AN ACT to amend the public health law, in relation to high cost drugs; to amend the tax law, in relation to surcharges on high priced drugs; to amend the tax law, in relation to secrecy provisions; to amend the state finance law, in relation to the high priced drug reimbursement fund; to amend the social services law, in relation to the drug utilization review board; to amend the social services law, in relation to Medicaid reimbursement of covered outpatient drugs; to authorize the suspension of a provider's Medicaid enrollment for inappropriate prescribing of opioids; to amend the social services law, in relation to refills of controlled substances; to amend the public health law and the social services law, in relation to eliminating prescriber prevails with the exception of mental health medications; to amend the public health law, in relation to authorizing for comprehensive medication management by pharmacists; to amend the social services law, in relation to reducing Medicaid coverage and increasing copayments for non-prescription drugs, to aligning pharmacy copayment requirements with federal regulations, and to adjusting consumer price index penalties for generic drugs; and to repeal subdivision 25-a of section 364-j of the social services law, relating to the coverage of certain medically necessary prescription drugs by managed care providers (Subpart A); to amend the social services law, in relation to fiscal intermediary certification under the consumer directed personal assistance program; and to amend the public health law, in relation to reserved bed days and establishing a prospective per diem adjustment for certain nursing homes (Subpart B); to amend part H of chapter 59 of the laws of 2011, amending the public health law and other laws relating to known and projected department of health state fund Medicaid expenditures, in relation to extending the Medicaid global cap (Subpart C); to amend the New York Health Care Reform Act of 1996, 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, in relation to the distribution of pool allocations and graduate medical education; to amend the public health law, in relation to health care initiative pool distributions; to amend the social services law, in relation to extending payment provisions for general hospitals; to amend the public health law, in relation to the assessments on covered lives; to amend chapter 600 of the laws of 1986 amending the public health law relating to the development of pilot reimbursement programs for ambulatory care services, in relation to the effectiveness thereof; to amend chapter 520 of the laws of 1978 relating to providing for a comprehensive survey of health care financing, education and illness prevention and creating councils for the conduct thereof, in relation to the effectiveness thereof; to amend the public health law and the social services law, in relation to rates of payment for personal care services workers; to amend the public health law, in relation to the comprehensive diagnostic and treatment centers indigent care program; to amend chapter 62 of the laws of 2003 amending the general business 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 the deposit of certain funds; 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 apportioning premium for certain policies; 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 the public health law, in relation to tobacco control and insurance initiatives pool distributions (Subpart D); to amend chapter 884 of the laws of 1990, amending the public health law relating to authorizing bad debt and charity care allowances for certified home health agencies, in relation to the effectiveness thereof; to amend chapter 60 of the laws of 2014 amending the social services law relating to eliminating prescriber prevails for brand name drugs with generic equivalents, in relation to the effectiveness thereof; to amend the public health law, in relation to extending the nursing home cash assessment; to amend chapter 474 of the laws of 1996, amending the education law and other laws relating to rates for residential health care facilities, in relation to the effectiveness thereof; to amend chapter 58 of the laws of 2007, amending the social services law and other laws relating to enacting the major components of legislation necessary to implement the health and mental hygiene budget for the 2007-2008 state fiscal year, in relation to delay of certain administrative cost; 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 chapter 109 of the laws of 2010, amending the social services law relating to transportation costs, in relation to the effectiveness thereof; to amend chapter 56 of the laws of 2013 amending chapter 59 of the laws of 2011, amending the public health law and other laws relating to general hospital reimbursement for annual rates relating to the cap on local Medicaid expenditures, in relation to the effectiveness thereof; to amend chapter 2 of the laws of 1998, amending the public health law and other laws relating to expanding the child health insurance plan, in relation to the effectiveness thereof; to amend chapter 19 of the laws of 1998, amending the social services law relating to limiting the method of payment for prescription drugs under the medical assistance program, in relation to the effectiveness thereof; to amend the public health law, in relation to continuing nursing home upper payment limit payments; 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 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 extending the provisions thereof; to amend 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 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 extending the expiration of certain provisions thereof; and to amend the public health law, in relation to issuance of certificates of authority to accountable care organizations (Subpart E); to amend chapter 56 of the laws of 2013 amending chapter 59 of the laws of 2011 amending the public health law and other laws relating to general hospital reimbursement for annual rates relating to the cap on local Medicaid expenditures, in relation to extending government rates for behavioral services and adding an alternative payment methodology; and to amend 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 and adding a value based payment requirement (Subpart F); to amend chapter 57 of the laws of 2006, relating to establishing a cost of living adjustment for designated human services programs, in relation to forgoing such adjustment during the 2017-2018 state fiscal year and the effectiveness thereof (Subpart G); to amend the social services law, in relation to health homes; to amend the social services law, in relation to managed care programs; to amend the social services law, in relation to pasteurized donor human milk and ovulation enhancing drugs; to amend public health law, in relation to home care work wage parity; in relation to authorizing the commissioner of health to sell accounts receivables balances owed to the state by Medicaid providers to financial institutions; and providing for the expiration of certain provisions (Subpart H) (Part A); to provide for the administration of certain funds and accounts related to the 2017-18 budget and authorizing certain payments and transfers; to amend the state finance law, in relation to the school tax relief fund and payments, transfers and deposits; to amend the state finance law, in relation to the dedicated infrastructure investment fund; to amend chapter 62 of the laws of 2003 amending the general business law and other laws relating to implementing the state fiscal plan for the 2003-2004 state fiscal year, in relation to the deposit provisions of the tobacco settlement financing corporation act; to amend the state finance law, in relation to establishing the retiree health benefit trust fund; to amend chapter 174 of the laws of 1968 constituting the New York state urban development corporation act, in relation to funding project costs undertaken by non-public schools; to amend the New York state urban development corporation act, in relation to funding project costs for certain capital projects; to amend chapter 389 of the laws of 1997, relating to the financing of the correctional facilities improvement fund and the youth facility improvement fund, in relation to the issuance of bonds; to amend the private housing finance law, in relation to housing program bonds and notes; to amend chapter 329 of the laws of 1991, amending the state finance law and other laws relating to the establishment of the dedicated highway and bridge trust fund, in relation to the issuance of bonds; to amend the public authorities law, in relation to the issuance of bonds by the dormitory authority; to amend chapter 61 of the laws of 2005 relating to providing for the administration of certain funds and accounts related to the 2005-2006 budget, in relation to issuance of bonds by the urban development corporation; to amend the New York state urban development corporation act, in relation to the issuance of bonds; to amend the public authorities law, in relation to the state environmental infrastructure projects; to amend the New York state urban development corporation act, in relation to authorizing the urban development corporation to issue bonds to fund project costs for the implementation of a NY-CUNY challenge grant program; to amend chapter 81 of the laws of 2002, relating to providing for the administration of certain funds and accounts related to the 2002-2003 budget, in relation to increasing the aggregate amount of bonds to be issued by the New York state urban development corporation; to amend the public authorities law, in relation to financing of peace bridge and transportation capital projects; to amend the public authorities law, in relation to dormitories at certain educational institutions other than state operated institutions and statutory or contract colleges under the jurisdiction of the state university of New York; to amend the New York state medical care facilities finance agency act, in relation to
bonds and mental health facilities improvement notes; to amend chapter 63 of
the laws of 2005, relating to the composition and responsibilities of the New
York state higher education capital matching grant board, in relation to
increasing the amount of authorized matching capital grants; to amend the
public authorities law, in relation to authorization for issuance of bonds
for the capital restructuring bond finance program and the health care
facility transformation program to amend the state finance law and the public
authorities law, in relation to funding certain capital projects and the
issuance of bonds; to repeal sections 58, 59 and 60 of the state finance law
relating thereto; and providing for the repeal of certain provisions upon
expiration thereof (Subpart A); to amend the vehicle and traffic law and the
state finance law, in relation to allocation of three million dollars of
assessments from the city of New York to the general fund; and providing for
the repeal of such provisions upon expiration thereof (Subpart B) (Part B); to
amend chapter 62 of the laws of 2003 amending the vehicle and traffic law and
other laws relating to increasing certain motor vehicle transaction fees, in
relation to the disposition of revenues (Subpart A); to amend the New York
state urban development corporation act, in relation to extending certain
provisions relating to the empire state economic development fund (Subpart
B); to amend chapter 393 of the laws of 1994, amending the New York state
urban development corporation act, relating to the powers of the New York
state urban development corporation to make loans, in relation to the
effectiveness thereof (Subpart C); to amend the infrastructure investment
act, in relation to the definition of an authorized entity that may utilize
design-build contracts, and in relation to the effectiveness thereof (Subpart
D); to amend chapter 21 of the laws of 2003, amending the executive law
relating to permitting the secretary of state to provide special handling for
all documents filed or issued by the division of corporations and to permit
additional levels of such expedited service, in relation to extending the
expiration date thereof (Subpart E); to amend the navigation law, in relation
to establishing the New York environmental protection and spill remediation
account (Subpart F) (Part C); to amend the tax law and the administrative code
of the city of New York, in relation to the school tax reduction credit for
residents of a city with a population of one million or more; and to repeal
section 54-f of the state financial law relating thereto (Subpart A); to
amend chapter 59 of the laws of 2014, amending the tax law relating to
serving an income execution with respect to individual tax debtors without
filing a warrant, in relation to extending the provisions authorizing service
of income executions on individual tax debtors without filing a
warrant (Subpart B); to amend the tax law, in relation to clarifying the
imposition of sales tax on gas service or electric service of whatever nature
(Subpart C); to amend the tax law and administrative code of the city of New
York, in relation to qualified financial instruments of RICS and REITS
(Subpart D) (Part D)

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

Section 1. This act enacts into law major components of legislation
which are necessary to implement the state fiscal plan for the 2017-2018
state fiscal year. Each component is wholly contained within a Part
identified as Parts A through D. The effective date for each particular
provision contained within such Part is set forth in the last section of such
Part. Any provision in any section contained within a Part, including the effective date of the Part, which makes a reference to a section "of this act", when used in connection with that particular component, shall be deemed to mean and refer to the corresponding section of the Part in which it is found. Section three of this act sets forth the general effective date of this act.

