

Amend Senate S7507, Assembly A9507, AN ACT to amend the public health law,

| Page | Line | Amendment |
|----------|-------------------------------------|---|
| Page 2, | Unnumbered line 8 (AN ACT CLAUSE), | After "(Part D);" strike out "to amend the public health law, in relation to eliminating programs that do not support the department of health's core mission;" |
| Page 2, | Unnumbered line 12 (AN ACT CLAUSE), | After "amend" strike out "the public health law," |
| Page 3, | Unnumbered line 7 (AN ACT CLAUSE), | After "rebates" strike out ";" and insert "," |
| Page 4, | Unnumbered line 24 (AN ACT CLAUSE), | After "sites" strike out "," and insert ";" |
| Page 4, | Unnumbered line 37 (AN ACT CLAUSE), | After "(Part AA);" strike out "and" |
| Page 4, | Unnumbered line 39 (AN ACT CLAUSE), | After "(Part BB)" insert ";to amend the public health law, in relation to the renaming of the Physically Handicapped Children's Program (Part CC); to amend education law and other laws relating to applied behavior analysis, in relation to extending the expiration of certain provisions thereof (Part DD); and to amend the social services law, the public health law and the insurance law, in relation to creating a single preferred-drug list for medication assisted treatment; to amend 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 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 there-of; and providing for the repeal of certain provisions upon expiration thereof (Part EE)" |
| Page 4, | Line 4, | After "through" strike out "BB" and insert "EE" |
| Page 22, | Line 7, | After "(a)" strike out "[" |
| Page 23, | Line 30, | After "(d)" strike out "]" |
| Page 23, | Line 37, | Before "(e)" strike out "[" and after "e" strike out "]" <u>(b)</u> " |
| Page 23, | Line 39, | Before "(f)" strike out "[" and after "(f)" strike out "]" <u>(c)</u> " |

| Page | Line | Amendment |
|-------------|-------------|--|
| Page 23, | Line 41, | Before "(g)" strike out "[" and after "(g)" strike out "]" <u>(d)</u> " |
| Page 23, | Line 43, | Before "(h)" strike out "[" and after "(h)" strike out "]" <u>(e)</u> " |
| Page 23, | Line 48, | Before "(i)" strike out "[" and after "(i)" strike out "]" <u>(f)</u> " |
| Page 23, | Line 55, | Before "(j)" strike out "[" and after "(j)" strike out "]" <u>(g)</u> " |
| Page 24, | Line 5, | Before "(k)" strike out "[" and after "(k)" strike out "]" <u>(h)</u> " |
| Page 24, | Line 8, | Before "(l)" strike out "[" and after "(l)" strike out "]" <u>(i)</u> " |
| Page 24, | Line 12, | Before "(m)" strike out "[" and after "(m)" strike out "]" <u>(j)</u> " |
| Page 24, | Line 19, | Before "(n)" strike out "[" and after "(n)" strike out "]" <u>(k)</u> " |
| Page 24, | Line 23, | Before "(o)" strike out "[" and after "(o)" strike out "]" <u>(l)</u> " |
| Page 24, | Line 28, | Before "(p)" strike out "[" and |
| Page 24, | Line 31, | after "(q)" strike out "]" <u>(m)</u> " and |
| Page 24, | Line 35, | Before "(r)" strike out "[" and after "(r)" strike out "]" <u>(n)</u> " |
| Page 24, | Line 48, | Before "(s)" strike out "[" and after "(s)" strike out "]" <u>(o)</u> " |
| Page 25, | Line 24, | After "paragraph" strike out "[" and after "(t)" strike out "]" <u>(p)</u> " |
| Page 25, | Line 28, | Before "(t)" strike out "[" and after "(t)" strike out "]" <u>(p)</u> " |
| Page 25, | Line 30, | After "paragraph" strike out "[" and after "(s)" strike out "]" <u>(o)</u> " |
| Page 25, | Line 32, | Before "(u)" strike out "[" and after "(u)" strike out "]" <u>(q)</u> " |
| Page 25, | Line 33, | After "paragraph" strike out "[" and after "(s)" strike out "]" |
| Page 25, | Line 34, | Before "of" strike out " <u>(o)</u> " and |
| Page 25, | Line 36, | Before "(u)" strike out "[" and after "(u)" strike out "]" <u>(q)</u> " |
| Page 25, | Line 39, | After "graph" strike out "[" and after "(s)" strike out "]" <u>(o)</u> " |

