 June 30, 1995, or covering the period July 1, 1995 to June 30, 1996, or  
12 covering the period July 1, 1996 to June 30, 1997, or covering the peri-  
13 od July 1, 1997 to June 30, 1998, or covering the period July 1, 1998 to  
14 June 30, 1999, or covering the period July 1, 1999 to June 30, 2000, or  
15 covering the period July 1, 2000 to June 30, 2001, or covering the peri-  
16 od July 1, 2001 to October 29, 2001, or covering the period April 1,  
17 2002 to June 30, 2002, or covering the period July 1, 2002 to June 30,  
18 2003, or covering the period July 1, 2003 to June 30, 2004, or covering  
19 the period July 1, 2004 to June 30, 2005, or covering the period July 1,  
20 2005 to June 30, 2006, or covering the period July 1, 2006 to June 30,  
21 2007, or covering the period July 1, 2007 to June 30, 2008, or covering  
22 the period July 1, 2008 to June 30, 2009, or covering the period July 1,  
23 2009 to June 30, 2010, or covering the period July 1, 2010 to June 30,  
24 2011, or covering the period July 1, 2011 to June 30, 2012, or covering  
25 the period July 1, 2012 to June 30, 2013, or covering the period July 1,  
26 2013 to June 30, 2014, or covering the period July 1, 2014 to June 30,  
27 2015, or covering the period July 1, 2015 to June 30, 2016, or covering  
28 the period July 1, 2016 to June 30, 2017, or covering the period July 1,  
29 2017 to June 30, 2018, or covering the period July 1, 2018 to June 30,  
30 2019, or covering the period July 1, 2019 to June 30, 2020, or covering  
31 the period July 1, 2020 to June 30, 2021, or covering the period July 1,  
32 2021 to June 30, 2022, or covering the period July 1, 2022 to June 30,  
33 2023, or covering the period July 1, 2023 to June 30, 2024, or covering  
34 the period July 1, 2024 to June 30, 2025, or covering the period July 1,  
35 2025 to June 30, 2026, or covering the period July 1, 2026 to June 30,  
36 2027 determined in accordance with paragraph (a) of this subdivision  
37 fails, refuses or neglects to make payment to the provider of excess  
38 insurance coverage or equivalent excess coverage in such time and manner  
39 as determined by the superintendent of financial services pursuant to  
40 paragraph (b) of this subdivision, excess insurance coverage or equiv-  
41 alent excess coverage purchased for such physician or dentist in accord-  
42 ance with this section for such coverage period shall be cancelled and  
43 shall be null and void as of the first day on or after the commencement  
44 of a policy period where the liability for payment pursuant to this  
45 subdivision has not been met.

46 (d) Each provider of excess insurance coverage or equivalent excess  
47 coverage shall notify the superintendent of financial services and the  
48 commissioner of health or their designee of each physician and dentist  
49 eligible for purchase of a policy for excess insurance coverage or  
50 equivalent excess coverage covering the period July 1, 1992 to June 30,  
51 1993, or covering the period July 1, 1993 to June 30, 1994, or covering  
52 the period July 1, 1994 to June 30, 1995, or covering the period July 1,  
53 1995 to June 30, 1996, or covering the period July 1, 1996 to June 30,  
54 1997, or covering the period July 1, 1997 to June 30, 1998, or covering  
55 the period July 1, 1998 to June 30, 1999, or covering the period July 1,  
56 1999 to June 30, 2000, or covering the period July 1, 2000 to June 30,

1 2001, or covering the period July 1, 2001 to October 29, 2001, or cover-  
2 ing the period April 1, 2002 to June 30, 2002, or covering the period  
3 July 1, 2002 to June 30, 2003, or covering the period July 1, 2003 to  
4 June 30, 2004, or covering the period July 1, 2004 to June 30, 2005, or  
5 covering the period July 1, 2005 to June 30, 2006, or covering the peri-  
6 od July 1, 2006 to June 30, 2007, or covering the period July 1, 2007 to  
7 June 30, 2008, or covering the period July 1, 2008 to June 30, 2009, or  
8 covering the period July 1, 2009 to June 30, 2010, or covering the peri-  
9 od July 1, 2010 to June 30, 2011, or covering the period July 1, 2011 to  
10 June 30, 2012, or covering the period July 1, 2012 to June 30, 2013, or  
11 covering the period July 1, 2013 to June 30, 2014, or covering the peri-  
12 od July 1, 2014 to June 30, 2015, or covering the period July 1, 2015 to  
13 June 30, 2016, or covering the period July 1, 2016 to June 30, 2017, or  
14 covering the period July 1, 2017 to June 30, 2018, or covering the peri-  
15 od July 1, 2018 to June 30, 2019, or covering the period July 1, 2019 to  
16 June 30, 2020, or covering the period July 1, 2020 to June 30, 2021, or  
17 covering the period July 1, 2021 to June 30, 2022, or covering the peri-  
18 od July 1, 2022 to June 30, 2023, or covering the period July 1, 2023 to  
19 June 30, 2024, or covering the period July 1, 2024 to June 30, 2025, or  
20 covering the period July 1, 2025 to June 30, 2026, or covering the peri-  
21 od July 1, 2026 to June 30, 2027 that has made payment to such provider  
22 of excess insurance coverage or equivalent excess coverage in accordance  
23 with paragraph (b) of this subdivision and of each physician and dentist  
24 who has failed, refused or neglected to make such payment.

25 (e) A provider of excess insurance coverage or equivalent excess  
26 coverage shall refund to the hospital excess liability pool any amount  
27 allocable to the period July 1, 1992 to June 30, 1993, and to the period  
28 July 1, 1993 to June 30, 1994, and to the period July 1, 1994 to June  
29 30, 1995, and to the period July 1, 1995 to June 30, 1996, and to the  
30 period July 1, 1996 to June 30, 1997, and to the period July 1, 1997 to  
31 June 30, 1998, and to the period July 1, 1998 to June 30, 1999, and to  
32 the period July 1, 1999 to June 30, 2000, and to the period July 1, 2000  
33 to June 30, 2001, and to the period July 1, 2001 to October 29, 2001,  
34 and to the period April 1, 2002 to June 30, 2002, and to the period July  
35 1, 2002 to June 30, 2003, and to the period July 1, 2003 to June 30,  
36 2004, and to the period July 1, 2004 to June 30, 2005, and to the period  
37 July 1, 2005 to June 30, 2006, and to the period July 1, 2006 to June  
38 30, 2007, and to the period July 1, 2007 to June 30, 2008, and to the  
39 period July 1, 2008 to June 30, 2009, and to the period July 1, 2009 to  
40 June 30, 2010, and to the period July 1, 2010 to June 30, 2011, and to  
41 the period July 1, 2011 to June 30, 2012, and to the period July 1, 2012  
42 to June 30, 2013, and to the period July 1, 2013 to June 30, 2014, and  
43 to the period July 1, 2014 to June 30, 2015, and to the period July 1,  
44 2015 to June 30, 2016, to the period July 1, 2016 to June 30, 2017, and  
45 to the period July 1, 2017 to June 30, 2018, and to the period July 1,  
46 2018 to June 30, 2019, and to the period July 1, 2019 to June 30, 2020,  
47 and to the period July 1, 2020 to June 30, 2021, and to the period July  
48 1, 2021 to June 30, 2022, and to the period July 1, 2022 to June 30,  
49 2023, and to the period July 1, 2023 to June 30, 2024, and to the period  
50 July 1, 2024 to June 30, 2025, and to the period July 1, 2025 to June  
51 30, 2026, and to the period July 1, 2026 to June 30, 2027 received from  
52 the hospital excess liability pool for purchase of excess insurance  
53 coverage or equivalent excess coverage covering the period July 1, 1992  
54 to June 30, 1993, and covering the period July 1, 1993 to June 30, 1994,  
55 and covering the period July 1, 1994 to June 30, 1995, and covering the  
56 period July 1, 1995 to June 30, 1996, and covering the period July 1,

1 1996 to June 30, 1997, and covering the period July 1, 1997 to June 30,  
2 1998, and covering the period July 1, 1998 to June 30, 1999, and cover-  
3 ing the period July 1, 1999 to June 30, 2000, and covering the period  
4 July 1, 2000 to June 30, 2001, and covering the period July 1, 2001 to  
5 October 29, 2001, and covering the period April 1, 2002 to June 30,  
6 2002, and covering the period July 1, 2002 to June 30, 2003, and cover-  
7 ing the period July 1, 2003 to June 30, 2004, and covering the period  
8 July 1, 2004 to June 30, 2005, and covering the period July 1, 2005 to  
9 June 30, 2006, and covering the period July 1, 2006 to June 30, 2007,  
10 and covering the period July 1, 2007 to June 30, 2008, and covering the  
11 period July 1, 2008 to June 30, 2009, and covering the period July 1,  
12 2009 to June 30, 2010, and covering the period July 1, 2010 to June 30,  
13 2011, and covering the period July 1, 2011 to June 30, 2012, and cover-  
14 ing the period July 1, 2012 to June 30, 2013, and covering the period  
15 July 1, 2013 to June 30, 2014, and covering the period July 1, 2014 to  
16 June 30, 2015, and covering the period July 1, 2015 to June 30, 2016,  
17 and covering the period July 1, 2016 to June 30, 2017, and covering the  
18 period July 1, 2017 to June 30, 2018, and covering the period July 1,  
19 2018 to June 30, 2019, and covering the period July 1, 2019 to June 30,  
20 2020, and covering the period July 1, 2020 to June 30, 2021, and cover-  
21 ing the period July 1, 2021 to June 30, 2022, and covering the period  
22 July 1, 2022 to June 30, 2023 for, and covering the period July 1, 2023  
23 to June 30, 2024, and covering the period July 1, 2024 to June 30, 2025,  
24 and covering the period July 1, 2025 to June 30, 2026, and covering the  
25 period July 1, 2026 to June 30, 2027 a physician or dentist where such  
26 excess insurance coverage or equivalent excess coverage is cancelled in  
27 accordance with paragraph (c) of this subdivision.