PART A

Section 1. This act enacts into law major components of legislation which are necessary to implement the state health and mental hygiene budget for the 2017-2018 state fiscal year. Each component is wholly contained within a Subpart identified as Subparts A through H. The effective date for each particular provision contained within such Subpart is set forth in the last section of such Subpart. Any provision in any section contained within a Subpart, including the effective date of the Subpart, which makes a reference to a section "of this act", when used in connection with that particular component, shall be deemed to mean and refer to the corresponding section of the Subpart in which it is found. Section three of this act sets forth the general effective date of this act.

SUBPART A

Section 1. The public health law is amended by adding a new section 280 to read as follows:

§ 280. Medicaid drug cap. 1. The legislature hereby finds and declares that there is a significant public interest for the Medicaid program to manage drug costs in a manner that ensures patient access while providing financial stability for the state and participating providers. Since two thousand eleven, the state has taken significant steps to contain costs in the Medicaid program by imposing a statutory limit on annual growth. Drug expenditures, however, continually outpace other cost components causing significant pressure on the state, providers, and patient access operating under the Medicaid global cap. It is therefore intended that the department establish a Medicaid drug cap as a separate component within the Medicaid global cap as part of a focused and sustained effort to balance the growth of drug expenditures with the growth of total Medicaid expenditures.

2. The commissioner shall establish a year to year department of health state-funds Medicaid drug spending growth target as follows:

(a) for state fiscal year two thousand seventeen--two thousand eighteen, be limited to the ten-year rolling average of the medical component of the consumer price index plus five percent and minus a pharmacy savings target of fifty-five million dollars; and

(b) for state fiscal year two thousand eighteen--two thousand nineteen, be limited to the ten-year rolling average of the medical component of the consumer price index plus four percent and minus a pharmacy savings target of eighty-five million dollars.

3. The department and the division of the budget shall assess on a quarterly basis the projected total amount to be expended in the year on a cash basis by the Medicaid program for each drug, and the projected annual
amount of drug expenditures for all drugs, which shall be a component of the
projected department of health state funds Medicaid expenditures calculated
for purposes of sections ninety-one and ninety-two of part H of chapter
fifty-nine of the laws of two thousand eleven. For purposes of this section,
state funds Medicaid drug expenditures include amounts expended for drugs in
both the Medicaid fee-for-service and Medicaid managed care programs, minus
the amount of any drug rebates or supplemental drug rebates received by the
department, including rebates pursuant to subdivision five of this section
with respect to rebate targets.

(a) In the event the director of the budget determines, based on Medicaid
drug expenditures for the previous quarter or other relevant information,
that the total department of health state funds Medicaid drug expenditure is
projected to exceed the annual growth limitation imposed by subdivision two
of this section, the commissioner may identify and refer drugs to the drug
utilization review board established by section three hundred sixty-nine-bb
of the social services law for a recommendation as to whether a target
supplemental Medicaid rebate should be paid by the manufacturer of the drug
to the department and the target amount of the rebate.

(b) If the department intends to refer a drug to the drug utilization
review board pursuant to paragraph (a) of this subdivision, the department
shall notify the manufacturer of such drug and shall attempt to reach
agreement with the manufacturer on a rebate for the drug prior to referring
the drug to the drug utilization review board for review.

(c) In the event that the commissioner and the manufacturer have
previously agreed to a supplemental rebate for a drug pursuant to paragraph
(b) of this subdivision or paragraph (e) of subdivision seven of section
three hundred sixty-seven-a of the social services law, the drug shall not be
referred to the drug utilization review board for any further supplemental
rebate for the duration of the previous rebate agreement.

(d) The department shall consider a drug's actual cost to the state,
including current rebate amounts, prior to seeking an additional rebate
pursuant to paragraph (b) or (c) of this subdivision and shall take into
consideration whether the manufacturer of the drug is providing significant
discounts relative to other drugs covered by the Medicaid program.

(e) The commissioner shall be authorized to take the actions described in
this section only so long as total Medicaid drug expenditures are projected
to exceed the annual growth limitation imposed by subdivision two of this
section.

4. In determining whether to recommend a target supplemental rebate for a
drug, the drug utilization review board shall consider the actual cost of the
drug to the Medicaid program, including federal and state rebates, and may
consider, among other things:

(a) the drug's impact on the Medicaid drug spending growth target and the
adequacy of capitation rates of participating Medicaid managed care plans,
and the drug's affordability and value to the Medicaid program; or

(b) significant and unjustified increases in the price of the drug; or
(c) whether the drug may be priced disproportionately to its therapeutic benefits.

5. (a) If the drug utilization review board recommends a target rebate amount on a drug referred by the commissioner, the commissioner shall require a supplemental rebate to be paid by the drug's manufacturer in an amount not to exceed such target rebate amount. With respect to a rebate required in state fiscal year two thousand seventeen--two thousand eighteen, the rebate requirement shall apply beginning with the month of April, two thousand seventeen, without regard to the date the department enters into the rebate agreement with the manufacturer.

(b) The supplemental rebate required by paragraph (a) of this subdivision shall apply to drugs dispensed to enrollees of managed care providers pursuant to section three hundred sixty-four-j of the social services law and to drugs dispensed to Medicaid recipients who are not enrollees of such providers.

(c) If the drug utilization review board recommends a target rebate amount for a drug and the department is unable to negotiate a rebate from the manufacturer in an amount that is at least seventy-five percent of the target rebate amount, the commissioner is authorized to waive the provisions of paragraph (b) of subdivision three of section two hundred seventy-three of this article and the provisions of subdivisions twenty-five and twenty-five-a of section three hundred sixty-four-j of the social services law with respect to such drug; however, this waiver shall not be implemented in situations where it would prevent access by a Medicaid recipient to a drug which is the only treatment for a particular disease or condition. Under no circumstances shall the commissioner be authorized to waive such provisions with respect to more than two drugs in a given time.

(d) Where the department and a manufacturer enter into a rebate agreement pursuant to this section, which may be in addition to existing rebate agreements entered into by the manufacturer with respect to the same drug, no additional rebates shall be required to be paid by the manufacturer to a managed care provider or any of a managed care provider's agents, including but not limited to any pharmacy benefit manager, while the department is collecting the rebate pursuant to this section.

(e) In formulating a recommendation concerning a target rebate amount for a drug, the drug utilization review board may consider:

(i) publicly available information relevant to the pricing of the drug;

(ii) information supplied by the department relevant to the pricing of the drug;

(iii) information relating to value-based pricing;

(iv) the seriousness and prevalence of the disease or condition that is treated by the drug;

(v) the extent of utilization of the drug;
(vi) the effectiveness of the drug in treating the conditions for which it is prescribed, or in improving a patient's health, quality of life, or overall health outcomes;

(vii) the likelihood that use of the drug will reduce the need for other medical care, including hospitalization;

(viii) the average wholesale price, wholesale acquisition cost, retail price of the drug, and the cost of the drug to the Medicaid program minus rebates received by the state;

(ix) in the case of generic drugs, the number of pharmaceutical manufacturers that produce the drug:

(x) whether there are pharmaceutical equivalents to the drug; and

(xi) information supplied by the manufacturer, if any, explaining the relationship between the pricing of the drug and the cost of development of the drug and/or the therapeutic benefit of the drug, or that is otherwise pertinent to the manufacturer's pricing decision; any such information provided shall be considered confidential and shall not be disclosed by the drug utilization review board in a form that identifies a specific manufacturer or prices charged for drugs by such manufacturer.

6. (a) If the drug utilization review board recommends a target rebate amount and the department is unsuccessful in entering into a rebate agreement with the manufacturer of the drug satisfactory to the department, the drug manufacturer shall in that event be required to provide to the department, on a standard reporting form developed by the department, the following information:

(i) the actual cost of developing, manufacturing, producing (including the cost per dose of production), and distributing the drug;

(ii) research and development costs of the drug, including payments to predecessor entities conducting research and development, such as biotechnology companies, universities and medical schools, and private research institutions;

(iii) administrative, marketing, and advertising costs for the drug, apportioned by marketing activities that are directed to consumers, marketing activities that are directed to prescribers, and the total cost of all marketing and advertising that is directed primarily to consumers and prescribers in New York, including but not limited to prescriber detailing, copayment discount programs, and direct-to-consumer marketing;

(iv) the extent of utilization of the drug;

(v) prices for the drug that are charged to purchasers outside the United States;

(vi) prices charged to typical purchasers in the state, including but not limited to pharmacies, pharmacy chains, pharmacy wholesalers, or other direct purchasers;
(vii) the average rebates and discounts provided per payer type in the State; and

(viii) the average profit margin of each drug over the prior five-year period and the projected profit margin anticipated for such drug.

(b) All information disclosed pursuant to paragraph (a) of this subdivision shall be considered confidential and shall not be disclosed by
the department in a form that identifies a specific manufacturer or
charged for drugs by such manufacturer.

7. (a) If, after taking into account all rebates and supplemental rebates
received by the department, including rebates received to date pursuant to
this section, total Medicaid drug expenditures are still projected to exceed
the annual growth limitation imposed by subdivision two of this section, the
commissioner of health may: subject drugs to prior approval in accordance
with existing processes and procedures, which may include all drugs of a
manufacturer that has not entered into a supplemental rebate agreement
required by this section; directing managed care plans to remove from their
Medicaid formularies those drugs with respect to which a manufacturer has
failed to enter into a rebate agreement required by this section; promoting
the use of cost effective and clinically appropriate drugs other than those
of a manufacturer who has failed to enter into a rebate agreement required by
this section; allowing manufacturers to accelerate rebate payments under
existing rebate contracts; and such other actions as authorized by law. The
commissioner shall provide written notice to the legislature thirty days
prior to taking action pursuant to this paragraph, unless action is necessary
in the fourth quarter of a fiscal year to prevent total Medicaid drug
expenditures from exceeding the limitation imposed by subdivision two of this
section, in which case such notice to the legislature may be less than thirty
days.