| Page | Line | Amendment |
|------------------|---|---|
| Page 25, | Line 44, | After "graph" strike out "[" and after "(s)" strike out "]" <u>(o)</u> " |
| Page 25, | Line 55, | After "paragraph" strike out "[" and after "(s)" strike out "]" <u>(o)</u> " |
| Page 26, | Line 2, | After "paragraph" strike out "[" and after "(t)" strike out "]" <u>(p)</u> " |
| Page 26, | Line 7, | After "paragraph" strike out "[" and after "(n)" strike out "]" <u>(k)</u> " |
| Page 26, | Line 21, | After "paragraph" strike out "[" and after "(n)" strike out "]" <u>(k)</u> " |
| Page 26, | Line 31, | After "eight" strike out "[" |
| Page 26, | Line 40, | After "dollars" strike out "]" |
| Page 26, | Line 47, | After "(b)" strike out "[" |
| Page 27, | Line 1, | After "seventeen," insert "[" and after "and" insert "]" |
| Page 27, | Line 4, | After "twenty," insert " <u>and up to eight million six hundred twelve thousand dollars each state fiscal year for the period April first, two thousand twenty through March thirty-first, two thousand twenty-three,</u> " |
| Pages 29 and 30, | Lines 33 through 56, and lines 1 through 5, | Before "(c)" insert "[" and after "training." Insert "]" |
| Page 30, | Line 6, | Before " <u>(d)</u> " insert "[" and after "(d)]" insert " <u>(c)</u> " |
| Page 31, | Line 8, | After "[<u>(e)</u>]" strike out " <u>(c)</u> " and insert " <u>(d)</u> " |
| Page 31, | Line 49, | After "[<u>(e-10)</u>]" strike out "(d)" and insert "(e)" and After "paragraphs" insert " <u>(c) and</u> " |
| Page 31, | Line 50, | Before "(d)" strike out "[" and after "(d)" strike out "]" and after "(d)" strike out " <u>(b)and</u> " and before "(e)" strike out "[" and after "(e)" strike out "]" and after "(e)" strike out " <u>(c)</u> " |
| Page 32, | Line 7, | Before "(f)" strike out "[" and after "(f)" strike out "]" <u>(e)</u> " |
| Page 32, | Line 29, | Before "(g)" strike out "[" |
| Page 32 | Line 40 | After "seventeen" Strike out "and" |
| Page 32, | Line 43, | After "twenty," insert " <u>and up to one million six hundred five thousand dollars each state fiscal year for the period April first, two</u> " |

| Page | Line | Amendment |
|------------------|------------------------------------|--|
| | | <u>thousand twenty through March thirty-first, two thousand twenty-three,</u> " |
| Page 32, | Line 53, | After "(h)" strike out "[(f)" |
| Page 33, | Line 5, | After "[(d)]" strike out "(b)" and insert "(c)" |
| Page 33, | Line 7, | After "[(e)]" strike out ") (c)" and insert "(d)" |
| Page 33, | Line 29, | After "paragraph" strike out "[" and after "(s)" strike out ") (o)" |
| Page 33, | Line 38, | After "paragraphs" strike out "(b)," and after "(c)," strike out "[" and after "(d)," strike out ") and" |
| Page 33, | Line 39, | Before "(e)" insert out "[" and After "(e)" insert "]" and strike out "[" and After "(g)" strike out "]" |
| Page 77, | Line 9, | After "Such" strike out " <u>recoup</u> " and insert " <u>recoupment</u> " |
| Page 77, | Line 44, | After "for" strike out "[" |
| Page 77, | Line 46, | After "for" insert "[" and after "specified" insert "] <u>the</u> " |
| Page 77, | Line 46, | After "purposes" insert " <u>set forth in subparagraphs (i) and (ii) of the paragraph</u> " |
| Page 77, | Line 49, | After "facility" insert "[" and after "as well as" insert "]," |
| Page 77, | Line 49, | After "resident needs" insert " <u>and the population of residents who receive supplemental security income or safety net assistance or who are living with a serious mental illness, as defined by the commissioner of health</u> " |
| Pages 77 and 78, | Lines 51 through 54, 1 through 10, | After "funds" strike out " <u>the following purposes: (i) to support adult care facilities in which at least twenty-five percent of the resident population or twenty-five residents, whichever is less, are persons with serious mental illness, as defined by the commissioner of health. The program shall be targeted at improving the quality of life for such adult care facility residents by means of grants to facilities to support mental hygiene training of staff employed by eligible adult care facilities, as set forth in this section, and independent skills training for residents who desire to transition from such facilities to the community. The department of health, subject to the approval of the director of the budget, shall develop an allocation methodology taking into account the financial status and size of</u> |