28 § 4. Section 40 of chapter 266 of the laws of 1986, amending the civil  
29 practice law and rules and other laws relating to malpractice and  
30 professional medical conduct, as amended by section 4 of part G of chap-  
31 ter 57 of the laws of 2025, is amended to read as follows:

32 § 40. The superintendent of financial services shall establish rates  
33 for policies providing coverage for physicians and surgeons medical  
34 malpractice for the periods commencing July 1, 1985 and ending June 30,  
35 [2026] 2027; provided, however, that notwithstanding any other provision  
36 of law, the superintendent shall not establish or approve any increase  
37 in rates for the period commencing July 1, 2009 and ending June 30,  
38 2010. The superintendent shall direct insurers to establish segregated  
39 accounts for premiums, payments, reserves and investment income attrib-  
40 utable to such premium periods and shall require periodic reports by the  
41 insurers regarding claims and expenses attributable to such periods to  
42 monitor whether such accounts will be sufficient to meet incurred claims  
43 and expenses. On or after July 1, 1989, the superintendent shall impose  
44 a surcharge on premiums to satisfy a projected deficiency that is  
45 attributable to the premium levels established pursuant to this section  
46 for such periods; provided, however, that such annual surcharge shall  
47 not exceed eight percent of the established rate until July 1, [2026]  
48 2027, at which time and thereafter such surcharge shall not exceed twen-  
49 ty-five percent of the approved adequate rate, and that such annual  
50 surcharges shall continue for such period of time as shall be sufficient  
51 to satisfy such deficiency. The superintendent shall not impose such  
52 surcharge during the period commencing July 1, 2009 and ending June 30,  
53 2010. On and after July 1, 1989, the surcharge prescribed by this  
54 section shall be retained by insurers to the extent that they insured  
55 physicians and surgeons during the July 1, 1985 through June 30, [2026]  
56 2027 policy periods; in the event and to the extent physicians and

1 surgeons were insured by another insurer during such periods, all or a  
2 pro rata share of the surcharge, as the case may be, shall be remitted  
3 to such other insurer in accordance with rules and regulations to be  
4 promulgated by the superintendent. Surcharges collected from physicians  
5 and surgeons who were not insured during such policy periods shall be  
6 apportioned among all insurers in proportion to the premium written by  
7 each insurer during such policy periods; if a physician or surgeon was  
8 insured by an insurer subject to rates established by the superintendent  
9 during such policy periods, and at any time thereafter a hospital,  
10 health maintenance organization, employer or institution is responsible  
11 for responding in damages for liability arising out of such physician's  
12 or surgeon's practice of medicine, such responsible entity shall also  
13 remit to such prior insurer the equivalent amount that would then be  
14 collected as a surcharge if the physician or surgeon had continued to  
15 remain insured by such prior insurer. In the event any insurer that  
16 provided coverage during such policy periods is in liquidation, the  
17 property/casualty insurance security fund shall receive the portion of  
18 surcharges to which the insurer in liquidation would have been entitled.  
19 The surcharges authorized herein shall be deemed to be income earned for  
20 the purposes of section 2303 of the insurance law. The superintendent,  
21 in establishing adequate rates and in determining any projected defi-  
22 ciency pursuant to the requirements of this section and the insurance  
23 law, shall give substantial weight, determined in [his] their discretion  
24 and judgment, to the prospective anticipated effect of any regulations  
25 promulgated and laws enacted and the public benefit of stabilizing  
26 malpractice rates and minimizing rate level fluctuation during the peri-  
27 od of time necessary for the development of more reliable statistical  
28 experience as to the efficacy of such laws and regulations affecting  
29 medical, dental or podiatric malpractice enacted or promulgated in 1985,  
30 1986, by this act and at any other time. Notwithstanding any provision  
31 of the insurance law, rates already established and to be established by  
32 the superintendent pursuant to this section are deemed adequate if such  
33 rates would be adequate when taken together with the maximum authorized  
34 annual surcharges to be imposed for a reasonable period of time whether  
35 or not any such annual surcharge has been actually imposed as of the  
36 establishment of such rates.

37 § 5. Section 5 and subdivisions (a) and (e) of section 6 of part J of  
38 chapter 63 of the laws of 2001, amending chapter 266 of the laws of  
39 1986, amending the civil practice law and rules and other laws relating  
40 to malpractice and professional medical conduct, as amended by section 5  
41 of part G of chapter 57 of the laws of 2025, are amended to read as  
42 follows:

43 § 5. The superintendent of financial services and the commissioner of  
44 health shall determine, no later than June 15, 2002, June 15, 2003, June  
45 15, 2004, June 15, 2005, June 15, 2006, June 15, 2007, June 15, 2008,  
46 June 15, 2009, June 15, 2010, June 15, 2011, June 15, 2012, June 15,  
47 2013, June 15, 2014, June 15, 2015, June 15, 2016, June 15, 2017, June  
48 15, 2018, June 15, 2019, June 15, 2020, June 15, 2021, June 15, 2022,  
49 June 15, 2023, June 15, 2024, June 15, 2025, [and] June 15, 2026, and  
50 June 15, 2027 the amount of funds available in the hospital excess  
51 liability pool, created pursuant to section 18 of chapter 266 of the  
52 laws of 1986, and whether such funds are sufficient for purposes of  
53 purchasing excess insurance coverage for eligible participating physi-  
54 cians and dentists during the period July 1, 2001 to June 30, 2002, or  
55 July 1, 2002 to June 30, 2003, or July 1, 2003 to June 30, 2004, or July  
56 1, 2004 to June 30, 2005, or July 1, 2005 to June 30, 2006, or July 1,

1 2006 to June 30, 2007, or July 1, 2007 to June 30, 2008, or July 1, 2008  
2 to June 30, 2009, or July 1, 2009 to June 30, 2010, or July 1, 2010 to  
3 June 30, 2011, or July 1, 2011 to June 30, 2012, or July 1, 2012 to June  
4 30, 2013, or July 1, 2013 to June 30, 2014, or July 1, 2014 to June 30,  
5 2015, or July 1, 2015 to June 30, 2016, or July 1, 2016 to June 30,  
6 2017, or July 1, 2017 to June 30, 2018, or July 1, 2018 to June 30,  
7 2019, or July 1, 2019 to June 30, 2020, or July 1, 2020 to June 30,  
8 2021, or July 1, 2021 to June 30, 2022, or July 1, 2022 to June 30,  
9 2023, or July 1, 2023 to June 30, 2024, or July 1, 2024 to June 30,  
10 2025, or July 1, 2025 to June 30, 2026, or July 1, 2026 to June 30, 2027  
11 as applicable.

12 (a) This section shall be effective only upon a determination, pursu-  
13 ant to section five of this act, by the superintendent of financial  
14 services and the commissioner of health, and a certification of such  
15 determination to the state director of the budget, the chair of the  
16 senate committee on finance and the chair of the assembly committee on  
17 ways and means, that the amount of funds in the hospital excess liabil-  
18 ity pool, created pursuant to section 18 of chapter 266 of the laws of  
19 1986, is insufficient for purposes of purchasing excess insurance cover-  
20 age for eligible participating physicians and dentists during the period  
21 July 1, 2001 to June 30, 2002, or July 1, 2002 to June 30, 2003, or July  
22 1, 2003 to June 30, 2004, or July 1, 2004 to June 30, 2005, or July 1,  
23 2005 to June 30, 2006, or July 1, 2006 to June 30, 2007, or July 1, 2007  
24 to June 30, 2008, or July 1, 2008 to June 30, 2009, or July 1, 2009 to  
25 June 30, 2010, or July 1, 2010 to June 30, 2011, or July 1, 2011 to June  
26 30, 2012, or July 1, 2012 to June 30, 2013, or July 1, 2013 to June 30,  
27 2014, or July 1, 2014 to June 30, 2015, or July 1, 2015 to June 30,  
28 2016, or July 1, 2016 to June 30, 2017, or July 1, 2017 to June 30,  
29 2018, or July 1, 2018 to June 30, 2019, or July 1, 2019 to June 30,  
30 2020, or July 1, 2020 to June 30, 2021, or July 1, 2021 to June 30,  
31 2022, or July 1, 2022 to June 30, 2023, or July 1, 2023 to June 30,  
32 2024, or July 1, 2024 to June 30, 2025, or July 1, 2025 to June 30,  
33 2026, or July 1, 2026 to June 30, 2027 as applicable.