(b) The commissioner shall be authorized to take the actions described in
paragraph (a) of this subdivision only so long as total Medicaid drug
expenditures are projected to exceed the annual growth limitation imposed by
subdivision two of this section. In addition, no such actions shall be deemed
to supersede the provisions of paragraph (b) of subdivision three of section
two hundred seventy-three of this article or the provisions of subdivisions
twenty-five and twenty-five-a of section three hundred sixty-four-j of the
social services law, except as allowed by paragraph (c) of subdivision five
of this section; provided further that nothing in this section shall prevent
access by a Medicaid recipient to a drug which is the only treatment for a
particular disease or condition.

§ 2. Subdivisions 1 and 2 of section 369-bb of the social services law,
as amended by section 20 of part A of chapter 56 of the laws of 2013, are
amended to read as follows:

is hereby created in the department. The board is responsible for the
establishment and implementation of medical standards and criteria for the
retrospective and prospective DUR program.

2. The members of the DUR board shall be appointed by the commissioner
and shall serve a three-year term. Members may be reappointed upon the
completion of other terms. The membership shall be comprised of the following:

(a) Six persons licensed and actively engaged in the practice of medicine in the state, with expertise in the areas of mental health, HIV/AIDS, geriatrics, pediatrics or internal medicine and who may be selected based on input from professional associations and/or advocacy groups in New York state.

(b) Six persons licensed and actively practicing in pharmacy in the state who may be selected based on input from professional associations and/or advocacy groups in New York state.

(c) Two persons with expertise in drug utilization review who are health care professionals licensed under Title VIII of the education law at least one of whom is a pharmacologist.

(d) Three persons that are consumers or consumer representatives of organizations with a regional or statewide constituency and who have been involved in activities related to health care consumer advocacy, including issues affecting Medicaid or EPIC recipients.

(e) One person licensed and actively practicing as a nurse practitioner or midwife.

(f) Two persons who are health care economists.

(g) One person who is an actuary.

(h) One person representing the department of financial services.

(i) The commissioner shall designate a person from the department to serve as chairperson of the board.

§ 3. Paragraphs (g), (h), and (i) of subdivision 8 of section 369-bb of the social services law are relettered paragraphs (h), (i), and (j) and a new paragraph (g) is added to read as follows:

(g) The evaluation of specific drugs submitted to the board for review pursuant to section two hundred eighty of the public health law, and the formulation of recommended target supplemental rebates, in accordance with the standards established in such section.

§ 4. Intentionally omitted.

§ 5. Intentionally omitted.

§ 6. Intentionally omitted.

§ 7. The opening paragraph and subparagraphs (i) and (ii) of paragraph (b) and paragraph (d) of subdivision 9 of section 367-a of the social services law, the opening paragraph and paragraph (d) as amended by chapter 19 of the laws of 1998, subparagraphs (i) and (ii) of paragraph (b) as
amended by section 2 of part C of chapter 60 of the laws of 2014,
subparagraph (i) of paragraph (d) as amended by section 10-a of part H of
chapter 59 of the laws of 2011 and subparagraph (ii) of paragraph (d) as
amended by section 48 of part C of chapter 58 of the laws of 2009, are
amended to read as follows:

Notwithstanding any inconsistent provision of law or regulation to the
contrary, for those drugs which may not be dispensed without a prescription
as required by section sixty-eight hundred ten of the education law and for
which payment is authorized pursuant to paragraph (g) of subdivision two of
section three hundred sixty-five-a of this title, and for those drugs that
are available without a prescription as required by section sixty-eight
hundred ten of the education law but are reimbursed as items of medical
assistance pursuant to paragraph (a) of subdivision four of section three
hundred sixty-five-a of this title, payments under this title shall be made
at the following amounts:

(i) [if the drug dispensed is a multiple source prescription drug for
which an upper limit has been set by the federal centers for medicare and
medicaid services, the lower of: (A) an amount equal to the specific upper
limit set by such federal agency for the multiple source prescription drug;
(B) the estimated acquisition cost of such drug to pharmacies which, for
purposes of this subparagraph, shall mean the average wholesale price of a
prescription drug based on the package size dispensed from, as reported by
the prescription drug pricing service used by the department, less twenty-
five percent thereof; (C) the maximum acquisition cost, if any, established
pursuant to paragraph (e) of this subdivision, provided that the methodology
used by the department to establish a maximum acquisition cost shall not
include average acquisition cost as determined by department surveys; or (D)
the dispensing pharmacy's usual and customary price charged to the general
public; and] (A) if the drug dispensed is a generic prescription drug, the
lower of: (1) an amount equal to the national average drug acquisition cost
set by the federal centers for medicare and medicaid services for the drug,
if any, or if such amount if not available, the wholesale acquisition cost of
the drug based on the package size dispensed from, as reported by the
prescription drug pricing service used by the department, less seventeen and
one-half percent thereof; (2) the federal upper limit, if any, established by
the federal centers for medicare and medicaid services; (3) the state maximum
acquisition cost, if any, established pursuant to paragraph (e) of this
subdivision; or (4) the dispensing pharmacy's usual and customary price
charged to the general public; (B) if the drug dispensed is available without
a prescription as required by section sixty-eight hundred ten of the
education law but is reimbursed as an item of medical assistance pursuant to
paragraph (a) of subdivision four of section three hundred sixty-five-a of
this title, the lower of (1) an amount equal to the national average drug
acquisition cost set by the federal centers for medicare and medicaid
services for the drug, if any, or if such amount is not available, the
wholesale acquisition cost of the drug based on the package size dispensed
from, as reported by the prescription drug pricing service used by the
department, (2) the federal upper limit, if any, established by the federal
centers for medicare and medicaid services; (3) the state maximum
acquisition cost if any, established pursuant to paragraph (e) of this subdivision; or
(4) the dispensing pharmacy's usual and customary price charged to the
general public;
(ii) if the drug dispensed is [a multiple source prescription drug or] a
brand-name prescription drug [for which no specific upper limit has been set
by such federal agency], the lower of [the estimated acquisition cost of such
drug to pharmacies or the dispensing pharmacy's usual and customary price
charged to the general public. For sole and multiple source brand name drugs,
estimated acquisition cost means the average wholesale price of a
prescription drug based upon the package size dispensed from, as reported by
the prescription drug pricing service used by the department, less seventeen
percent thereof or the wholesale acquisition cost of a prescription drug
pricing service used by the department, minus zero and forty-one hundredths
percent thereof, and updated monthly by the department. For multiple source
generic drugs, estimated acquisition cost means the lower of the average
wholesale price of a prescription drug based on the package size dispensed
from, as reported by the prescription drug pricing service used by the
department, less twenty-five percent thereof, or the maximum acquisition
cost, if any, established pursuant to paragraph (e) of this subdivision,
provided that the methodology used by the department to establish a maximum
acquisition cost shall not include average acquisition cost as determined by
department surveys.]

(A) an amount equal to the national average drug acquisition cost set by
the federal centers for medicare and medicaid services for the drug, if any,
or if such amount is not available, the wholesale acquisition cost of the
drug based on the package size dispensed from, as reported by the
prescription drug pricing service used by the department, less three and
three-tenths percent thereof; or (B) the dispensing pharmacy's usual and
customary price charged to the general public; and

(d) In addition to the amounts paid pursuant to paragraph (b) of this
subdivision [to pharmacies for those drugs which may not be dispensed without
a prescription, as required by section sixty-eight hundred ten of the
education law and for which payment is authorized pursuant to paragraph (g)
of subdivision two of section three hundred sixty-five-a of this title], the
department shall pay a professional pharmacy dispensing fee for each such
[prescription] drug dispensed[, which dispensing fee shall not be less than
the following amounts:

(i) for prescription drugs categorized as generic by the prescription
drug pricing service used by the department, three dollars and fifty cents
per prescription; and

(ii) for prescription drugs categorized as brand-name prescription drugs
by the prescription drug pricing service used by the department, three
dollars and fifty cents per prescription, provided, however, that for brand
name prescription drugs reimbursed pursuant to subparagraph (ii) of paragraph
(a-1) of subdivision four of section three hundred sixty-five-a of this
title, the dispensing fee shall be four dollars and fifty cents per
[prescription] in the amount of ten dollars per prescription or written order
of a practitioner; provided, however that this professional dispensing fee
will not apply to drugs that are available without a prescription as required
by section sixty-eight hundred ten of the education law but do not meet the
definition of a covered outpatient drug pursuant to Section 1927K of the
Social Security Act.
§ 8. It shall be an unacceptable practice in the Medicaid program established pursuant to title 11 of article 5 of the social services law for a provider to prescribe opioids in violation of the requirements of paragraph (g-1) of subdivision 2 of section 365-a of such law, in violation of any other applicable law limiting or restricting the prescribing of opioids, and/or contrary to recommendations issued by the drug utilization review board established by section 369-bb of the social services law, and such practice may result in the provider being excluded from participation in the Medicaid program. No exclusion or other sanction of a Medicaid provider pursuant to this section shall be imposed except in accordance with the requirements of parts 515, 517 and 519 of title 18 of the codes, rules and regulations of the State of New York (NYCRR), and nothing herein shall be construed as limiting the due process rights or legal remedies that would otherwise be available to such a provider.