| Page | Line | Amendment |
|----------|----------------------|--|
| | | <p>the facility, resident needs, and the population of residents with serious mental illness; and" and insert ". Grants may be used to support the following purposes:</p> <p>(i) to improve the quality of life for adult care facility residents by funding projects including, but not limited to, clothing allowances, resident training to support independent living skills, staff training, outdoor leisure projects, and culturally recreational and other leisure events; and resident quality of life, pursuant to subparagraph (i) of paragraph (a) of this division, or"</p> |
| Page 78, | Line 11 through 15, | <p>After "to" strike out "support adult care facilities with the highest populations of residents who receive supplemental security income, as defined in subchapter XVI of chapter 7 of title 42 of the United States Code, or safety net assistance, as defined in section one hundred fifty-nine of this chapter. The program shall be targeted at improving"</p> |
| Page 78, | Line 15, | <p>Before "the" insert "improve"</p> |
| Page 78, | Line 16, | <p>After "for" strike out "such"</p> |
| Page 78, | Lines 20 through 24, | <p>After "health." strike out "the department of health, subject to the approval of the director of the budget, shall develop an allocation methodology taking into account the financial status and size of the facility, resident needs, and the population of residents who receive supplemental security income and safety net assistance."</p> |
| Page 78, | Lines 27 through 31, | <p>After "section." strike out "Where a facility is eligible to apply for funds pursuant to both subparagraphs (i) and (ii) of paragraph (a) of this subdivision, such facility shall only be authorized to apply for those funds set forth in subparagraph (i) of paragraph (a) of this subdivision."</p> |
| Page 78, | Line 34 through 35, | <p>Before "The" strike out "[" and after "The" strike out "]" Where an application is submitted pursuant to subparagraph (ii) of paragraph (a) of subdivision one of this section the"</p> |
| Page 78, | Line 38, | <p>After "survey." strike out "[" and after "The" strike out "]" such"</p> |
| Page 78, | Line 39, | <p>After "to" strike out "[" and after "improve" strike out "]" and insert "resident quality of life, pursuant to subparagraph (i) of paragraph (a) of this subdivision, or"</p> |

| Page | Line | Amendment |
|----------|--------------------------|---|
| Page 78, | Line 40, | After "facility" insert " <u>pursuant to subparagraph (ii) of paragraph (a) of this subdivision</u> " |
| Page 78, | Line 44 through 45, | After "facility]." strike out "[" and after "the" strike out "]" <u>For all applications, the</u> |
| Page 78, | Line 48, | After "application" strike out "[" |
| Page 78, | Line 49, | After "facility" strike out "]" and insert " <u>and</u> " |
| Page 79, | Between lines 7 and 8, | Insert "\$5. Clause (B) of subparagraph (iii) of paragraph (e) of subdivision one of section twenty-eight hundred seven-c of the public health law is REPEALED." |
| Page 79, | Line 8, | After "\$" strike out "5" and insert "6" |
| Page 79, | Line 9, | After "\$" strike out "6" and insert "7" |
| Page 80, | Line 8, | After "\$" strike out "7" and insert "8" |
| Page 80, | Line 9, | After "\$" strike out "8" and insert "9" |
| Page 82, | Line 34, | After "\$" strike out "9" and insert "10" |
| Page 82, | Line 48, | After "\$" strike out "10" and insert 11" |
| Page 83, | Line 6, | After "\$" strike out "11" and insert "12" |
| Page 83, | Line 19, | After "\$" strike out "12" and insert "13" |
| Page 83, | Line 30, | After "\$" strike out "13" and insert "14" |
| Page 83, | Line 53, | After "\$" strike out "14" and insert "15" |
| Page 92, | Line 32 | After "by" insert "section 5 of" |
| Page 92, | Between lines 35 and 36, | <p>Insert "\$17. Paragraph (e) of subdivision seven of section 367-a of the social services law, as amended by section 5-a of part T of chapter 57 of the laws of 2018, is amended to read as follows:</p> <p>(e) During the period from April first, two thousand fifteen through March thirty-first, two thousand [twenty] <u>twenty-three</u>, the commissioner may, in lieu of a managed care provider, negotiate directly and enter into an agreement with a pharmaceutical manufacturer for the provision of supplemental rebates relating to pharmaceutical utilization by enrollees of managed care providers pursuant to section three hundred sixty-four-j of this title and may also negotiate directly and enter into such an agreement relating to pharmaceutical utilization by medical assistance recipients not so enrolled. Such rebates shall be limited to, drug utilization in the following classes:</p> |