34 (e) The commissioner of health shall transfer for deposit to the  
35 hospital excess liability pool created pursuant to section 18 of chapter  
36 266 of the laws of 1986 such amounts as directed by the superintendent  
37 of financial services for the purchase of excess liability insurance  
38 coverage for eligible participating physicians and dentists for the  
39 policy year July 1, 2001 to June 30, 2002, or July 1, 2002 to June 30,  
40 2003, or July 1, 2003 to June 30, 2004, or July 1, 2004 to June 30,  
41 2005, or July 1, 2005 to June 30, 2006, or July 1, 2006 to June 30,  
42 2007, as applicable, and the cost of administering the hospital excess  
43 liability pool for such applicable policy year, pursuant to the program  
44 established in chapter 266 of the laws of 1986, as amended, no later  
45 than June 15, 2002, June 15, 2003, June 15, 2004, June 15, 2005, June  
46 15, 2006, June 15, 2007, June 15, 2008, June 15, 2009, June 15, 2010,  
47 June 15, 2011, June 15, 2012, June 15, 2013, June 15, 2014, June 15,  
48 2015, June 15, 2016, June 15, 2017, June 15, 2018, June 15, 2019, June  
49 15, 2020, June 15, 2021, June 15, 2022, June 15, 2023, June 15, 2024,  
50 June 15, 2025, [and] June 15, 2026, and June 15, 2027 as applicable.

51 § 6. Section 20 of part H of chapter 57 of the laws of 2017, amending  
52 the New York Health Care Reform Act of 1996 and other laws relating to  
53 extending certain provisions thereto, as amended by section 6 of part G  
54 of chapter 57 of the laws of 2025, is amended to read as follows:

55 § 20. Notwithstanding any law, rule or regulation to the contrary,  
56 only physicians or dentists who were eligible, and for whom the super-

1 intendent of financial services and the commissioner of health, or their  
2 designee, purchased, with funds available in the hospital excess liabil-  
3 ity pool, a full or partial policy for excess coverage or equivalent  
4 excess coverage for the coverage period ending the thirtieth of June,  
5 two thousand [twenty-five] twenty-six, shall be eligible to apply for  
6 such coverage for the coverage period beginning the first of July, two  
7 thousand [twenty-five] twenty-six; provided, however, if the total  
8 number of physicians or dentists for whom such excess coverage or equiv-  
9 alent excess coverage was purchased for the policy year ending the thir-  
10 tieth of June, two thousand [twenty-five] twenty-six exceeds the total  
11 number of physicians or dentists certified as eligible for the coverage  
12 period beginning the first of July, two thousand [twenty-five] twenty-  
13 six, then the general hospitals may certify additional eligible physi-  
14 cians or dentists in a number equal to such general hospital's propor-  
15 tional share of the total number of physicians or dentists for whom  
16 excess coverage or equivalent excess coverage was purchased with funds  
17 available in the hospital excess liability pool as of the thirtieth of  
18 June, two thousand [twenty-five] twenty-six, as applied to the differ-  
19 ence between the number of eligible physicians or dentists for whom a  
20 policy for excess coverage or equivalent excess coverage was purchased  
21 for the coverage period ending the thirtieth of June, two thousand  
22 [twenty-five] twenty-six and the number of such eligible physicians or  
23 dentists who have applied for excess coverage or equivalent excess  
24 coverage for the coverage period beginning the first of July, two thou-  
25 sand [twenty-five] twenty-six.

26 § 7. This act shall take effect immediately and shall be deemed to  
27 have been in full force and effect on and after April 1, 2026.

28 PART E

29 Intentionally Omitted

30 PART F

31 Section 1. Intentionally omitted.

32 § 1-a. Intentionally omitted.

33 § 2. Section 9 of part JJ of chapter 57 of the laws of 2025 amending  
34 the public health law relating to reporting pregnancy losses and clari-  
35 fying which agencies are responsible for such reports, is amended to  
36 read as follows:

37 § 9. This act shall take effect immediately and shall be deemed to  
38 have been in full force and effect on and after April 1, 2025; provided,  
39 however that [the amendments to subdivision 2 of section 4160 of the  
40 public health law made by] section [two] three of this act shall [expire  
41 and be deemed repealed] take effect March 30, 2027[, when upon such date  
42 the provisions of section three of this act shall take effect].

43 § 3. Section 5 of part P of chapter 57 of the laws of 2025 amending  
44 the public health law relating to requiring hospitals to provide stabi-  
45 lizing care to pregnant individuals, is amended to read as follows:

46 § 5. This act shall take effect immediately; provided, however, that  
47 the amendments to subdivision 3 of section 2805-b of the public health  
48 law [made by] as designated subdivision 5 in section one of this act  
49 shall be subject to the expiration and reversion of such subdivision  
50 pursuant to section 21 of chapter 723 of the laws of 1989, as amended,

1 when upon such date the provisions of section two of this act shall take  
2 effect.

3 § 4. Intentionally omitted.

4 § 5. Subdivision 6 of section 3331 of the public health law, as  
5 amended by chapter 178 of the laws of 2010, is amended to read as  
6 follows:

7 6. A practitioner dispensing a controlled substance shall file infor-  
8 mation pursuant to such dispensing with the department by electronic  
9 means in such manner and detail as the commissioner shall, by regu-  
10 lation, require. This requirement shall not apply to the dispensing by a  
11 practitioner pursuant to subdivision [five] six of section thirty-three  
12 hundred fifty-one of this article.

13 § 6. Subparagraph (ii) of paragraph (a) of subdivision 2 of section  
14 3343-a of the public health law, as added by section 2 of part A of  
15 chapter 447 of the laws of 2012, is amended to read as follows:

16 (ii) a practitioner dispensing pursuant to subdivision [three] four of  
17 section thirty-three hundred fifty-one of this article;

18 § 7. Intentionally omitted.

19 § 8. Subsection (c) of section 1119 of the insurance law, as amended  
20 by chapter 76 of the laws of 2026, is amended to read as follows:

21 (c) Such organization shall be subject to the provisions of article  
22 seventy-four of this chapter. Prior to commencing action under such  
23 article seventy-four, the superintendent shall consult with the continu-  
24 ing care retirement community council established pursuant to section  
25 [forty-six hundred two] forty-six hundred three of the public health  
26 law.

27 § 9. This act shall take effect immediately; provided, however, that  
28 sections five and six of this act shall take effect on the same date and  
29 in the same manner as chapter 546 of the laws of 2025 took effect.

30 PART G

31 Intentionally Omitted

32 PART H

33 Intentionally Omitted

34 PART I

35 Intentionally Omitted

36 PART J

37 Section 1. Subdivisions 2 and 8 of section 2999-ii of the public  
38 health law, subdivision 2 as added by section 1 of part X of chapter 57  
39 of the laws of 2023 and subdivision 8 as amended by chapter 598 of the  
40 laws of 2025, are amended to read as follows:

41 2. "Controlling person" means a person, officer, program administra-  
42 tor, or director whose responsibilities include the direction of the  
43 management or policies of a temporary health care services agency.  
44 "Controlling person" also means [an individual] a person who[, ] directly

1 owns at least ten percent voting interest in a corporation, partnership,  
2 or other business entity that is a controlling person.

3 8. "Temporary health care services agency" or "agency" means a person,  
4 firm, corporation, partnership, association or other entity in the busi-  
5 ness of providing or procuring temporary employment or engaging individ-  
6 uals to provide health care services for health care entities, or of  
7 enabling health care entities, directly or indirectly, to engage indi-  
8 viduals to perform health care services. Temporary health care services  
9 agency shall include a nurses' registry licensed under article eleven of  
10 the general business law and entities that utilize apps or other tech-  
11 nology-based solutions to provide, procure or enable health care enti-  
12 ties to engage individuals to perform health care services, including  
13 vendor management systems and subcontracting arrangements with other  
14 agencies that result in the engagement of individuals. Temporary health  
15 care services agency shall not include: (a) an individual who only  
16 engages in providing the individual's own services on a temporary basis  
17 to health care entities; or (b) a home care agency licensed under arti-  
18 cle thirty-six of this chapter.

19 § 2. Subdivision 3 of section 2999-jj of the public health law, as  
20 added by section 1 of part X of chapter 57 of the laws of 2023 and para-  
21 graph (a) as amended by chapter 598 of the laws of 2025, is amended to  
22 read as follows:

23 3. As a condition of registration, a temporary health care services  
24 agency:

25 (a) Shall document that each individual engaged to provide health care  
26 services to health care entities currently meets the minimum licensing,  
27 training, and continuing education standards for the position in which  
28 the [health care personnel] individual will be working.

29 (b) Shall comply with all pertinent requirements and qualifications  
30 for personnel employed in health care entities.

31 (c) Shall not restrict in any manner the employment opportunities of  
32 [its health care personnel] individuals it connects with health care  
33 entities to provide health care services.

34 (d) Shall not require the payment of liquidated damages, employment  
35 fees, or other compensation should the [health care personnel] individ-  
36 uals it connects with health care entities to provide health care  
37 services be hired as a permanent employee, contractor, or contingent  
38 worker of a health care entity in any contract with any [health care  
39 personnel] individual engaged to provide health care services or health  
40 care entity or otherwise.

41 (e) Shall retain all records related to [health care personnel] indi-  
42 viduals engaged to provide health care services for six [calendar] years  
43 and make them available to the department upon request.

44 (f) Shall comply with any requests made by the department to examine  
45 the books and records of the agency, subpoena witnesses and documents  
46 and make such other investigation as is necessary in the event that the  
47 department has reason to believe that the books or records do not accu-  
48 rately reflect the financial condition or financial transactions of the  
49 agency.

50 (g) Shall comply with any additional requirements the department may  
51 deem necessary.