§ 9. Paragraph (g-1) of subdivision 2 of section 365-a of the social services law, as amended by section 5 of part C of chapter 60 of the laws of 2014, is amended to read as follows:

(g-1) drugs provided on an in-patient basis, those drugs contained on the list established by regulation of the commissioner of health pursuant to subdivision four of this section, and those drugs which may not be dispensed without a prescription as required by section sixty-eight hundred ten of the education law and which the commissioner of health shall determine to be reimbursable based upon such factors as the availability of such drugs or alternatives at low cost if purchased by a medicaid recipient, or the essential nature of such drugs as described by such commissioner in regulations, provided, however, that such drugs, exclusive of long-term maintenance drugs, shall be dispensed in quantities no greater than a thirty day supply or one hundred doses, whichever is greater; provided further that the commissioner of health is authorized to require prior authorization for any refill of a prescription when more than a ten day supply of the previously dispensed amount should remain were the product used as normally indicated, or in the case of a controlled substance, as defined in section thirty-three hundred two of the public health law, when more than a seven day supply of the previously dispensed amount should remain were the product used as normally indicated; provided further that the commissioner of health is authorized to require prior authorization of prescriptions of opioid analgesics in excess of four prescriptions in a thirty-day period in accordance with section two hundred seventy-three of the public health law; medical assistance shall not include any drug provided on other than an in-patient basis for which a recipient is charged or a claim is made in the case of a prescription drug, in excess of the maximum reimbursable amounts to be established by department regulations in accordance with standards established by the secretary of the United States department of health and human services, or, in the case of a drug not requiring a prescription, in excess of the maximum reimbursable amount established by the commissioner of health pursuant to paragraph (a) of subdivision four of this section;

§ 10. Intentionally omitted.

§ 11. Intentionally omitted.

§ 12. Intentionally omitted.
§ 13. Intentionally omitted.


§ 15. Intentionally omitted.

§ 16. Subparagraph (iii) of paragraph (c) of subdivision 6 of section 367-a of the social services law, as amended by section 9 of part C of chapter 60 of the laws of 2014, is amended to read as follows:

(iii) Notwithstanding any other provision of this paragraph, co-payments charged for each generic prescription drug dispensed shall be one dollar and for each brand name prescription drug dispensed shall be [three dollars] two dollars and fifty cents; provided, however, that the co-payments charged for each brand name prescription drug on the preferred drug list established pursuant to section two hundred seventy-two of the public health law or, for managed care providers operating pursuant to section three hundred sixty-four-j of this title, for each brand name prescription drug on a managed care provider's formulary that such provider has designated as a preferred drug, and the co-payments charged for each brand name prescription drug reimbursed pursuant to subparagraph (ii) of paragraph (a-1) of subdivision four of section three hundred sixty-five-a of this title shall be one dollar.

§ 17. Subparagraphs 1 and 5 of paragraph (f) of subdivision 7 of section 367-a of the social services law, as added by section 11 of part B of chapter 59 of the laws of 2016, are amended to read as follows:

(1) The department may require manufacturers of drugs other than single source drugs and innovator multiple source drugs, as such terms are defined in 42 U.S.C. § 1396r-8(k), to provide rebates to the department for any drug that has increased more than three hundred percent of its state maximum acquisition cost (SMAC) [, on or after] during the period April 1, 2016 through March thirty-first, two thousand seventeen, or that has increased more than seventy-five percent of its SMAC on or after April first, two thousand seventeen, in comparison to its SMAC at any time during the course of the preceding twelve months. The required rebate shall be limited to the amount by which the current SMAC for the drug exceeds [three hundred percent] the applicable percentage of the SMAC for the same drug at any time during the course of the preceding twelve months. Such rebates shall be in addition to any rebates payable to the department pursuant to any other provision of federal or state law. Nothing herein shall affect the department's obligation to reimburse for covered outpatient drugs pursuant to paragraph (d) of this subdivision.

(5) Beginning in two thousand seventeen, the department shall provide an annual report to the legislature no later than February first setting forth:

(i) The number of drugs that exceeded the ceiling price established in this paragraph during the preceding year in comparison to the number of drugs that experienced at least a three hundred percent price increase during two thousand fourteen and two thousand fifteen, or at least a seventy-five percent price increase during two thousand fifteen and two thousand sixteen;

(ii) The average percent amount above the ceiling price of drugs that exceeded the ceiling price in the preceding year in comparison to the number
of drugs that experienced a price increase more than three hundred percent
during two thousand fourteen and two thousand fifteen, or at least a seventy-
five percent price increase during two thousand fifteen and two thousand
sixteen;

(iii) The number of generic drugs available to enrollees in Medicaid fee
for service or Medicaid managed care, by fiscal quarter, in the preceding
year in comparison to the drugs available, by fiscal quarter, during two
thousand fourteen and two thousand fifteen, and two thousand sixteen; and

(iv) The total drug spend on generic drugs for the preceding year in
comparison to the total drug spend on generic drugs during two thousand
fourteen and two thousand fifteen, and two thousand sixteen.

§ 18. Severability. If any clause, sentence, paragraph, or subdivision of
this section shall be adjudged by any court of competent jurisdiction to be
invalid, such judgment shall not affect, impair, or invalidate the remainder
thereof, but shall be confined in its operation to the clause, sentence,
paragraph, or subdivision directly involved in the controversy in which such
judgment shall have been rendered. It is hereby declared to be the intent of
the legislature that this section would have been enacted even if such
invalid provisions had not been included herein.

§ 19. This act shall take effect immediately and shall be deemed to have been
in full force and effect on and after April 1, 2017; provided, however,
that sections nine, sixteen, and seventeen of this act shall take effect July
1, 2017; provided, further, that the amendments to paragraph (c) of
subdivision 6 of section 367-a of the social services law made by section
sixteen of this act shall not affect the repeal of such paragraph and shall
be deemed repealed therewith; provided, further, that the amendments to
paragraph (f) of subdivision 7 of section 367-a of the social services law
made by section seventeen of this act shall not affect the repeal of such
paragraph and shall be deemed repealed therewith; and provided, further, that
the amendments to subdivision 9 of section 367-a of the social services law
made by section seven of this act shall not affect the expiration of such
subdivision and shall be deemed to expire therewith.

SUBPART B

Section 1. Section 365-f of the social services law is amended by adding
two new subdivisions 4-a and 4-b to read as follows:

4-a. Fiscal intermediary services. (a) For the purposes of this section:

(i) "Fiscal intermediary" means an entity that provides fiscal
intermediary services and has a contract for providing such services with:

(A) a local department of social services;

(B) an organization licensed under article forty-four of the public
health law; or

(C) an accountable care organization certified under article twenty-nine-
E of the public health law or an integrated delivery system composed
primarily of health care providers recognized by the department as a performing provider system under the delivery system reform incentive payment program.

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

(A) wage and benefit processing for consumer directed personal assistants;

(B) processing all income tax and other required wage withholdings;

(C) complying with workers' compensation, disability and unemployment requirements;

(D) maintaining personnel records for each consumer directed personal assistant, including time sheets and other documentation needed for wages and benefit processing and a copy of the medical documentation required pursuant to regulations established by the commissioner;

(E) ensuring that the health status of each consumer directed personal assistant is assessed prior to service delivery pursuant to regulations issued by the commissioner;

(F) maintaining records of service authorizations or reauthorizations;

(G) monitoring the consumer's or, if applicable, the designated representative's continuing ability to fulfill the consumer's responsibilities under the program and promptly notifying the authorizing entity of any circumstance that may affect the consumer's or, if applicable, the designated representative's ability to fulfill such responsibilities;

(H) complying with regulations established by the commissioner specifying the responsibilities of fiscal intermediaries providing services under this title; and

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

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

(b) No entity shall provide, directly or through contract, fiscal
intermediary services without an authorization as a fiscal intermediary
issued by the commissioner in accordance with this subdivision.

(c) An application for authorization as a fiscal intermediary shall be
filed with the commissioner, together with such other forms and information
as shall be prescribed by, or acceptable to the commissioner. Such
information shall include, but not be limited to:

(i) the name and employer identification number, of the entity, including
any subsidiary corporations, if applicable, and any name under which the
entity does business;

(ii) all addresses at which the organization operates;

(iii) the names, titles and contact information of all officers and
directors in a not-for-profit company or business, or managers in a limited
liability company, as well as the name and employment history of the
individual ultimately accountable for operation of the fiscal intermediary;
and for a not-for-profit entity, the number of director positions set by the
company's by-laws, and how many are currently filled;

(iv) a history of the organization, along with an overview of the
organization and all services it offers, including any relationships with
outside agencies that may influence in any way the ability of the
organization to provide fiscal intermediary services consistent with the
manner described in its application;

(v) all policies and procedures of the fiscal intermediary, including any
contracts or other documents used in communications with consumers;

(vi) plans to solicit and consider input from the fiscal intermediary's
consumers, staff, personal assistants and other interested parties which may
be charged with roles including, but not limited to, quality assurance
review, referral, program monitoring or development or establishing and
responding to community needs; such input may be in the form of a board of
directors, committee, survey, or other mechanism, provided that the majority
of input obtained as part of this process must be from individual consumers
and consumer advocates of the fiscal intermediary;

(vii) the organization's plan to address the needs of consumers and their
personal assistants in a timely manner, regardless of where they live,
including, but not limited to, input from consumers, obtaining physicals and
other health information from personal assistants, obtaining time records for
payroll, and timely processing of payroll; and

(viii) a written sworn statement by an officer of the entity disclosing
any pending litigation, unsatisfied judgments or penalties, convictions for
fraud or sanctions imposed by government authorities.
(d) The entity shall reasonably promptly notify the department of any change in the information submitted to the department for authorization under this subdivision.

(e) The commissioner shall not approve an application for authorization unless he or she is satisfied as to the character, competence and standing in the community of the applicant's incorporators, directors, sponsors, stockholders or operators and finds that the personnel, rules, consumer contracts or agreements, and fiscal intermediary services are fit and adequate, and that the fiscal intermediary services will be provided in the manner required by this subdivision and the rules and regulations hereunder, in a manner determined by the commissioner.