| Page | Line | Amendment |
|----------|--------------------------|--|
| | | antiretrovirals approved by the FDA for the treatment of HIV/AIDS and hepatitis C agents for which the pharmaceutical manufacturer has in effect a rebate agreement with the federal secretary of health and human services pursuant to 42 U.S.C. § 1396r-8, and for which the state has established standard clinical criteria. No agreement entered into pursuant to this paragraph shall have an initial term or be extended beyond the expiration or repeal of this paragraph." |
| Page 92, | Line 36, | After "\$" strike out "17" and insert "18" |
| Page 92, | Between lines 41 and 42, | <p>Insert "§ 19. Subdivision 4-a of section 71 of part C of chapter 60 of the laws of 2014, amending the social services law relating to fair hearings held in connection with appeals under the fully integrated duals advantage demonstration program, as amended by section 6 of chapter 106 of the laws of 2018, is amended to read as follows:</p> <p>4-a. section twenty-two of this act shall take effect April 1, 2014[, and shall be deemed expired January 1, 2021];</p> <p>§ 20. Subdivision 2-a of section 22 of the social services law is amended to read as follows:</p> <p>2-a. With regard to fair hearings held in connection with appeals [under the fully integrated duals advantage demonstration program] <u>for integrated fair hearing and appeals processes for individuals dually eligible for medical assistance and benefits available under titles XVIII and XIX of the federal social security act</u>, the commissioner may contract for the sole purpose of assisting staff of the office for such purpose.</p> <p>§ 21. Subdivision 5-d of section 2807-k of the public health law, as amended by section 2 of part A of chapter 57 of the laws of 2018, is amended to read as follows:</p> <p>5-d. (a) Notwithstanding any inconsistent provision of this section, section twenty-eight hundred seven-w of this article or any other contrary provision of law, and subject to the availability of federal financial participation, for periods on and after January first, two thousand thirteen, through March thirty-first, two thousand [twenty] <u>twenty-three</u>, all funds available for distribution pursuant to this section, except for funds distributed pursuant to subparagraph (v) of paragraph (b) of subdivision five-b of this section, and all funds available for distribution pursuant to</p> |

| Page | Line | Amendment |
|------|------|---|
| | | <p>section twenty-eight hundred seven-w of this article, shall be reserved and set aside and distributed in accordance with the provisions of this subdivision.</p> <p>(b) The commissioner shall promulgate regulations, and may promulgate emergency regulations, establishing methodologies for the distribution of funds as described in paragraph (a) of this subdivision and such regulations shall include, but not be limited to, the following:</p> <p>(i) Such regulations shall establish methodologies for determining each facility's relative uncompensated care need amount based on uninsured inpatient and outpatient units of service from the cost reporting year two years prior to the distribution year, multiplied by the applicable medicaid rates in effect January first of the distribution year, as summed and adjusted by a statewide cost adjustment factor and reduced by the sum of all payment amounts collected from such uninsured patients, and as further adjusted by application of a nominal need computation that shall take into account each facility's medicaid inpatient share.</p> <p>(ii) Annual distributions pursuant to such regulations for the two thousand thirteen through two thousand [twenty] <u>twenty-two</u> calendar years shall be in accord with the following:</p> <p>(A) one hundred thirty-nine million four hundred thousand dollars shall be distributed as Medicaid Disproportionate Share Hospital ("DSH") payments to major public general hospitals; and</p> <p>(B) nine hundred ninety-four million nine hundred thousand dollars as Medicaid DSH payments to eligible general hospitals, other than major public general hospitals.</p> <p>(iii) (A) Such regulations shall establish transition adjustments to the distributions made pursuant to clauses (A) and (B) of subparagraph (ii) of this paragraph such that no facility experiences a reduction in indigent care pool payments pursuant to this subdivision that is greater than the percentages, as specified in clause (C) of this subparagraph as compared to the average distribution that each such facility received for the three calendar years prior to two thousand thirteen pursuant to this section and section twenty-eight hundred seven-w of this article.</p> <p>(B) Such regulations shall also establish adjustments limiting the increases in indigent</p> |