52 § 3. Subdivision 2 of section 2999-kk of the public health law, as  
53 added by section 1 of part X of chapter 57 of the laws of 2023, para-  
54 graphs (a), (b), (f) and (h) as amended by chapter 598 of the laws of  
55 2025, is amended to read as follows:

1 2. A temporary health care services agency shall maintain, and require  
2 subcontracting arrangements with other agencies to maintain, a written  
3 agreement or contract with each health care entity, which shall include,  
4 at a minimum:

5 (a) The required minimum licensing, training, and continuing education  
6 requirements for each individual engaged in a health care position.

7 (b) Any requirement for minimum advance notice in order to ensure  
8 prompt arrival of individuals engaged to provide health care services.

9 (c) The maximum rates that can be billed or charged by the temporary  
10 health care services agency pursuant to section twenty-nine hundred  
11 ninety-nine-mm of this article and any applicable regulations.

12 (d) The rates to be charged by the temporary health care services  
13 agency.

14 (e) Procedures for the investigation and resolution of complaints  
15 about the performance of [temporary health care services agency person-  
16 nel] individuals engaged to provide health care services.

17 (f) Procedures for notice from health care entities of failure of  
18 individuals engaged to provide health care services to report to an  
19 agreed upon scheduled shift.

20 (g) Procedures for notice of actual or suspected abuse, theft, tamper-  
21 ing or other diversion of controlled substances by [medical personnel]  
22 individuals engaged to provide health care services.

23 (h) The types and qualifications of individuals engaged to provide  
24 health care services available through the temporary health care  
25 services agency.

26 § 4. Section 2999-11 of the public health law, as added by section 1  
27 of part X of chapter 57 of the laws of 2023, is amended to read as  
28 follows:

29 § 2999-11. Violations; penalties. In addition to other remedies avail-  
30 able by law, violations of the provisions of this article and any regu-  
31 lations promulgated thereunder shall be subject to penalties and fines  
32 pursuant to section twelve of this chapter; provided, however, that each  
33 violation committed by [any health care personnel of] a temporary health  
34 care services agency shall be considered a separate violation.

35 § 5. Section 2999-mm of the public health law, as added by section 1  
36 of part X of chapter 57 of the laws of 2023, is amended to read as  
37 follows:

38 § 2999-mm. Rates for temporary health care services; reports. A tempo-  
39 rary health care services agency shall report quarterly to the depart-  
40 ment a full disclosure of charges and compensation, including a schedule  
41 of all hourly bill rates per category of [health care personnel] indi-  
42 viduals engaged to provide health care services, a full description of  
43 administrative charges, and a schedule of rates of all compensation per  
44 category of [health care personnel] individuals engaged to provide  
45 health care services including, but not limited to:

46 1. hourly regular pay rate, shift differential, weekend differential,  
47 hazard pay, charge nurse add-on, overtime, holiday pay, travel or mile-  
48 age pay, and any health or other fringe benefits provided;

49 2. the percentage of health care entity dollars that the agency  
50 expended on [temporary personnel wages and benefits] compensation,  
51 including, as applicable, benefits, to individuals engaged to provide  
52 health care services compared to the temporary health care services  
53 agency's profits and other administrative costs;

54 3. a list of the states and zip codes of [their health care person-  
55 nels'] the primary residences of individuals engaged to provide health  
56 care services;



1 4. the names of all health care entities they or a third party with  
2 whom the agency is subcontracting have contracted within New York state;

3 5. the number of [health care personnel of] individuals engaged to  
4 provide health care services by the temporary health care services agen-  
5 cy working at each entity; and

6 6. any other information prescribed by the commissioner.

7 § 6. This act shall take effect one year after it shall have become a  
8 law.

9 PART K

10 Intentionally Omitted

11 PART L

12 Section 1. Subparagraph (iv) of paragraph (b) of subdivision 2-b of  
13 section 2808 of the public health law, as amended by section 2 of part E  
14 of chapter 57 of the laws of 2024, is amended to read as follows:

15 (iv) The capital cost component of rates on and after January first,  
16 two thousand nine shall: (A) fully reflect the cost of local property  
17 taxes and payments made in lieu of local property taxes, as reported in  
18 each facility's cost report submitted for the year two years prior to  
19 the rate year; (B) provided, however, notwithstanding any inconsistent  
20 provision of this article, commencing April first, two thousand twenty  
21 and ending March thirty-first, two thousand twenty-six for rates of  
22 payment for patients eligible for payments made by state governmental  
23 agencies, the capital cost component determined in accordance with this  
24 subparagraph and inclusive of any shared savings for eligible facilities  
25 that elect to refinance their mortgage loans pursuant to paragraph (d)  
26 of subdivision two-a of this section, shall be reduced by the commis-  
27 sioner by five percent; and (C) provided, however, notwithstanding any  
28 inconsistent provision of this article, commencing April first, two  
29 thousand twenty-four and ending March thirty-first, two thousand twen-  
30 ty-six for rates of payment for patients eligible for payments made by  
31 state governmental agencies, the capital cost component determined in  
32 accordance with this subparagraph and inclusive of any shared savings  
33 for eligible facilities that elect to refinance their mortgage loans  
34 pursuant to paragraph (d) of subdivision two-a of this section, shall be  
35 reduced by the commissioner by an additional ten percent, provided,  
36 however, that such reduction shall not apply to rates of payment for  
37 patients in pediatric residential health care facilities as defined in  
38 paragraph (c) of subdivision two of section twenty-eight hundred eight-e  
39 of this article.

40 § 2. Intentionally omitted.

41 § 3. This act shall take effect immediately and shall be deemed to  
42 have been in full force and effect on and after April 1, 2026.

43 PART M

44 Section 1. Paragraph (mm) of subdivision 2 of section 365-a of the  
45 social services law, as amended by chapter 29 of the laws of 2024, is  
46 amended to read as follows:

47 (mm) (i) medically necessary biomarker precision medical testing for  
48 the purposes of diagnosis, treatment, or appropriate management of, or  
49 ongoing monitoring to guide treatment decisions for, a recipient's

1 disease or condition when one or more of the following recognizes the  
2 efficacy and appropriateness of biomarker precision medical testing for  
3 diagnosis, treatment, appropriate management, or guiding treatment deci-  
4 sions for a recipient's disease or condition:

5 (1) labeled indications for a test approved or cleared by the federal  
6 food and drug administration or indicated tests for a food and drug  
7 administration approved drug; or

8 (2) centers for medicare and medicaid services national coverage  
9 determinations or medicare administrative contractor local coverage  
10 determinations[;

11 (3) nationally recognized clinical practice guidelines; or

12 (4) peer-reviewed literature and peer-reviewed scientific studies  
13 published in or accepted for publication by medical journals that meet  
14 nationally recognized requirements for scientific manuscripts and that  
15 submit most of their published articles for review by experts who are  
16 not part of the editorial staff].

17 (ii) As used in this paragraph, the following terms shall have the  
18 following meanings:

19 (1) "Biomarker" means a characteristic that is measured as an indica-  
20 tor of normal biological processes, pathogenic processes, or responses  
21 to an exposure or intervention, including therapeutic interventions.

22 (2) "Biomarker precision medical testing" means the analysis of a  
23 patient's tissue, blood, or other biospecimen for the presence of a  
24 biomarker. Biomarker testing includes but is not limited to single-ana-  
25 lyte tests and multi-plex panel tests performed at a participating  
26 in-network laboratory facility that is either CLIA certified or CLIA  
27 waived by the federal food and drug administration.

28 [(3) "Nationally recognized clinical practice guidelines" means  
29 evidence-based clinical practice guidelines informed by a systematic  
30 review of evidence and an assessment of the benefits, and risks of  
31 alternative care options intended to optimize patient care developed by  
32 independent organizations or medical professional societies utilizing a  
33 transparent methodology and reporting structure and with a conflict of  
34 interest policy.]

35 § 2. This act shall take effect immediately and shall be deemed to  
36 have been in full force and effect on and after April 1, 2026.

37 PART N

38 Intentionally Omitted

39 PART O

40 Section 1. Section 1-c of part I of chapter 57 of the laws of 2022  
41 providing a one percent across the board payment increase to all quali-  
42 fying fee-for-service Medicaid rates, as added by section 5 of part F of  
43 chapter 57 of the laws of 2025, is amended to read as follows:

44 § 1-c. Notwithstanding any provision of law to the contrary, for the  
45 period April 1, 2025 through March 31, 2026 Medicaid payments made for  
46 clinic service provided by federally qualified health centers and diag-  
47 nostic and treatment centers licensed pursuant to article 28 of the  
48 public health law shall be increased by an aggregate amount of up to  
49 \$40,000,000 in addition to any applicable increase contained in section  
50 one of this act subject to the approval of the commissioner of health  
51 and the director of the budget. Notwithstanding any provision of law to

1 the contrary, for the period April 1, 2026, and thereafter, Medicaid  
2 payments made for clinic service provided by federally qualified health  
3 centers and diagnostic and treatment centers licensed pursuant to arti-  
4 cle [twenty-eight] 28 of the public health law shall be increased by an  
5 aggregate amount of up to [\$20,000,000] \$80,000,000 in addition to any  
6 applicable increase contained in section one of this act subject to the  
7 approval of the commissioner of health and the director of the budget.  
8 Such rate increases shall be subject to federal financial participation  
9 and the provisions established under section one-f of this act.