(f) The commissioner may contract with an entity with appropriate knowledge, expertise and experience possessing extensive knowledge of consumer directed personal assistance fiscal intermediary services and which has a history of providing similar services in relation to a self-directed program to develop and to assist the commissioner in evaluating applicants for authorizations or readiness reviews to be a fiscal intermediary.

(g) Neither public need, tax status nor profit-making status shall be a criterion for authorization under this subdivision. Status as a licensed home care services agency or other health provider shall not positively or negatively affect an application for authorization under this subdivision. An organization authorized pursuant to article forty-four of the public health law shall not be a fiscal intermediary.

(h) An authorization under this subdivision shall last for a period of five years. Upon application for a renewal, the fiscal intermediary shall submit up to date information to the commissioner.

4-b. Actions involving the authorization of a fiscal intermediary.

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

(b) All orders or determinations under this subdivision shall be subject to review as provided in article seventy-eight of the civil practice law and rules.

§ 2. Subdivision 25 of section 2808 of the public health law, as amended by section 34 of part D of chapter 56 of the laws of 2012, is amended to read as follows:

25. Reserved bed days. (a) For purposes of this subdivision, a "reserved bed day" is a day for which a governmental agency pays a residential health care facility to reserve a bed for a person eligible for medical assistance pursuant to title eleven of article five of the social services law while he
or she is temporarily hospitalized or on therapeutic leave of absence from the facility.

(b) Notwithstanding any other provisions of this section or any other law or regulation to the contrary, for reserved bed days provided on behalf of persons twenty-one years of age or older:

(i) payments for reserved bed days shall be made at ninety-five percent of the Medicaid rate otherwise payable to the facility for services provided on behalf of such person; and

(ii) payment to a facility for reserved bed days provided on behalf of such person for temporary hospitalizations may not exceed fourteen days in any twelve month period;

(iii) payment to a facility for reserved bed days provided on behalf of such person for [non-hospitalization] therapeutic leaves of absence may not exceed ten days in any twelve month period.

(c)(i) Notwithstanding any contrary provision of this subdivision or any other law and subject to the availability of federal financial participation, with regard to services provided to residential health care facility residents twenty-one years of age and older, the commissioner shall promulgate regulations, and may promulgate emergency regulations, effective for periods on and after July first, two thousand twelve, establishing reimbursement rates for reserved bed days.

(ii) Such regulations shall, for each Medicaid patient for any twelve month period, provide for reimbursement for reserved bed days for: (A) up to an aggregate of fourteen days for hospitalizations and for other therapeutic leave of absences consistent with a plan of care ordered by such patient's treating health care professional; and (B) up to an aggregate of ten days of other leaves of absence.

(iii) No later than thirty days after promulgation of such regulations, the commissioner shall advise the chairs of the senate and assembly finance and health committees of the projected reductions expected to be achieved under the methodology set forth in such regulations.

(iv) In the event the commissioner determines, in consultation with the director of the budget, that the regulations promulgated pursuant to subparagraph (i) of this paragraph shall achieve projected aggregate Medicaid savings, as determined by the commissioner, of less than forty million dollars for the state fiscal year beginning April first, two thousand twelve, and each state fiscal year thereafter, the commissioner shall establish a prospective per diem rate adjustment for all nursing homes, other than nursing homes providing services primarily to children under the age of twenty-one, sufficient to achieve such forty million dollars in savings for each such state fiscal year.

§ 3. Intentionally omitted.

§ 4. Subdivision 2-c of section 2808 of the public health law is amended by adding a new paragraph (f) to read as follows:
(f) The commissioner shall establish a prospective per diem adjustment for all nursing homes, other than nursing homes providing services primarily to children under the age of twenty-one, beginning April first, two thousand seventeen and each year thereafter sufficient to achieve eighteen million dollars in savings in each state fiscal year.

§ 5. Intentionally omitted.

§ 6. Intentionally omitted.

§ 7. This act shall take effect immediately and shall be deemed to have been in full force and effect on and after April 1, 2017.

SUBPART C

Section 1. Subdivision 1 of section 92 of part H of chapter 59 of the laws of 2011, amending the public health law and other laws relating to known and projected department of health state fund medicaid expenditures, as separately amended by section 1 of part JJ of chapter 54 and section 18 of part B of chapter 59 of the laws of 2016, is amended to read as follows:

1. For state fiscal years 2011-12 through [2017-18] 2018-19, the director of the budget, in consultation with the commissioner of health referenced as "commissioner" for purposes of this section, shall assess on a monthly basis, as reflected in monthly reports pursuant to subdivision five of this section known and projected department of health state funds medicaid expenditures by category of service and by geographic regions, as defined by the commissioner, and if the director of the budget determines that such expenditures are expected to cause medicaid disbursements for such period to exceed the projected department of health medicaid state funds disbursements in the enacted budget financial plan pursuant to subdivision 3 of section 23 of the state finance law, the commissioner of health, in consultation with the director of the budget, shall develop a medicaid savings allocation plan to limit such spending to the aggregate limit level specified in the enacted budget financial plan, provided, however, such projections may be adjusted by the director of the budget to account for any changes in the New York state federal medical assistance percentage amount established pursuant to the federal social security act, changes in provider revenues, reductions to local social services district medical assistance administration, minimum wage increases, and beginning April 1, 2012 the operational costs of the New York state medical indemnity fund and state costs or savings from the basic health plan. Such projections may be adjusted by the director of the budget to account for increased or expedited department of health state funds medicaid expenditures as a result of a natural or other type of disaster, including a governmental declaration of emergency.

§ 2. Intentionally omitted.

§ 3. Intentionally omitted.

§ 4. This act shall take effect immediately and shall be deemed to have been in full force and effect on and after April 1, 2017.

SUBPART D
Section 1. Subdivision 5 of section 168 of chapter 639 of the laws of 1996, constituting the New York Health Care Reform Act of 1996, as amended by section 1 of part B of chapter 60 of the laws of 2014, is amended to read as follows:

5. sections 2807-c, 2807-j, 2807-s and 2807-t of the public health law, as amended or as added by this act, shall expire on December 31, [2017] 2020, and shall be thereafter effective only in respect to any act done before such date or action or proceeding arising out of such act including continued collections of funds from assessments and allowances and surcharges established pursuant to sections 2807-c, 2807-j, 2807-s and 2807-t of the public health law, and administration and distributions of funds from pools established pursuant to sections 2807-c, 2807-j, 2807-k, 2807-l, 2807-m, 2807-s and 2807-t of the public health law related to patient services provided before December 31, [2017] 2020, and continued expenditure of funds authorized for programs and grants until the exhaustion of funds therefor;

§ 2. Subdivision 1 of section 138 of chapter 1 of the laws of 1999, constituting the New York Health Care Reform Act of 2000, as amended by section 2 of part B of chapter 60 of the laws of 2014, is amended to read as follows:

1. sections 2807-c, 2807-j, 2807-s, and 2807-t of the public health law, as amended by this act, shall expire on December 31, [2017] 2020, and shall be thereafter effective only in respect to any act done before such date or action or proceeding arising out of such act including continued collections of funds from assessments and allowances and surcharges established pursuant to sections 2807-c, 2807-j, 2807-s and 2807-t of the public health law, and administration and distributions of funds from pools established pursuant to sections 2807-c, 2807-j, 2807-k, 2807-l, 2807-m, 2807-s, 2807-t, 2807-v and 2807-w of the public health law, as amended or added by this act, related to patient services provided before December 31, [2017] 2020, and continued expenditure of funds authorized for programs and grants until the exhaustion of funds therefor;

§ 3. Subparagraph (xv) of paragraph (a) of subdivision 6 of section 2807-s of the public health law, as amended by section 3 of part B of chapter 60 of the laws of 2014, is amended to read as follows:

(xv) A gross annual statewide amount for the period January first, two thousand fifteen through December thirty-first, two thousand [seventeen] twenty, shall be one billion forty-five million dollars.

§ 4. Subparagraph (xiii) of paragraph (a) of subdivision 7 of section 2807-s of the public health law, as amended by section 4 of part B of chapter 60 of the laws of 2014, is amended to read as follows:

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

§ 5. Subparagraphs (iv) and (v) of paragraph (a) of subdivision 9 of section 2807-j of the public health law, as amended by section 5 of part B of chapter 60 of the laws of 2014, are amended to read as follows:
(iv) seven hundred sixty-five million dollars annually of the funds accumulated for the periods January first, two thousand through December thirty-first, two thousand [sixteen] nineteen, and

(v) one hundred ninety-one million two hundred fifty thousand dollars of the funds accumulated for the period January first, two thousand [seventeen] twenty through March thirty-first, two thousand [seventeen] twenty.

§ 6. Subdivisions 5-a and 7 of section 2807-m of the public health law, as amended by section 9 of part B of chapter 60 of the laws of 2014, subparagraphs (iv), (v) and (vi) of paragraph (d) of subdivision 5-a as added by section 4 of part W of chapter 57 of the laws of 2015, are amended to read as follows:

5-a. Graduate medical education innovations pool. (a) Supplemental distributions. (i) Thirty-one million dollars for the period January first, two thousand eight through December thirty-first, two thousand eight, shall be set aside and reserved by the commissioner from the regional pools established pursuant to subdivision two of this section and shall be available for distributions pursuant to subdivision five of this section and in accordance with section 86-1.89 of title 10 of the codes, rules and regulations of the state of New York as in effect on January first, two thousand eight; provided, however, for purposes of funding the empire clinical research investigation program (ECRIP) in accordance with paragraph eight of subdivision (e) and paragraph two of subdivision (f) of section 86-1.89 of title 10 of the codes, rules and regulations of the state of New York, distributions shall be made using two regions defined as New York city and the rest of the state and the dollar amount set forth in subparagraph (i) of paragraph two of subdivision (f) of section 86-1.89 of title 10 of the codes, rules and regulations of the state of New York shall be increased from sixty thousand dollars to seventy-five thousand dollars.