| Page | Line | Amendment |
|------|------|---|
| | | <p>care pool payments experienced by facilities pursuant to this subdivision by an amount that will be, as determined by the commissioner and in conjunction with such other funding as may be available for this purpose, sufficient to ensure full funding for the transition adjustment payments authorized by clause (A) of this subparagraph.</p> <p>(C) No facility shall experience a reduction in indigent care pool payments pursuant to this subdivision that: for the calendar year beginning January first, two thousand thirteen, is greater than two and one-half percent; for the calendar year beginning January first, two thousand fourteen, is greater than five percent; and, for the calendar year beginning on January first, two thousand fifteen; is greater than seven and one-half percent, and for the calendar year beginning on January first, two thousand sixteen, is greater than ten percent; and for the calendar year beginning on January first, two thousand seventeen, is greater than twelve and one-half percent; and for the calendar year beginning on January first, two thousand eighteen, is greater than fifteen percent; and for the calendar year beginning on January first, two thousand nineteen, is greater than seventeen and one-half percent; and for the calendar year beginning on January first, two thousand twenty, is greater than twenty percent; <u>and for the calendar year beginning on January first, two thousand twenty-one, is greater than twenty-two and a half percent; and for the calendar year beginning on January first, two thousand twenty-two, is greater than twenty-five percent.</u></p> <p>(iv) Such regulations shall reserve one percent of the funds available for distribution in the two thousand fourteen and two thousand fifteen calendar years, and for calendar years thereafter, pursuant to this subdivision, subdivision fourteen-f of section twenty-eight hundred seven-c of this article, and sections two hundred eleven and two hundred twelve of chapter four hundred seventy-four of the laws of nineteen hundred ninety-six, in a "financial assistance compliance pool" and shall establish methodologies for the distribution of such pool funds to facilities based on their level of compliance, as determined by the commissioner, with the provisions of subdivision nine-a of this section.</p> <p>(c) The commissioner shall annually report to the governor and the legislature on the distribution of funds under this subdivision including, but not limited to:</p> |

| Page | Line | Amendment |
|----------|------------------------|--|
| | | <p>(i) the impact on safety net providers, including community providers, rural general hospitals and major public general hospitals;</p> <p>(ii) the provision of indigent care by units of services and funds distributed by general hospitals; and</p> <p>(iii) the extent to which access to care has been enhanced.</p> |
| Page 92, | Line 42, | After "\$" strike out "18" and insert "22" |
| Page 98, | Between lines 5 and 6, | <p>Insert "\$ 3. Paragraph (a) of subdivision 22 of section 6802 of the education law, as amended by chapter 57 of the laws of 2018, is amended to read as follows:</p> <p>a. the direct application of an immunizing agent to adults, whether by injection, ingestion, inhalation or any other means, pursuant to a patient specific order or non-patient specific regimen prescribed or ordered by a physician or certified nurse practitioner, who has a practice site in the county or adjoining county in which the immunization is administered, for immunizations to prevent influenza, pneumococcal, acute herpes zoster, meningococcal, tetanus, diphtheria or pertussis disease <u>or, for patients eighteen years of age and older, any other immunizations recommended by the advisory committee on immunizations practices of the centers for disease control and prevention,</u> and medications required for emergency treatment of anaphylaxis. If the commissioner of health determines that there is an outbreak of disease, or that there is the imminent threat of an outbreak of disease, then the commissioner of health may issue a non-patient specific regimen applicable statewide."</p> |
| Page 98, | Line 6, | After "\$" strike out "3" and insert "4" |
| Page 98, | Line 14, | After "of" insert "[" and after "and" insert "]" |
| Page 98, | Line 15, | After "therapy", insert " <u>and prescribing in order to adjust or manage drug therapy</u> " |
| Page 98, | Line 20, | After "physician" strike out " <u>, physician assistant,</u> " |
| Page 98, | Line 22 and 23, | After "physician" strike out " <u>, physician assistant,</u> " and insert " <u>or</u> " |
| Page 98, | Line 23, | After " <u>practitioner</u> " strike out " <u>or facility</u> " and insert "[" |
| Page 98, | Line 24, | After "facility" insert "]" |