10 § 2. Section 1-e of part I of chapter 57 of the laws of 2022 providing  
11 a one percent across the board payment increase to all qualifying fee-  
12 for-service Medicaid rates, as amended by section 7 of part F of chapter  
13 57 of the laws of 2025, is amended to read as follows:

14 § 1-e. Such increases as added by [the] part NN of chapter 57 of the  
15 laws of 2024 [that added this section], part F of chapter 57 of the laws  
16 of 2025, or the chapter of the laws of 2026 that added section one-g to  
17 this act may take the form of increased rates of payment in Medicaid  
18 fee-for-service and/or Medicaid managed care, lump sum payments, or  
19 state directed payments under 42 CFR 438.6(c). Such rate increases shall  
20 be subject to federal financial participation and the provisions estab-  
21 lished under section one-f of this act.

22 § 3. Section 1-f of part I of chapter 57 of the laws of 2022 providing  
23 a one percent across the board payment increase to all qualifying fee-  
24 for-service Medicaid rates, as added by section 7 of part F of chapter  
25 57 of the laws of 2025, is amended and a new section 1-g is added to  
26 read as follows:

27 § 1-f. Such increases as added by [the] part F of chapter 57 of the  
28 laws of 2025 [that added this section] and the chapter of the laws of  
29 2026 that added section one-g to this act shall be contingent upon the  
30 availability of funds within the healthcare stability fund established  
31 by section 99-ss of the state finance law, as added by section 2 of part  
32 II of chapter 57 of the laws of 2024 and later renumbered and amended by  
33 section 2 of part F of chapter 57 of the laws of 2025. Upon a determi-  
34 nation by the director of the budget that the balance of such fund is  
35 projected to be insufficient to support the continuation of such  
36 increases, the commissioner of health, subject to the approval of the  
37 director of the budget, shall take steps necessary to suspend or termi-  
38 nate such increases, until a determination is made that there are suffi-  
39 cient balances to support these increases.

40 § 1-g. Notwithstanding any provision of law to the contrary, for the  
41 period April 1, 2026 through March 31, 2027 Medicaid payments made for  
42 hospital services and nursing home services shall be increased by an  
43 aggregate amount of up to \$2,342,000,000 in addition to the increase  
44 contained in sections one, one-a, and one-b of this act, subject to the  
45 approval of the commissioner of health and the director of the budget.  
46 Notwithstanding any provision of law to the contrary, for state fiscal  
47 years beginning April 1, 2027, through March 31, 2028, Medicaid payments  
48 made for hospital services and nursing home services shall be increased  
49 by an aggregate amount of up to \$1,142,000,000 in addition to the  
50 increase contained in sections one, one-a and one-b of this act, subject  
51 to the approval of the commissioner of health and the director of the  
52 budget. Notwithstanding any provision of law to the contrary, for state  
53 fiscal years beginning April 1, 2028 and thereafter Medicaid payments  
54 made for hospital services and nursing home services shall be increased  
55 by an aggregate amount of up to \$1,000,000,000 in addition to the  
56 increase contained in sections one, one-a, and one-b of this act,

1 subject to the approval of the commissioner of health and the director  
2 of the budget. Such rate increases shall be subject to federal financial  
3 participation and the provisions established under section one-f of this  
4 act.

5 § 4. This act shall take effect immediately.

6

PART P

7 Section 1. 1. Subject to available appropriations and approval of the  
8 director of the budget, the commissioners of the office of mental  
9 health, office for people with developmental disabilities, office of  
10 addiction services and supports, office of temporary and disability  
11 assistance, office of children and family services, and the director of  
12 the state office for the aging (hereinafter "the commissioners") shall  
13 establish a state fiscal year 2026-2027 targeted inflationary increase,  
14 effective April 1, 2026, for projecting for the effects of inflation  
15 upon rates of payments, contracts, or any other form of reimbursement  
16 for the programs and services listed in subdivision four of this  
17 section. The targeted inflationary increase established herein shall be  
18 applied to the appropriate portion of reimbursable costs or contract  
19 amounts. Where appropriate, transfers to the department of health (DOH)  
20 shall be made as reimbursement for the state and/or local share of  
21 medical assistance.

22 2. Notwithstanding any inconsistent provision of law, subject to the  
23 approval of the director of the budget and available appropriations  
24 therefor, for the period of April 1, 2026 through March 31, 2027, the  
25 commissioners shall provide funding to support a four percent (4.0%)  
26 targeted inflationary increase under this section for all eligible  
27 programs and services as determined pursuant to subdivision four of this  
28 section.

29 3. Notwithstanding any inconsistent provision of law, and as approved  
30 by the director of the budget, the 4.0 percent targeted inflationary  
31 increase established herein shall be inclusive of all other inflationary  
32 increases, cost of living type increases, inflation factors, or trend  
33 factors that are newly applied effective April 1, 2026. Except for the  
34 4.0 percent targeted inflationary increase established herein, for the  
35 period commencing on April 1, 2026 and ending March 31, 2027 the commis-  
36 sioners shall not apply any other new targeted inflationary increases or  
37 cost of living adjustments for the purpose of establishing rates of  
38 payments, contracts or any other form of reimbursement. The phrase "all  
39 other inflationary increases, cost of living type increases, inflation  
40 factors, or trend factors" as defined in this subdivision shall not  
41 include payments made pursuant to the American Rescue Plan Act or other  
42 federal relief programs related to the Coronavirus Disease 2019 (COVID-  
43 19) pandemic public health emergency. This subdivision shall not prevent  
44 the office of children and family services from applying additional  
45 trend factors or staff retention factors to eligible programs and  
46 services under paragraph (v) of subdivision four of this section.

47 3-a. Each local government unit or direct contract provider receiving  
48 the targeted inflationary increase established herein shall use such  
49 funding to provide a targeted salary increase of at least two and three-  
50 tenths percent (2.3%) to eligible individuals in accordance with subdivi-  
51 sion four-a of this section. Notwithstanding any inconsistent  
52 provision of law, the commissioners shall develop guidelines for local  
53 government units and direct contract providers on implementation of such  
54 targeted salary increase.

1 4. Eligible programs and services. (i) Programs and services funded,  
2 licensed, or certified by the office of mental health (OMH) eligible for  
3 the targeted inflationary increase established herein, pending federal  
4 approval where applicable, include: office of mental health licensed  
5 outpatient programs, pursuant to parts 587 and 599 of title 14 CRR-NY of  
6 the office of mental health regulations including clinic (mental health  
7 outpatient treatment and rehabilitative services programs), continuing  
8 day treatment, day treatment, intensive outpatient programs and partial  
9 hospitalization; outreach; crisis residence; crisis stabilization,  
10 crisis/respice beds; mobile crisis, part 590 comprehensive psychiatric  
11 emergency program services; crisis intervention; home based crisis  
12 intervention; family care; residential program services, excluding prop-  
13 erty costs, for supported single room occupancy and community residence  
14 single room occupancy; supported housing programs/services excluding  
15 rent; treatment congregate; supported congregate; community residence -  
16 children and youth; treatment/apartment; supported apartment; on-site  
17 rehabilitation; employment programs; recreation; respice care; transpor-  
18 tation; psychosocial club; assertive community treatment; case manage-  
19 ment; care coordination, including health home plus services; local  
20 government unit administration; monitoring and evaluation; children and  
21 youth vocational services; single point of access; school-based mental  
22 health program; family support children and youth; advocacy/support  
23 services; drop in centers; recovery centers; transition management  
24 services; bridger; home and community based waiver services; behavioral  
25 health waiver services authorized pursuant to the section 1115 MRT waiv-  
26 er; self-help programs; consumer service dollars; conference of local  
27 mental hygiene directors; multicultural initiative; ongoing integrated  
28 supported employment services; supported education; mentally  
29 ill/chemical abuse (MICA) network; personalized recovery oriented  
30 services; children and family treatment and support services; residen-  
31 tial treatment facilities operating pursuant to part 584 of title  
32 14-NYCRR; geriatric demonstration programs; community-based mental  
33 health family treatment and support; coordinated children's service  
34 initiative; homeless services; and promise zones.

35 (ii) Programs and services funded, licensed, or certified by the  
36 office for people with developmental disabilities (OPWDD) eligible for  
37 the targeted inflationary increase established herein, pending federal  
38 approval where applicable, include: local/unified services; chapter 620  
39 services; voluntary operated community residential services; article 16  
40 clinics; day treatment services; family support services; 100% day  
41 training; epilepsy services; traumatic brain injury services; hepatitis  
42 B services; independent practitioner services for individuals with  
43 intellectual and/or developmental disabilities; crisis services for  
44 individuals with intellectual and/or developmental disabilities; family  
45 care residential habilitation; supervised residential habilitation;  
46 supportive residential habilitation; respice; day habilitation; prevoca-  
47 tional services; supported employment; community habilitation; interme-  
48 diate care facility day and residential services; specialty hospital;  
49 pathways to employment; intensive behavioral services; community transi-  
50 tion services; family education and training; fiscal intermediary;  
51 support broker; and personal resource accounts.

52 (iii) Programs and services funded, licensed, or certified by the  
53 office of addiction services and supports (OASAS) eligible for the  
54 targeted inflationary increase established herein, pending federal  
55 approval where applicable, include: medically supervised withdrawal  
56 services - residential; medically supervised withdrawal services -

1 outpatient; medically managed detoxification; inpatient rehabilitation  
2 services; outpatient opioid treatment; residential opioid treatment;  
3 residential opioid treatment to abstinence; problem gambling treatment;  
4 medically supervised outpatient; outpatient rehabilitation; specialized  
5 services substance abuse programs; home and community based waiver  
6 services pursuant to subdivision 9 of section 366 of the social services  
7 law; children and family treatment and support services; continuum of  
8 care rental assistance case management; supported housing services,  
9 excluding rent, for the following programs: NY/NY III post-treatment  
10 housing, NY/NY III housing for persons at risk for homelessness, and  
11 permanent supported housing; youth clubhouse; recovery community  
12 centers; recovery community organizing initiative; residential rehabili-  
13 tation services for youth (RRSY); intensive residential; community resi-  
14 dential; supportive living; residential services; job placement initi-  
15 ative; case management; family support navigator; local government unit  
16 administration; peer engagement; vocational rehabilitation; HIV early  
17 intervention services; dual diagnosis coordinator; problem gambling  
18 resource centers; problem gambling prevention; prevention resource  
19 centers; primary prevention services; other prevention services; compre-  
20 hensive outpatient clinic; jail-based supports; and regional addiction  
21 resource centers.