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

(b) Empire clinical research investigator program (ECRIP). Nine million one hundred twenty thousand dollars annually for the period January first, two thousand nine through December thirty-first, two thousand ten, and two million two hundred eighty thousand dollars for the period January first, two thousand eleven through March thirty-first, two thousand eleven, nine million one hundred twenty thousand dollars each state fiscal year for the period April first, two thousand twelve through March thirty-first, two thousand twelve, and up to eight million six hundred twelve thousand dollars each state fiscal year for the period April first, two thousand thirteen through March thirty-first, two thousand thirteen, shall be set aside and reserved by the commissioner from the regional pools established pursuant to subdivision two of this section to be allocated regionally with two-thirds of the available funding going to New York city and one-third of the available funding going to the rest of the state and shall be available for distribution as follows:
Distributions shall first be made to consortia and teaching general hospitals for the empire clinical research investigator program (ECRIP) to help secure federal funding for biomedical research, train clinical researchers, recruit national leaders as faculty to act as mentors, and train residents and fellows in biomedical research skills based on hospital-specific data submitted to the commissioner by consortia and teaching general hospitals in accordance with clause (G) of this subparagraph. Such distributions shall be made in accordance with the following methodology:

(A) The greatest number of clinical research positions for which a consortium or teaching general hospital may be funded pursuant to this subparagraph shall be one percent of the total number of residents training at the consortium or teaching general hospital on July first, two thousand eight for the period January first, two thousand nine through December thirty-first, two thousand nine rounded up to the nearest one position.

(B) Distributions made to a consortium or teaching general hospital shall equal the product of the total number of clinical research positions submitted by a consortium or teaching general hospital and accepted by the commissioner as meeting the criteria set forth in paragraph (b) of subdivision one of this section, subject to the reduction calculation set forth in clause (C) of this subparagraph, times one hundred ten thousand dollars.

(C) If the dollar amount for the total number of clinical research positions in the region calculated pursuant to clause (B) of this subparagraph exceeds the total amount appropriated for purposes of this paragraph, including clinical research positions that continue from and were funded in prior distribution periods, the commissioner shall eliminate one-half of the clinical research positions submitted by each consortium or teaching general hospital rounded down to the nearest one position. Such reduction shall be repeated until the dollar amount for the total number of clinical research positions in the region does not exceed the total amount appropriated for purposes of this paragraph. If the repeated reduction of the total number of clinical research positions in the region by one-half does not render a total funding amount that is equal to or less than the total amount reserved for that region within the appropriation, the funding for each clinical research position in that region shall be reduced proportionally in one thousand dollar increments until the total dollar amount for the total number of clinical research positions in that region does not exceed the total amount reserved for that region within the appropriation. Any reduction in funding will be effective for the duration of the award. No clinical research positions that continue from and were funded in prior distribution periods shall be eliminated or reduced by such methodology.

(D) Each consortium or teaching general hospital shall receive its annual distribution amount in accordance with the following:

(I) Each consortium or teaching general hospital with a one-year ECRIP award shall receive its annual distribution amount in full upon completion of the requirements set forth in items (I) and (II) of clause (G) of this subparagraph. The requirements set forth in items (IV) and (V) of clause (G) of this subparagraph must be completed by the consortium or teaching general hospital in order for the consortium or teaching general hospital to be eligible to apply for ECRIP funding in any subsequent funding cycle.
(II) Each consortium or teaching general hospital with a two-year ECRIP award shall receive its first annual distribution amount in full upon completion of the requirements set forth in items (I) and (II) of clause (G) of this subparagraph. Each consortium or teaching general hospital will receive its second annual distribution amount in full upon completion of the requirements set forth in item (III) of clause (G) of this subparagraph. The requirements set forth in items (IV) and (V) of clause (G) of this subparagraph must be completed by the consortium or teaching general hospital in order for the consortium or teaching general hospital to be eligible to apply for ECRIP funding in any subsequent funding cycle.

(E) Each consortium or teaching general hospital receiving distributions pursuant to this subparagraph shall reserve seventy-five thousand dollars to primarily fund salary and fringe benefits of the clinical research position with the remainder going to fund the development of faculty who are involved in biomedical research, training and clinical care.

(F) Undistributed or returned funds available to fund clinical research positions pursuant to this paragraph for a distribution period shall be available to fund clinical research positions in a subsequent distribution period.

(G) In order to be eligible for distributions pursuant to this subparagraph, each consortium and teaching general hospital shall provide to the commissioner by July first of each distribution period, the following data and information on a hospital-specific basis. Such data and information shall be certified as to accuracy and completeness by the chief executive officer, chief financial officer or chair of the consortium governing body of each consortium or teaching general hospital and shall be maintained by each consortium and teaching general hospital for five years from the date of submission:

(I) For each clinical research position, information on the type, scope, training objectives, institutional support, clinical research experience of the sponsor-mentor, plans for submitting research outcomes to peer reviewed journals and at scientific meetings, including a meeting sponsored by the department, the name of a principal contact person responsible for tracking the career development of researchers placed in clinical research positions, as defined in paragraph (c) of subdivision one of this section, and who is authorized to certify to the commissioner that all the requirements of the clinical research training objectives set forth in this subparagraph shall be met. Such certification shall be provided by July first of each distribution period;

(II) For each clinical research position, information on the name, citizenship status, medical education and training, and medical license number of the researcher, if applicable, shall be provided by December thirty-first of the calendar year following the distribution period;

(III) Information on the status of the clinical research plan, accomplishments, changes in research activities, progress, and performance of the researcher shall be provided upon completion of one-half of the award term;
(IV) A final report detailing training experiences, accomplishments, activities and performance of the clinical researcher, and data, methods, results and analyses of the clinical research plan shall be provided three months after the clinical research position ends; and

(V) Tracking information concerning past researchers, including but not limited to (A) background information, (B) employment history, (C) research status, (D) current research activities, (E) publications and presentations, (F) research support, and (G) any other information necessary to track the researcher; and

(VI) Any other data or information required by the commissioner to implement this subparagraph.

(H) Notwithstanding any inconsistent provision of this subdivision, for periods on and after April first, two thousand thirteen, ECRIP grant awards shall be made in accordance with rules and regulations promulgated by the commissioner. Such regulations shall, at a minimum:

(1) provide that ECRIP grant awards shall be made with the objective of securing federal funding for biomedical research, training clinical researchers, recruiting national leaders as faculty to act as mentors, and training residents and fellows in biomedical research skills;

(2) provide that ECRIP grant applicants may include interdisciplinary research teams comprised of teaching general hospitals acting in collaboration with entities including but not limited to medical centers, hospitals, universities and local health departments;

(3) provide that applications for ECRIP grant awards shall be based on such information requested by the commissioner, which shall include but not be limited to hospital-specific data;

(4) establish the qualifications for investigators and other staff required for grant projects eligible for ECRIP grant awards; and

(5) establish a methodology for the distribution of funds under ECRIP grant awards.

(c) Ambulatory care training. Four million nine hundred thousand dollars for the period January first, two thousand eight through December thirty-first, two thousand eight, four million nine hundred thousand dollars for the period January first, two thousand nine through December thirty-first, two thousand nine, four million nine hundred thousand dollars for the period January first, two thousand ten through December thirty-first, two thousand ten, one million two hundred twenty-five thousand dollars for the period January first, two thousand eleven through March thirty-first, two thousand eleven, four million three hundred thousand dollars each state fiscal year for the period April first, two thousand fourteen, [and] up to four million sixty thousand dollars each state fiscal year for the period April first, two thousand seventeen through March thirty-first, two thousand twenty, shall be set aside and reserved by the commissioner from the regional pools established pursuant
to subdivision two of this section and shall be available for distributions
to sponsoring institutions to be directed to support clinical training of
medical students and residents in free-standing ambulatory care settings,
including community health centers and private practices. Such funding shall
be allocated regionally with two-thirds of the available funding going to New
York city and one-third of the available funding going to the rest of the
state and shall be distributed to sponsoring institutions in each region
pursuant to a request for application or request for proposal process with
preference being given to sponsoring institutions which provide training in
sites located in underserved rural or inner-city areas and those that include
medical students in such training.