| Page | Line | Amendment |
|-----------|-----------------|--|
| Page 98, | Line 25, | After "physician" insert " <u>or nurse practitioner,</u> " |
| Page 98, | Line 29 and 30, | After "physician" strike out " <u>, physician assistant,</u> " and insert " <u>or</u> " |
| Page 98, | Line 30, | After " <u>nurse practitioner</u> " strike out " <u>or facility</u> " |
| Page 98, | Line 34 and 35, | After "expressly]" strike out " <u>, physician assistant</u> " |
| Page 98, | Line 35, | After "written" insert " <u>agreement</u> [" and after "order" insert "]" |
| Page 98, | Line 36, | After "protocol" insert " <u>, provided, however, that the pharmacist shall appropriately consider clinical benefit and cost to the patient and/or payer in discharging these responsibilities</u> " |
| Page 98, | Line 41, | After " <u>agreement,</u> ", strike out " <u>, provided, however, that the pharmacist shall appropriately consider clinical benefit and cost to the patient and/or payer in discharging these responsibilities</u> " |
| Page 98, | Line 48, | After "the" insert " <u>written agreement or</u> " |
| Page 99, | Line 9, | After " <u>facility</u> " strike out " <u>, a</u> " and insert " <u>or</u> " |
| Page 99, | Line 14, | After "dispensaries," insert "[" |
| Page 99, | Line 15, | After "facilities" insert "]" |
| Page 99, | Line 21, | Before " <u>and</u> " Strike out " <u>physician assistants</u> " |
| Page 99, | Line 23, | After "Physician" strike out " <u>, physician assistant</u> " |
| Page 99, | Line 24, | After "physician" strike out " <u>, physician assistant</u> " |
| Page 99, | Line 33, | After "physician" strike out " <u> physician assistant,</u> " |
| Page 99, | Line 39 and 40, | After " <u>physician</u> " strike out " <u>, physician assistant</u> " |
| Page 99, | Line 41 and 42 | After "physician," strike out " <u>physician assistant,</u> " |
| Page 100, | Line 20 and 21 | After " <u>physician</u> " strike out " <u> physician assistant,</u> " |
| Page 100, | Line 21, | After " <u>nurse practitioner</u> " strike out " <u>or facility;</u> " |

| Page | Line | Amendment |
|------------------|----------------------|---|
| Page 100, | Line 33, | After "physician" strike out ", <u>physician assistant,</u> " insert " <u>or</u> " |
| Page 100, | Line 36, | After "physician", strike out ", <u>physician assistant</u> " |
| Page 100, | Line 38, | After "physician" strike out ", <u>physician assistant</u> " |
| Page 101, | Line 5 and 6, | After "physician," strike out " <u>physician assistant,</u> " |
| Page 101, | Line 8, | After "physician," strike out ", <u>physician assistant</u> " |
| Page 101, | Line 14, | After "physician," strike out " <u>physician assistant,</u> " |
| Page 101, | Line 20, | After "\$" strike out "4" and insert "5" |
| Page 101, | Line 28, | After "\$" strike out "5" and insert "6" |
| Page 101, | Line 49, | After "\$" strike out "6" and insert "7" |
| Page 102, | Line 10, | After "\$" strike out "7" and insert "8" |
| Page 102, | Line 27, | After "\$" strike out "8" and insert "9" |
| Page 102, | Line 29, | After "section" strike out "three" and insert "four" |
| Pages 102 - 110, | Lines 32 through 54, | Strike out sections 1 through 13 in their entirety |
| Page 110, | Line 53, | After "\$" strike out "14" and insert "1" |
| Page 111, | Line 28, | After "\$" strike out "15" and insert "2" |
| Page 111, | Line 36, | After "\$" strike out "16" and insert "3" |
| Page 111, | Line 38, | After "\$" strike out "17" and insert "4" |
| Page 111, | Line 55, | After "\$" strike out "18" and insert "5" |
| Page 112, | Line 6, | After "\$" strike out "19" and insert "6" |
| Page 112, | Line 6, | After "immediately" strike out ";provided, however, that sections one through eleven of this act shall apply to services performed on or after January 1, 2021; and provided further, however, that sections twelve and thirteen of this act shall apply to credentialing applications received on or after July 1, 2020" |
| Page 121, | Line 19, | After "2020" insert "; provided, however, that the amendments to paragraph (a) of subdivision 10 of section 230 of the public health law made by sections 7 and 8 of this act shall not affect |