22 (iv) Programs and services funded, licensed, or certified by the  
23 office of temporary and disability assistance (OTDA) eligible for the  
24 targeted inflationary increase established herein, pending federal  
25 approval where applicable, include: the nutrition outreach and education  
26 program (NOEP).

27 (v) Programs and services funded, licensed, or certified by the office  
28 of children and family services (OCFS) eligible for the targeted infla-  
29 tionary increase established herein, pending federal approval where  
30 applicable, include: programs for which the office of children and fami-  
31 ly services establishes maximum state aid rates pursuant to section  
32 398-a of the social services law and section 4003 of the education law;  
33 emergency foster homes; foster family boarding homes and therapeutic  
34 foster homes; supervised settings as defined by subdivision 22 of  
35 section 371 of the social services law; adoptive parents receiving  
36 adoption subsidy pursuant to section 453 of the social services law; and  
37 congregate and scattered supportive housing programs and supportive  
38 services provided under the NY/NY III supportive housing agreement to  
39 young adults leaving or having recently left foster care.

40 (vi) Programs and services funded, licensed, or certified by the state  
41 office for the aging (SOFA) eligible for the targeted inflationary  
42 increase established herein, pending federal approval where applicable,  
43 include: community services for the elderly; expanded in-home services  
44 for the elderly; and the wellness in nutrition program.

45 4-a. Eligible individuals. Support staff, direct care staff, clinical  
46 staff, and non-executive administrative staff in programs and services  
47 listed in subdivision five of this section shall be eligible for the  
48 2.3% targeted salary increase established pursuant to subdivision four  
49 of this section.

50 (a) For the office of mental health, office for people with develop-  
51 mental disabilities, and office of addiction services and supports,  
52 support staff shall mean individuals employed in consolidated fiscal  
53 report position title codes ranging from 100 to 199; direct care staff  
54 shall mean individuals employed in consolidated fiscal report position  
55 title codes ranging from 200 to 299; clinical staff shall mean individ-  
56 uals employed in consolidated fiscal report position title codes ranging

1 from 300 to 399; and non-executive administrative staff shall mean indi-  
2 viduals employed in consolidated fiscal report position title codes 400,  
3 500 to 599, 605 to 699, and 703 to 799. Individuals employed in consol-  
4 idated fiscal report position titles 601 to 604, 701 and 702 shall be  
5 ineligible for the 2.3% targeted salary increase established herein.

6 (b) For the office of temporary and disability assistance, office of  
7 children and family services, and the state office for the aging, eligi-  
8 ble support staff, direct care staff, clinical staff, and non-executive  
9 administrative staff titles shall be determined by each agency's commis-  
10 sioner.

11 5. Each local government unit or direct contract provider receiving  
12 funding for the targeted inflationary increase established herein shall  
13 submit a written certification, in such form and at such time as each  
14 commissioner shall prescribe, attesting how such funding will be or was  
15 used to first promote the recruitment and retention of support staff,  
16 direct care staff, clinical staff, non-executive administrative staff,  
17 or respond to other critical non-personal service costs prior to  
18 supporting any salary increases or other compensation for executive  
19 level job titles.

20 6. Notwithstanding any inconsistent provision of law to the contrary,  
21 agency commissioners shall be authorized to recoup funding from a local  
22 governmental unit or direct contract provider for the targeted infla-  
23 tionary increase established herein determined to have been used in a  
24 manner inconsistent with the appropriation, or any other provision of  
25 this section. Such agency commissioners shall be authorized to employ  
26 any legal mechanism to recoup such funds, including an offset of other  
27 funds that are owed to such local governmental unit or direct contract  
28 provider.

29 § 2. This act shall take effect immediately and shall be deemed to  
30 have been in full force and effect on and after April 1, 2026.

31 PART Q

32 Intentionally Omitted

33 PART R

34 Intentionally Omitted

35 PART S

36 Intentionally Omitted

37 PART T

38 Section 1. Section 5 of part ZZ of chapter 56 of the laws of 2020  
39 amending the tax law and the social services law relating to certain  
40 Medicaid management, as amended by section 2 of part D of chapter 57 of  
41 the laws of 2024, is amended to read as follows:

42 § 5. This act shall take effect immediately [and]; provided, however,  
43 that sections two and three of this act shall be deemed repealed [eight  
44 years after such effective date] March 31, 2026.

1 § 2. Subdivision 2 of section 605 of the public health law, as amended  
2 by section 2 of part E of chapter 57 of the laws of 2022, is amended to  
3 read as follows:

4 2. State aid reimbursement for public health services provided by a  
5 municipality under this title, shall be made if the municipality is  
6 providing some or all of the core public health services identified in  
7 section six hundred two of this title, pursuant to an approved applica-  
8 tion for state aid, at a rate of no less than thirty-six per centum[,  
9 except for the city of New York which shall receive no less than twenty  
10 per centum,] of the difference between the amount of moneys expended by  
11 the municipality for public health services required by section six  
12 hundred two of this title during the fiscal year and the base grant  
13 provided pursuant to subdivision one of this section. Provided, howev-  
14 er, that a municipality's documented fringe benefit costs submitted  
15 under an application for state aid and otherwise eligible for reimburse-  
16 ment under this article shall not exceed fifty per centum of the munici-  
17 pality's eligible personnel services. No such reimbursement shall be  
18 provided for services that are not eligible for state aid pursuant to  
19 this article.

20 § 3. Subdivision 1 of section 616 of the public health law, as amended  
21 by section 2 of part O of chapter 57 of the laws of 2019, is amended to  
22 read as follows:

23 1. The total amount of state aid provided pursuant to this article  
24 shall be limited to the amount of the annual appropriation made by the  
25 legislature. In no event, however, shall such state aid be less than an  
26 amount to provide the full base grant and, as otherwise provided by  
27 subdivision two of section six hundred five of this article, no less  
28 than thirty-six per centum[, except for the city of New York which shall  
29 receive no less than twenty per centum,] of the difference between the  
30 amount of moneys expended by the municipality for eligible public health  
31 services pursuant to an approved application for state aid during the  
32 fiscal year and the base grant provided pursuant to subdivision one of  
33 section six hundred five of this article.

34 § 4. This act shall take effect immediately.

35

#### PART U

36 Section 1. Section 48-a of part A of chapter 56 of the laws of 2013  
37 amending the public health law and other laws relating to general hospi-  
38 tal reimbursement for annual rates, as amended by section 1 of part LL  
39 of chapter 57 of the laws of 2022, is amended to read as follows:

40 § 48-a. 1. Notwithstanding any contrary provision of law, the commis-  
41 sioners of the office of addiction services and supports and the office  
42 of mental health are authorized, subject to the approval of the director  
43 of the budget, to transfer to the commissioner of health state funds to  
44 be utilized as the state share for the purpose of increasing payments  
45 under the medicaid program to managed care organizations licensed under  
46 article 44 of the public health law or under article 43 of the insurance  
47 law. Such managed care organizations shall utilize such funds for the  
48 purpose of reimbursing providers licensed pursuant to article 28 of the  
49 public health law or article 36, 31 or 32 of the mental hygiene law for  
50 ambulatory behavioral health services, as determined by the commissioner  
51 of health, in consultation with the commissioner of addiction services  
52 and supports and the commissioner of the office of mental health,  
53 provided to medicaid enrolled outpatients and for all other behavioral  
54 health services except inpatient included in New York state's Medicaid