(d) Physician loan repayment program. One million nine hundred sixty
dollars for the period January first, two thousand eight through
December thirty-first, two thousand eight, one million nine hundred sixty
dollars for the period January first, two thousand nine through
December thirty-first, two thousand nine, one million nine hundred sixty
dollars for the period January first, two thousand ten through
December thirty-first, two thousand ten, four hundred ninety thousand dollars
for the period January first, two thousand eleven through March thirty-first,
two thousand eleven, one million seven hundred thousand dollars each state
fiscal year for the period April first, two thousand eleven through March
twenty-first, two thousand fourteen, [and] up to one million seven hundred
dollars each state fiscal year for the period April first, two
thousand fourteen through March thirty-first, two thousand seventeen, and up
to one million seven hundred five thousand dollars each state fiscal year for
the period April first, two thousand seventeen through March thirty-first,
two thousand twenty, shall be set aside and reserved by the commissioner from
the regional pools established pursuant to subdivision two of this section
and shall be available for purposes of physician loan repayment in accordance
with subdivision ten of this section. Notwithstanding any contrary provision
of this section, sections one hundred twelve and one hundred sixty-three of
the state finance law, or any other contrary provision of law, such funding
shall be allocated regionally with one-third of available funds going to New
York city and two-thirds of available funds going to the rest of the state
and shall be distributed in a manner to be determined by the commissioner
without a competitive bid or request for proposal process as follows:

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

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

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

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

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

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

(e) Physician practice support. Four million nine hundred thousand dollars for the period January first, two thousand eight through December thirty-first, two thousand eight, four million nine hundred thousand dollars annually for the period January first, two thousand nine through December thirty-first, two thousand ten, one million two hundred twenty-five thousand dollars for the period January first, two thousand eleven through March thirty-first, two thousand eleven, four million three hundred thousand dollars each state fiscal year for the period April first, two thousand eleven through March thirty-first, two thousand fourteen, [and] up to four million three hundred sixty thousand dollars each state fiscal year for the period April first, two thousand fourteen through March thirty-first, two thousand seventeen, and up to four million three hundred sixty thousand dollars for each state fiscal year for the period April first, two thousand seventeen through March thirty-first, two thousand twenty, shall be set aside and reserved by the commissioner from the regional pools established pursuant to subdivision two of this section and shall be available for purposes of physician practice support. Notwithstanding any contrary provision of this section, sections one hundred twelve and one hundred sixty-three of the state finance law, or any other contrary provision of law, such funding shall be allocated regionally with one-third of available funds going to New York city and two-thirds of available funds going to the rest of the state and shall be distributed in a manner to be determined by the commissioner without a competitive bid or request for proposal process as follows:

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

(ii) After distributions in accordance with subparagraph (i) of this paragraph, all remaining funds shall be awarded to physicians to support the cost of establishing or joining practices in underserved communities, as determined by the commissioner, and to hospitals and other health care providers to recruit new physicians to provide services in underserved communities, as determined by the commissioner.

(iii) In no case shall less than fifty percent of the funds available pursuant to this paragraph be distributed to general hospitals in accordance with subparagraphs (i) and (ii) of this paragraph.
(e-1) Work group. For funding available pursuant to paragraphs (d) and (e) of this subdivision:

(i) The department shall appoint a work group from recommendations made by associations representing physicians, general hospitals and other health care facilities to develop a streamlined application process by June first, two thousand twelve.

(ii) Subject to available funding, applications shall be accepted on a continuous basis. The department shall provide technical assistance to applicants to facilitate their completion of applications. An applicant shall be notified in writing by the department within ten days of receipt of an application as to whether the application is complete and if the application is incomplete, what information is outstanding. The department shall act on an application within thirty days of receipt of a complete application.

(f) Study on physician workforce. Five hundred ninety thousand dollars annually for the period January first, two thousand eight through December thirty-first, two thousand ten, one hundred forty-eight thousand dollars for the period January first, two thousand eleven through March thirty-first, two thousand eleven, five hundred sixteen thousand dollars each state fiscal year for the period April first, two thousand twelve through March thirty-first, two thousand fourteen, [and] up to four hundred eighty-seven thousand dollars each state fiscal year for the period April first, two thousand fifteen through March thirty-first, two thousand seventeen, and up to four hundred eighty-seven thousand dollars for each state fiscal year for the period April first, two thousand seventeen through March thirty-first, two thousand twenty, shall be set aside and reserved by the commissioner from the regional pools established pursuant to subdivision two of this section and shall be available to fund a study of physician workforce needs and solutions including, but not limited to, an analysis of residency programs and projected physician workforce and community needs. The commissioner shall enter into agreements with one or more organizations to conduct such study based on a request for proposal process.

(g) Diversity in medicine/post-baccalaureate program. Notwithstanding any inconsistent provision of section one hundred twelve or one hundred sixty-three of the state finance law or any other law, one million nine hundred sixty-six thousand dollars annually for the period January first, two thousand eight through December thirty-first, two thousand ten, one hundred forty-eight thousand dollars for the period January first, two thousand eleven through March thirty-first, two thousand eleven, one million seven hundred thousand dollars each state fiscal year for the period April first, two thousand twelve through March thirty-first, two thousand fourteen, [and] up to one million six hundred five thousand dollars each state fiscal year for the period April first, two thousand fifteen through March thirty-first, two thousand seventeen, and up to one million six hundred five thousand dollars each state fiscal year for the period April first, two thousand eighteen through March thirty-first, two thousand twenty, shall be set aside and reserved by the commissioner from the regional pools established pursuant to subdivision two of this section and shall be available to fund its diversity program including existing and new post-baccalaureate programs for minority and economically disadvantaged students and encourage participation from all medical schools in New York. The associated medical schools of New York shall
report to the commissioner on an annual basis regarding the use of funds for such purpose in such form and manner as specified by the commissioner.

(h) In the event there are undistributed funds within amounts made available for distributions pursuant to this subdivision, such funds may be reallocated and distributed in current or subsequent distribution periods in a manner determined by the commissioner for any purpose set forth in this subdivision.

7. Notwithstanding any inconsistent provision of section one hundred twelve or one hundred sixty-three of the state finance law or any other law, up to one million dollars for the period January first, two thousand through December thirty-first, two thousand, one million six hundred thousand dollars annually for the periods January first, two thousand one through December thirty-first, two thousand eight, one million five hundred thousand dollars annually for the periods January first, two thousand nine through December thirty-first, two thousand ten, three hundred seventy-five thousand dollars for the period January first, two thousand eleven through March thirty-first, two thousand eleven through March thirty-first, one million three hundred twenty thousand dollars each state fiscal year for the period April first, two thousand through March thirty-first, two thousand fourteen, and up to two million seven thousand dollars for each state fiscal year for the period April first, two thousand seventeen through March thirty-first, two thousand twenty, shall be set aside and reserved by the commissioner from the regional pools established pursuant to subdivision two of this section and shall be available for distributions to the New York state area health education center program for the purpose of expanding community-based training of medical students. In addition, one million dollars annually for the period January first, two thousand through March thirty-first, two thousand ten, two hundred fifty thousand dollars for the period January first, two thousand eleven through March thirty-first, two thousand eleven, and eight hundred eighty thousand dollars each state fiscal year for the period April first, two thousand through March thirty-first, two thousand fourteen, shall be set aside and reserved by the commissioner from the regional pools established pursuant to subdivision two of this section and shall be available for distributions to the New York state area health education center program for the purpose of post-secondary training of health care professionals who will achieve specific program outcomes within the New York state area health education center program. The New York state area health education center program shall report to the commissioner on an annual basis regarding the use of funds for each purpose in such form and manner as specified by the commissioner.

§ 7. Paragraph (a) of subdivision 12 of section 367-b of the social services law, as amended by section 10 of part B of chapter 60 of the laws of 2014, is amended to read as follows:

(a) For the purpose of regulating cash flow for general hospitals, the department shall develop and implement a payment methodology to provide for timely payments for inpatient hospital services eligible for case based payments per discharge based on diagnosis-related groups provided during the period January first, nineteen hundred eighty-eight through March thirty-first through March thirty-first, two thousand seventeen [seventeen] twenty, by such hospitals which elect to participate in the system.
§ 8. Subdivision 6 of section 2807-t of the public health law, as amended by section 15 of part B of chapter 60 of the laws of 2014, is amended to read as follows:

6. Prospective adjustments. (a) The commissioner shall annually reconcile the sum of the actual payments made to the commissioner or the commissioner's designee for each region pursuant to section twenty-eight hundred seven-s of this article and pursuant to this section for the prior year with the regional allocation of the gross annual statewide amount specified in subdivision six of section twenty-eight hundred seven-s of this article for such prior year. The difference between the actual amount raised for a region and the regional allocation of the specified gross annual amount for such prior year shall be applied as a prospective adjustment to the regional allocation of the specified gross annual payment amount for such region for the year next following the calculation of the reconciliation. The authorized dollar value of the adjustments shall be the same as if calculated retrospectively.

(b) Notwithstanding the provisions of paragraph (a) of this subdivision, for covered lives assessment rate periods on and after January first, two thousand fifteen through December thirty-first, two thousand seventeen, for amounts collected in the aggregate in excess of one billion forty-five million dollars on an annual basis, prospective adjustments shall be suspended if the annual reconciliation calculation from the prior year would otherwise result in a decrease to the regional allocation of the specified gross annual payment amount for that region, provided, however, that such suspension shall be lifted upon a determination by the commissioner, in consultation with the director of the budget, that sixty-five million dollars in aggregate collections on an annual basis over and above one billion forty-five million dollars on an annual basis have been reserved and set aside for deposit in the HCRA resources fund. Any amounts collected in the aggregate at or below one billion forty-five million dollars on an annual basis, shall be subject to regional adjustments reconciling any decreases or increases to the regional allocation in accordance with paragraph (a) of this subdivision.

§ 9. Section 2 of chapter 600 of the laws of 1986 amending the public health law relating to the development of pilot reimbursement programs for ambulatory care services, as amended by section 11 of part B of chapter 60 of the laws of 2014, is amended to read as follows:

§ 2. This act shall take effect immediately, except that this act shall expire and be of no further force and effect on and after April 1, [2017; provided, however, that the commissioner of health shall submit a report to the governor and the legislature detailing the objective, impact, design and computation of any pilot reimbursement program established pursuant to this act, on or before March 31, 1994 and annually thereafter. Such report shall include an assessment of the financial impact of such payment system on providers, as well as the impact of such system on access to care] 2020.

§ 10. Paragraph (i) of subdivision (b) of section 1 of chapter 520 of the laws of 1978 relating to providing for a comprehensive survey of health care financing, education and illness prevention and creating councils for the conduct thereof, as amended by section 12 of part B of chapter 60 of the laws of 2014, is amended to read as follows:
(i) oversight and evaluation of the inpatient financing system in place for 1988 through March 31, [2017] 2020, and the appropriateness and effectiveness of the bad debt and charity care financing provisions;

§ 11. Paragraph (l) of subdivision 9 of section 3614 of the public health law, as added by section 13 of part B of chapter 60 of the laws of 2014, is amended and three new paragraphs (m), (n) and (o) are added to read as follows:

(l) for the period April first, two thousand sixteen through March thirty-first, two thousand seventeen, up to one hundred million dollars[

(m) for the period April first, two thousand seventeen through March thirty-first, two thousand eighteen, up to one hundred million dollars;

(n) for the period April first, two thousand eighteen through March thirty-first, two thousand nineteen, up to one hundred million dollars;

(o) for the period April first, two thousand nineteen through March thirty-first, two thousand twenty, up to one hundred million dollars.