| Page | Line | Amendment |
|------------|----------------------|--|
| | | the expiration of such paragraph and shall expire therewith" |
| Pages 123, | Line 10, | After "2803-z." insert " <u>Antimicrobial resistance prevention and education.</u> " |
| Page 123, | Line 23, | After "law" strike out " <u>who provide direct patient care</u> " and insert " <u>and who are required to complete coursework or training regarding infection control pursuant to section 239 of the public health law or section 6505-b of the education law</u> " |
| Page 139, | Line 28, | After "taxes" insert " <u>in accordance with subdivision one of this section</u> [" and after "cap" insert "]" |
| Page 139, | Line 38, | After "subdivision" insert " <u>,less any remittances imposed by application of this subdivision in prior fiscal years, provided that each imposition of a remittance pursuant to this subdivision shall be deducted only once</u> " |
| Page 139, | Line 39, | Before "for" insert "[" |
| Page 139, | Line 41, | After "section" insert "]" |
| Page 139, | Lines 46 through 47, | After "budget" strike out ";" and insert " <u>.Further, the amount of any remittances imposed by application of this subdivision shall be owed to the state in every subsequent fiscal year, regardless whether the district certifies that it has limited the increase in real property taxes in accordance with subdivision one of this section by the date specified in subdivision two of this section, provided that each imposition of a remittance pursuant to this subdivision shall be applied only once.</u> " |
| Page 139, | Line 46 and 47, | Before "provided" insert "[" and after "provided" insert "], <u>Provided</u> " |
| Page 139, | Line 48, | After "reduce" insert "[" and after "such" insert "] <u>any</u> " |
| Page 139, | Line 48, | After "liability" insert " <u>imposed pursuant to this subdivision</u> " |
| Page 140, | Line 10, | After "adding" strike out "two" |
| Page 140, | Line 11, | After "4" strike out "and" and insert "," and after "5" insert " <u>and 6</u> " |
| Page 140, | Line 27, | After "the" insert " <u>total percentage increase in Medicaid local spending, meaning the</u> " and after "amount" insert " <u>that</u> " |
| Page 140, | Line 29, | After "services" strike out "districts" and insert " <u>district</u> " |

| Page | Line | Amendment |
|-----------|----------------|--|
| Page 140, | Line 30, | After " <u>persons</u> " insert " <u>, relative to such amount paid in the state fiscal year beginning April first, two thousand twenty ("Medicaid local spending growth rate"),</u> |
| Page 140, | Line 30 and 31 | After " <u>exceeds</u> " strike out " <u>one hundred three percent of the amount reimbursed during the preceding state fiscal year</u> " and insert " <u>the total percentage increase in the year to year rate of growth of department of health state funds Medicaid spending, as established by section 91 of part H of chapter 59 of the laws of 2011, and as subsequently amended, over the same time period ("Medicaid global cap growth rate")</u> |
| Page 140, | Line 33, | After " <u>of</u> " strike out " <u>such excess amount, after first deducting therefrom any federal funds properly received or to be received on account thereof,</u> " and insert " <u>the amount of Medicaid local spending multiplied by the difference in the Medicaid global cap growth rate and the Medicaid local spending growth rate</u> " |
| Page 140, | Line 36, | After " <u>budget.</u> " Insert " <u>Such remittances shall not be considered when determining a district's Medicaid local spending growth in subsequent fiscal years.</u> " |
| Page 140, | Line 39, | <p>After "<u>of</u>" strike out "<u>this</u>" and after "<u>section</u>" insert "<u>one of part R of a chapter of the laws of 2020, concerning distribution of enhanced federal medical assistance percentage payments, as proposed in legislative bill numbers S.7507-A and A.9507-A.</u></p> <p>6. For the state fiscal year beginning April first, two thousand twenty-one and every state fiscal year thereafter, notwithstanding the provisions of section three hundred sixty-eight-a of this title, and notwithstanding section one of part C of chapter fifty-eight of the laws of two thousand five, as amended by section one of part F of chapter fifty-six of the laws of two thousand twelve, and any subsequent amendments thereto, if a social services district's medicaid local spending growth rate is less than the medicaid global cap growth rate, both terms as defined in subdivision five of this section, the state shall remit to the social services district twenty-five percent of the amount of medical local spending, as defined in subdivision five of this section, multiplied by the difference in the medicaid global cap growth rate and the medicaid local spending growth rate, pursuant to a schedule determined by the commissioner of health in consultation with the director of the division of budget. Such remittances shall not</p> |