1 redesign waiver approved by the centers for medicare and Medicaid  
2 services (CMS). Such reimbursement shall be in the form of fees for  
3 such services which are equivalent to the payments established for such  
4 services under the ambulatory patient group (APG) rate-setting methodol-  
5 ogy as utilized by the department of health, the office of addiction  
6 services and supports, or the office of mental health for rate-setting  
7 purposes or any such other fees pursuant to the Medicaid state plan or  
8 otherwise approved by CMS in the Medicaid redesign waiver; provided,  
9 however, that the increase to such fees that shall result from the  
10 provisions of this section shall not, in the aggregate and as determined  
11 by the commissioner of health, in consultation with the commissioner of  
12 addiction services and supports and the commissioner of the office of  
13 mental health, be greater than the increased funds made available pursu-  
14 ant to this section. The increase of such ambulatory behavioral health  
15 fees to providers available under this section shall be for all rate  
16 periods on and after the effective date of section [18] 1 of part [E] LL  
17 of chapter 57 of the laws of [2019] 2022 through March 31, [2027] 2031  
18 for patients in the city of New York, for all rate periods on and after  
19 the effective date of section [18] 1 of part [E] LL of chapter 57 of the  
20 laws of [2019] 2022 through March 31, [2027] 2031 for patients outside  
21 the city of New York, and for all rate periods on and after the effec-  
22 tive date of such chapter through March 31, [2027] 2031 for all services  
23 provided to persons under the age of twenty-one; provided, however, the  
24 commissioner of health, in consultation with the commissioner of  
25 addiction services and supports and the commissioner of mental health,  
26 may require, as a condition of approval of such ambulatory behavioral  
27 health fees, that aggregate managed care expenditures to eligible  
28 providers meet the alternative payment methodology requirements as set  
29 forth in attachment I of the New York state medicaid section one thou-  
30 sand one hundred fifteen medicaid redesign team waiver as approved by  
31 the centers for medicare and medicaid services. The commissioner of  
32 health shall, in consultation with the commissioner of addiction  
33 services and supports and the commissioner of mental health, waive such  
34 conditions if a sufficient number of providers, as determined by the  
35 commissioner, suffer a financial hardship as a consequence of such  
36 alternative payment methodology requirements, or if [he or she] such  
37 commissioner shall determine that such alternative payment methodologies  
38 significantly threaten individuals access to ambulatory behavioral  
39 health services. Such waiver may be applied on a provider specific or  
40 industry wide basis. Further, such conditions may be waived, as the  
41 commissioner determines necessary, to comply with federal rules or regu-  
42 lations governing these payment methodologies. Nothing in this section  
43 shall prohibit managed care organizations and providers from negotiating  
44 different rates and methods of payment during such periods described  
45 above, subject to the approval of the department of health. The depart-  
46 ment of health shall consult with the office of addiction services and  
47 supports and the office of mental health in determining whether such  
48 alternative rates shall be approved. The commissioner of health may, in  
49 consultation with the commissioner of addiction services and supports  
50 and the commissioner of the office of mental health, promulgate regu-  
51 lations, including emergency regulations promulgated prior to October 1,  
52 2015 to establish rates for ambulatory behavioral health services, as  
53 are necessary to implement the provisions of this section. Rates promul-  
54 gated under this section shall be included in the report required under  
55 section 45-c of part A of this chapter.



1 2. Notwithstanding any contrary provision of law, the fees paid by  
2 managed care organizations licensed under article 44 of the public  
3 health law or under article 43 of the insurance law, to providers  
4 licensed pursuant to article 28 of the public health law or article 36,  
5 31 or 32 of the mental hygiene law, for ambulatory behavioral health  
6 services provided to patients enrolled in the child health insurance  
7 program pursuant to title 1-A of article 25 of the public health law,  
8 shall be in the form of fees for such services which are equivalent to  
9 the payments established for such services under the ambulatory patient  
10 group (APG) rate-setting methodology or any such other fees established  
11 pursuant to the Medicaid state plan. The commissioner of health shall  
12 consult with the commissioner of addiction services and supports and the  
13 commissioner of the office of mental health in determining such services  
14 and establishing such fees. Such ambulatory behavioral health fees to  
15 providers available under this section shall be for all rate periods on  
16 and after the effective date of this chapter through March 31, [2027]  
17 2031, provided, however, that managed care organizations and providers  
18 may negotiate different rates and methods of payment during such periods  
19 described above, subject to the approval of the department of health.  
20 The department of health shall consult with the office of addiction  
21 services and supports and the office of mental health in determining  
22 whether such alternative rates shall be approved. The report required  
23 under section 16-a of part C of chapter 60 of the laws of 2014 shall  
24 also include the population of patients enrolled in the child health  
25 insurance program pursuant to title 1-A of article 25 of the public  
26 health law in its examination on the transition of behavioral health  
27 services into managed care.

28 § 2. Section 1 of part H of chapter 111 of the laws of 2010 relating  
29 to increasing Medicaid payments to providers through managed care organ-  
30 izations and providing equivalent fees through an ambulatory patient  
31 group methodology, as amended by section 2 of part LL of chapter 57 of  
32 the laws of 2022, is amended to read as follows:

33 Section 1. a. Notwithstanding any contrary provision of law, the  
34 commissioners of mental health and addiction services and supports are  
35 authorized, subject to the approval of the director of the budget, to  
36 transfer to the commissioner of health state funds to be utilized as the  
37 state share for the purpose of increasing payments under the Medicaid  
38 program to managed care organizations licensed under article 44 of the  
39 public health law or under article 43 of the insurance law. Such managed  
40 care organizations shall utilize such funds for the purpose of reimburs-  
41 ing providers licensed pursuant to article 28 of the public health law,  
42 or pursuant to article 36, 31 or article 32 of the mental hygiene law  
43 for ambulatory behavioral health services, as determined by the commis-  
44 sioner of health in consultation with the commissioner of mental health  
45 and commissioner of addiction services and supports, provided to medi-  
46 caid enrolled outpatients and for all other behavioral health services  
47 except inpatient included in New York state's Medicaid redesign waiver  
48 approved by the centers for Medicare and Medicaid services (CMS). Such  
49 reimbursement shall be in the form of fees for such services which are  
50 equivalent to the payments established for such services under the ambu-  
51 latory patient group (APG) rate-setting methodology as utilized by the  
52 department of health or by the office of mental health or office of  
53 addiction services and supports for rate-setting purposes or any such  
54 other fees pursuant to the Medicaid state plan or otherwise approved by  
55 CMS in the Medicaid redesign waiver; provided, however, that the  
56 increase to such fees that shall result from the provisions of this



1 section shall not, in the aggregate and as determined by the commission-  
2 er of health in consultation with the commissioners of mental health and  
3 addiction services and supports, be greater than the increased funds  
4 made available pursuant to this section. The increase of such behavioral  
5 health fees to providers available under this section shall be for all  
6 rate periods on and after the effective date of section [19] 2 of part  
7 [E] LL of chapter 57 of the laws of [2019] 2022 through March 31, [2027]  
8 2031 for patients in the city of New York, for all rate periods on and  
9 after the effective date of section [19] 2 of part [E] LL of chapter 57  
10 of the laws of [2019] 2022 through March 31, [2027] 2031 for patients  
11 outside the city of New York, and for all rate periods on and after the  
12 effective date of section [19] 2 of part [E] LL of chapter 57 of the  
13 laws of [2019] 2022 through March 31, [2027] 2031 for all services  
14 provided to persons under the age of twenty-one; provided, however, the  
15 commissioner of health, in consultation with the commissioner of  
16 addiction services and supports and the commissioner of mental health,  
17 may require, as a condition of approval of such ambulatory behavioral  
18 health fees, that aggregate managed care expenditures to eligible  
19 providers meet the alternative payment methodology requirements as set  
20 forth in attachment I of the New York state medicaid section one thou-  
21 sand one hundred fifteen medicaid redesign team waiver as approved by  
22 the centers for medicare and medicaid services. The commissioner of  
23 health shall, in consultation with the commissioner of addiction  
24 services and supports and the commissioner of mental health, waive such  
25 conditions if a sufficient number of providers, as determined by the  
26 commissioner, suffer a financial hardship as a consequence of such  
27 alternative payment methodology requirements, or if [he or she] such  
28 commissioner shall determine that such alternative payment methodologies  
29 significantly threaten individuals access to ambulatory behavioral  
30 health services. Such waiver may be applied on a provider specific or  
31 industry wide basis. Further, such conditions may be waived, as the  
32 commissioner determines necessary, to comply with federal rules or regu-  
33 lations governing these payment methodologies. Nothing in this section  
34 shall prohibit managed care organizations and providers from negotiating  
35 different rates and methods of payment during such periods described,  
36 subject to the approval of the department of health. The department of  
37 health shall consult with the office of addiction services and supports  
38 and the office of mental health in determining whether such alternative  
39 rates shall be approved. The commissioner of health may, in consultation  
40 with the commissioners of mental health and addiction services and  
41 supports, promulgate regulations, including emergency regulations  
42 promulgated prior to October 1, 2013 that establish rates for behavioral  
43 health services, as are necessary to implement the provisions of this  
44 section. Rates promulgated under this section shall be included in the  
45 report required under section 45-c of part A of chapter 56 of the laws  
46 of 2013.

47 b. Notwithstanding any contrary provision of law, the fees paid by  
48 managed care organizations licensed under article 44 of the public  
49 health law or under article 43 of the insurance law, to providers  
50 licensed pursuant to article 28 of the public health law or article 36,  
51 31 or 32 of the mental hygiene law, for ambulatory behavioral health  
52 services provided to patients enrolled in the child health insurance  
53 program pursuant to title 1-A of article 25 of the public health law,  
54 shall be in the form of fees for such services which are equivalent to  
55 the payments established for such services under the ambulatory patient  
56 group (APG) rate-setting methodology. The commissioner of health shall

1 consult with the commissioner of addiction services and supports and the  
2 commissioner of the office of mental health in determining such services  
3 and establishing such fees. Such ambulatory behavioral health fees to  
4 providers available under this section shall be for all rate periods on  
5 and after the effective date of this chapter through March 31, [2027]  
6 2031, provided, however, that managed care organizations and providers  
7 may negotiate different rates and methods of payment during such periods  
8 described above, subject to the approval of the department of health.  
9 The department of health shall consult with the office of addiction  
10 services and supports and the office of mental health in determining  
11 whether such alternative rates shall be approved. The report required  
12 under section 16-a of part C of chapter 60 of the laws of 2014 shall  
13 also include the population of patients enrolled in the child health  
14 insurance program pursuant to title 1-A of article 25 of the public  
15 health law in its examination on the transition of behavioral health  
16 services into managed care.

17 § 3. Section 2 of part H of chapter 111 of the laws of 2010 relating  
18 to increasing Medicaid payments to providers through managed care organ-  
19 izations and providing equivalent fees through an ambulatory patient  
20 group methodology, as amended by section 3 of part LL of chapter 57 of  
21 the laws of 2022, is amended to read as follows:

22 § 2. This act shall take effect immediately and shall be deemed to  
23 have been in full force and effect on and after April 1, 2010, and shall  
24 expire on March 31, [2027] 2031.

25 § 4. This act shall take effect immediately; provided, however that  
26 the amendments to section 1 of part H of chapter 111 of the laws of 2010  
27 relating to increasing Medicaid payments to providers through managed  
28 care organizations and providing equivalent fees through an ambulatory  
29 patient group methodology, made by section two of this act shall not  
30 affect the expiration of such section and shall expire therewith.

31 PART V

32 Section 1. Paragraph (d-3) of subdivision 3 of section 364-j of the  
33 social services law, as amended by section 1 of part HH of chapter 57 of  
34 the laws of 2025, is amended to read as follows:

35 (d-3) Services provided in school-based health centers shall not be  
36 provided to medical assistance recipients through managed care programs  
37 established pursuant to this section [until at least April first, two  
38 thousand twenty-six].

39 § 2. This act shall take effect immediately; provided, however, that  
40 the amendments to section 364-j of the social services law made by this  
41 act shall not affect the repeal of such section and shall be deemed  
42 repealed therewith.

43 PART W

44 Section 1. Section 2 of part Q of chapter 59 of the laws of 2016,  
45 amending the mental hygiene law relating to the closure or transfer of a  
46 state-operated individualized residential alternative, as amended by  
47 section 11 of part B of chapter 57 of the laws of 2024, is amended to  
48 read as follows:

49 § 2. This act shall take effect immediately and shall expire and be  
50 deemed repealed March 31, [2026] 2028.

51 § 2. This act shall take effect immediately.

1

## PART X

2 Section 1. Section 3 of chapter 670 of the laws of 2021, requiring the  
3 office for people with developmental disabilities to establish the care  
4 demonstration program, as amended by section 13 of part B of chapter 57  
5 of the laws of 2024, is amended to read as follows:

6 § 3. This act shall take effect immediately and shall expire and be  
7 deemed repealed March 31, [2026] 2028.

8 § 2. This act shall take effect immediately.

9

## PART Y

10 Section 1. Paragraph (c) of subdivision 8 of section 2807-c of the  
11 public health law, as amended by section 1 of part D of chapter 57 of  
12 the laws of 2024, is amended to read as follows:

13 (c) (i) In order to reconcile capital related inpatient expenses  
14 included in rates of payment based on a budget to actual expenses and  
15 statistics for the rate period for a general hospital, rates of payment  
16 for a general hospital shall be adjusted to reflect the dollar value of  
17 the difference between capital related inpatient expenses included in  
18 the computation of rates of payment for a prior rate period based on a  
19 budget and actual capital related inpatient expenses for such prior rate  
20 period, each as determined in accordance with paragraph (a) of this  
21 subdivision, adjusted to reflect increases or decreases in volume of  
22 service in such prior rate period compared to statistics applied in  
23 determining the capital related inpatient expenses component of rates of  
24 payment based on a budget for such prior rate period.

25 (ii) For rates effective April first, two thousand twenty through  
26 March thirty-first, two thousand twenty-one, the budgeted capital-relat-  
27 ed expenses add-on as described in paragraph (a) of this subdivision,  
28 based on a budget submitted in accordance to paragraph (a) of this  
29 subdivision, shall be reduced by five percent relative to the rate in  
30 effect on such date; and the actual capital expenses add-on as described  
31 in paragraph (a) of this subdivision, based on actual expenses and  
32 statistics through appropriate audit procedures in accordance with para-  
33 graph (a) of this subdivision shall be reduced by five percent relative  
34 to the rate in effect on such date.

35 (iii) For rates effective April first, two thousand twenty-one through  
36 September thirtieth, two thousand twenty-four, the budgeted capital-re-  
37 lated expenses add-on as described in paragraph (a) of this subdivision,  
38 based on a budget submitted in accordance to paragraph (a) of this  
39 subdivision, shall be reduced by ten percent relative to the rate in  
40 effect on such date; and the actual capital expenses add-on as described  
41 in paragraph (a) of this subdivision, based on actual expenses and  
42 statistics through appropriate audit procedures in accordance with para-  
43 graph (a) of this subdivision shall be reduced by ten percent relative  
44 to the rate in effect on such date.

45 (iv) For rates effective [on and after] October first, two thousand  
46 twenty-four through March thirty-first, two thousand twenty-six, the  
47 budgeted capital-related expenses add-on as described in paragraph (a)  
48 of this subdivision, based on a budget submitted in accordance with  
49 paragraph (a) of this subdivision, shall be reduced by twenty percent  
50 relative to the rate in effect on such date; and the actual capital  
51 expenses add-on as described in paragraph (a) of this subdivision shall  
52 be reduced by twenty percent relative to the rate in effect on such  
53 date.

1 (v) For any rate year, all reconciliation add-on amounts calculated  
2 for the period of April first, two thousand twenty through September  
3 thirtieth, two thousand twenty-four shall be reduced by ten percent, and  
4 all reconciliation recoupment amounts calculated for the period of April  
5 first, two thousand twenty through September thirtieth, two thousand  
6 twenty-four shall increase by ten percent.

7 (vi) For any rate year, all reconciliation add-on amounts calculated  
8 [on and after] for the period October first, two thousand twenty-four  
9 through March thirty-first, two thousand twenty-six shall be reduced by  
10 twenty percent, and all reconciliation recoupment amounts calculated [on  
11 or after] for the period October first, two thousand twenty-four through  
12 March thirty-first, two thousand twenty-six shall increase by twenty  
13 percent.

14 (vii) Notwithstanding any inconsistent provision of subparagraph (i)  
15 of paragraph (e) of subdivision nine of this section, capital related  
16 inpatient expenses of a general hospital included in the computation of  
17 rates of payment based on a budget shall not be included in the computa-  
18 tion of a volume adjustment made in accordance with such subparagraph.  
19 Adjustments to rates of payment for a general hospital made pursuant to  
20 this paragraph shall be made in accordance with paragraph (c) of subdivi-  
21 sion eleven of this section. Such adjustments shall not be carried  
22 forward except for such volume adjustment as may be authorized in  
23 accordance with subparagraph (i) of paragraph (e) of subdivision nine of  
24 this section for such general hospital.

25 § 2. This act shall take effect immediately

26

## PART Z

27 Section 1. 1. Notwithstanding any other provision of law to the  
28 contrary, to maintain access to health care coverage for Essential Plan  
29 enrollees in the event that the federal government does not approve the  
30 termination of the 1332 State Innovation Waiver and reactivation of the  
31 1331 Basic Health Plan ("waiver submission") for the state of New York  
32 by July 1, 2026, funds shall be made available through transfer from the  
33 general fund to the essential plan contingency fund established under  
34 section 99-uu of the state finance law, as added by section two of this  
35 act, for unmet liabilities not to exceed \$2,400,000,000. Payments under  
36 this section shall be made as necessary in accordance with a written  
37 plan prepared by the director of the budget, in consultation with the  
38 commissioner of health, which shall be filed with the state comptroller,  
39 the temporary president of the senate, the chair of the senate finance  
40 committee, the speaker of the assembly, and the chair of the assembly  
41 ways and means committee. Upon the request of the director of the budg-  
42 et, the comptroller shall transfer the cash equal to anticipated medical  
43 assistance payments resulting from the absence of federal approval of  
44 the waiver submission.

45 2. Payments shall be subject to the following conditions: (a) if at  
46 any time after the effective date of this section, the federal govern-  
47 ment approves the waiver submission, no further payments shall occur  
48 other than to repay liabilities incurred prior to the date of federal  
49 approval; and (b) if the federal government does not approve the waiver  
50 submission prior to April 1, 2027, no further payments shall be made  
51 other than to repay liabilities incurred throughout the 2026--2027 state  
52 fiscal year.

53 § 2. The state finance law is amended by adding a new section 99-uu to  
54 read as follows:



1 § 99-uu. Essential plan contingency fund. 1. There is hereby estab-  
2 lished in the sole custody of the office of the state comptroller a  
3 special fund to be known as the "Essential Plan contingency fund"  
4 ("fund").

5 2. Such fund shall be kept separate and shall not be commingled with  
6 any other funds in the custody of the state comptroller.

7 3. The fund shall consist of all monies received from the general  
8 fund, and all other monies appropriated, credited, or transferred there-  
9 to from any other fund or source pursuant to law.

10 4. Notwithstanding any provision of law to the contrary and subject to  
11 available appropriation and approval of the director of the budget,  
12 monies of the fund shall be made available for payments to the medical  
13 assistance program for liabilities incurred on or after July first, two  
14 thousand twenty-six, due to changes to premium tax credit eligibility  
15 under the Patient Protection and Affordable Care Act enacted by the  
16 federal government pursuant to H.R.1.

17 5. Monies disbursed from the fund shall be exempt from the calculation  
18 of department of health state funds Medicaid expenditures under subdivi-  
19 sion one of section ninety-two of part H of chapter fifty-nine of the  
20 laws of two thousand eleven, as amended.

21 § 3. This act shall take effect April 1, 2026 and shall expire July 1,  
22 2027 when upon such date the provisions of this act shall be deemed  
23 repealed.

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

33 § 3. This act shall take effect immediately provided, however, that  
34 the applicable effective date of Parts A through Z of this act shall be  
35 as specifically set forth in the last section of such Parts.