| Page | Line | Amendment |
|-----------|----------|--|
| | | be considered when determining a district's <u>medicaid local spending growth in subsequent fiscal years.</u> " |
| Page 140, | Line 52, | After "amended" insert "and a new paragraph (e) is added" |
| Page 141, | Line 13, | After " <u>applications</u> " insert ",," |
| Page 141, | Line 14, | After " <u>regulation</u> " insert ",," |
| Page 142, | Line 39, | After "provisions" insert " <u>relating</u> " |
| Page 158, | Line 27, | After "section 1" strike out "of part M of chapter 57 of the laws of 2006," insert "and" |
| Page 162, | Line 38, | After "(b)" strike out "[" |
| Page 162, | Line 41, | After "services" insert " <u>,including</u> " and before "to" insert "[" |
| Page 162, | Line 43, | After "and" insert "]" |
| Page 162, | Line 44, | After "age" insert ",," |
| Page 162, | Line 45, | After "or" strike out "]" and after "law," insert " <u>except for a health home, or any subcontractor of such health home, who contracts with or is approved or otherwise authorized by the department to provide health home services to all those enrolled pursuant to a diagnosis of a developmental disability as defined in subdivision twenty-two of section 1.03 of the mental hygiene law;</u> " and after "or" strike out "]" |
| Page 162, | Line 55, | After "chapter" strike out "[" |
| Page 163, | Line 1, | After "services" insert " <u>,including</u> [" |
| Page 163, | Line 4, | After "law and" insert "]" and after "age" insert ",," |
| Page 163, | Line 5, | After "law," strike out "]" and insert " <u>except for a health home, or any subcontractor of such health home, who contracts with or is approved or otherwise authorized by the department to provide health home services to all those enrolled pursuant to a diagnosis of a developmental disability as defined in subdivision twenty-two of section 1.03 of the mental hygiene law;</u> " |
| Page 163, | Line 31, | After "law," strike out "[" |
| Page 163, | Line 33, | After "services" insert " <u>,including</u> [" |
| Page 163, | Line 35, | After "and" insert "]" |

| Page | Line | Amendment |
|-------------|--------------------------|--|
| Page 163, | Line 36, | After "age" insert ",." |
| Page 163, | Line 37, | After "law," strike out "]" and insert " <u>except for a health home, or any subcontractor of such health home, who contracts with or is approved or otherwise authorized by the department to provide health home services to all those enrolled pursuant to a diagnosis of a developmental disability as defined in subdivision twenty-two of section 1.03 of the mental hygiene law;</u> " |
| Page 163, | Line 45, | After "for" strike out "[" |
| Page 163, | Line 47, | After "services" insert ", <u>including</u> [" |
| Page 163, | Line 49, | After "and" insert "]" |
| Page 163, | Line 50, | After "age" insert ",." |
| Page 163, | Line 51, | After "law," insert " <u>except for a health home, or any subcontractor of such health home, who contracts with or is approved or otherwise authorized by the department to provide health home services to all those enrolled pursuant to a diagnosis of a developmental disability as defined in subdivision twenty-two of section 1.03 of the mental hygiene law;</u> " and after "or" strike out "]" |
| Page 164, | Line 8, | After "law," strike out "[" |
| Page 164, | Line 10, | After "services" insert ", <u>including</u> [" |
| Page 164, | Line 12, | After "and" insert "]" |
| Page 164, | Line 13, | After "age" insert ",." |
| Page 164, | Line 14, | After "law," strike out "]" and insert " <u>except for a health home, or any subcontractor of such health home, who contracts with or is approved or otherwise authorized by the department to provide health home services to all those enrolled pursuant to a diagnosis of a developmental disability as defined in subdivision twenty-two of section 1.03 of the mental hygiene law;</u> " |
| Page 164, | Between lines 27 and 28, | Insert Part CC (LBD #71049-01-0) Insert Part DD (LBD #71047-01-0) Insert Part EE (LBD #75028-02-0) |
| Page 164, | Line 38, | After "through" strike out "BB" and insert "EE" |