§ 12. Paragraph (p) of subdivision 1 of section 367-q of the social services law, as added by section 14 of part B of chapter 60 of the laws of 2014, is amended and three new paragraphs (q), (r) and (s) are added to read as follows:

(p) for the period April first, two thousand sixteen through March thirty-first, two thousand seventeen, up to twenty-eight million five hundred thousand dollars[

(q) for the period April first, two thousand seventeen through March thirty-first, two thousand eighteen, up to twenty-eight million five hundred thousand dollars;

(r) for the period April first, two thousand eighteen through March thirty-first, two thousand nineteen, twenty-eight million five hundred thousand dollars;

(s) for the period April first, two thousand nineteen through March thirty-first, two thousand twenty, twenty-eight million five hundred thousand dollars.

§ 13. Subdivision 4-c of section 2807-p of the public health law, as amended by section 16 of part B of chapter 60 of the laws of 2014, is amended to read as follows:

4-c. Notwithstanding any provision of law to the contrary, the commissioner shall make additional payments for uncompensated care to voluntary non-profit diagnostic and treatment centers that are eligible for distributions under subdivision four of this section in the following amounts: for the period June first, two thousand six through December thirty-first, two thousand six, in the amount of seven million five hundred thousand dollars, for the period January first, two thousand seven through December thirty-first, two thousand seven, seven million five hundred thousand
dollars, for the period January first, two thousand eight through December thirty-first, two thousand eight, seven million five hundred thousand dollars, for the period January first, two thousand nine through December thirty-first, two thousand nine, fifteen million five hundred thousand dollars, for the period January first, two thousand ten through December thirty-first, two thousand ten, seven million five hundred thousand dollars, for the period January first, two thousand eleven through December thirty-first, two thousand eleven, seven million five hundred thousand dollars, for the period January first, two thousand twelve through December thirty-first, two thousand twelve, seven million five hundred thousand dollars, for the period January first, two thousand thirteen through December thirty-first, two thousand thirteen, seven million five hundred thousand dollars, for the period January first, two thousand fourteen through December thirty-first, two thousand fourteen, seven million five hundred thousand dollars, for the period January first, two thousand fifteen through December thirty-first, two thousand fifteen, seven million five hundred thousand dollars, for the period January first two thousand sixteen through December thirty-first, two thousand sixteen, seven million five hundred thousand dollars, for the period January first, two thousand seventeen through December thirty-first, two thousand seventeen, seven million five hundred thousand dollars, provided, however, that for periods on and after January first, two thousand eight through March thirty-first, two thousand [seventeen] twenty, in the amount of one million six hundred thousand dollars, provided, however, that for periods on and after January first, two thousand eight, such additional payments shall be distributed to voluntary, non-profit diagnostic and treatment centers and to public diagnostic and treatment centers in accordance with paragraph (g) of subdivision four of this section. In the event that federal financial participation is available for rate adjustments pursuant to this section, the commissioner shall make such payments as additional adjustments to rates of payment for voluntary non-profit diagnostic and treatment centers that are eligible for distributions under subdivision four-a of this section in the following amounts: for the period June first, two thousand six through December thirty-first, two thousand six, fifteen million dollars in the aggregate, and for the period January first, two thousand seven through June thirtieth, two thousand seven, seven million five hundred thousand dollars in the aggregate. The amounts allocated pursuant to this paragraph shall be aggregated with and distributed pursuant to the same methodology applicable to the amounts allocated to such diagnostic and treatment centers for such periods pursuant to subdivision four of this section if federal financial participation is not available, or pursuant to subdivision four-a of this section if federal financial participation is available. Notwithstanding section three hundred sixty-eight-a of the social services law, there shall be no local share in a medical assistance payment adjustment under this subdivision.

§ 14. Section 34 of part A3 of chapter 62 of the laws of 2003 amending the general business law and other laws relating to enacting major components necessary to implement the state fiscal plan for the 2003-04 state fiscal year, as amended by section 6 of part B of chapter 60 of the laws of 2014, is amended to read as follows:
§ 34. (1) Notwithstanding any inconsistent provision of law, rule or regulation and effective April 1, 2008 through March 31, [2017] 2020, the commissioner of health is authorized to transfer and the state comptroller is authorized and directed to receive for deposit to the credit of the department of health's special revenue fund - other, health care reform act (HCRA) resources fund - 061, provider collection monitoring account, within amounts appropriated each year, those funds collected and accumulated pursuant to section 2807-v of the public health law, including income from invested funds, for the purpose of payment for administrative costs of the department of health related to administration of statutory duties for the collections and distributions authorized by section 2807-v of the public health law.

(2) Notwithstanding any inconsistent provision of law, rule or regulation and effective April 1, 2008 through March 31, [2017] 2020, the commissioner of health is authorized to transfer and the state comptroller is authorized and directed to receive for deposit to the credit of the department of health's special revenue fund - other, health care reform act (HCRA) resources fund - 061, provider collection monitoring account, within amounts appropriated each year, those funds collected and accumulated and interest earned through surcharges on payments for health care services pursuant to section 2807-s of the public health law and from assessments pursuant to section 2807-t of the public health law for the purpose of payment for administrative costs of the department of health related to administration of statutory duties for the collections and distributions authorized by sections 2807-s, 2807-t, and 2807-m of the public health law.

(3) Notwithstanding any inconsistent provision of law, rule or regulation and effective April 1, 2008 through March 31, [2017] 2020, the commissioner of health is authorized to transfer and the comptroller is authorized to deposit, within amounts appropriated each year, those funds authorized for distribution in accordance with the provisions of paragraph (a) of subdivision 1 of section 2807-l of the public health law for the purposes of payment for administrative costs of the department of health related to the child health insurance plan program authorized pursuant to title 1-A of article 25 of the public health law into the special revenue funds - other, health care reform act (HCRA) resources fund - 061, child health insurance account, established within the department of health.

(4) Notwithstanding any inconsistent provision of law, rule or regulation and effective April 1, 2008 through March 31, [2017] 2020, the commissioner of health is authorized to transfer and the comptroller is authorized to deposit, within amounts appropriated each year, those funds authorized for distribution in accordance with the provisions of paragraph (e) of subdivision 1 of section 2807-l of the public health law for the purpose of payment for administrative costs of the department of health related to the health occupation development and workplace demonstration program established pursuant to section 2807-h and the health workforce retraining program established pursuant to section 2807-g of the public health law into the special revenue funds - other, health care reform act (HCRA) resources fund - 061, health occupation development and workplace demonstration program account, established within the department of health.

(5) Notwithstanding any inconsistent provision of law, rule or regulation and effective April 1, 2008 through March 31, [2017] 2020, the commissioner of health is authorized to transfer and the comptroller is authorized to
deposit, within amounts appropriated each year, those funds allocated
pursuant to paragraph (j) of subdivision 1 of section 2807-v of the public
health law for the purpose of payment for administrative costs of the
department of health related to administration of the state's tobacco control
programs and cancer services provided pursuant to sections 2807-r and 1399-ii
of the public health law into such accounts established within the department
of health for such purposes.

(6) Notwithstanding any inconsistent provision of law, rule or regulation
and effective April 1, 2008 through March 31, [2017] 2020, the commissioner
of health is authorized to transfer and the comptroller is authorized to
deposit, within amounts appropriated each year, the funds authorized for
distribution in accordance with the provisions of section 2807-l of the
public health law for the purposes of payment for administrative costs of the
department of health related to the programs funded pursuant to section 2807-
l of the public health law into the special revenue funds - other, health
care reform act (HCRA) resources fund - 061, pilot health insurance account,
established within the department of health.

(7) Notwithstanding any inconsistent provision of law, rule or regulation
and effective April 1, 2008 through March 31, [2017] 2020, the commissioner
of health is authorized to transfer and the comptroller is authorized to
deposit, within amounts appropriated each year, those funds authorized for
distribution in accordance with the provisions of subparagraph (ii) of
paragraph (f) of subdivision 19 of section 2807-c of the public health law
from monies accumulated and interest earned in the bad debt and charity care
and capital statewide pools through an assessment charged to general
hospitals pursuant to the provisions of subdivision 18 of section 2807-c of
the public health law and those funds authorized for distribution in
accordance with the provisions of section 2807-l of the public health law for
the purposes of payment for administrative costs of the department of health
related to programs funded under section 2807-l of the public health law into
the special revenue funds - other, health care reform act (HCRA) resources
fund - 061, primary care initiatives account, established within the
department of health.

(8) Notwithstanding any inconsistent provision of law, rule or regulation
and effective April 1, 2008 through March 31, [2017] 2020, the commissioner
of health is authorized to transfer and the comptroller is authorized to
deposit, within amounts appropriated each year, those funds authorized for
distribution in accordance with section 2807-l of the public health law for
the purposes of payment for administrative costs of the department of health
related to programs funded under section 2807-l of the public health law into
the special revenue funds - other, health care reform act (HCRA) resources
fund - 061, health care delivery administration account, established within
the department of health.

(9) Notwithstanding any inconsistent provision of law, rule or regulation
and effective April 1, 2008 through March 31, [2017] 2020, the commissioner
of health is authorized to transfer and the comptroller is authorized to
deposit, within amounts appropriated each year, those funds authorized
pursuant to sections 2807-d, 3614-a and 3614-b of the public health law and
section 367-i of the social services law and for distribution in accordance
with the provisions of subdivision 9 of section 2807-j of the public health
law for the purpose of payment for administration of statutory duties for the
collections and distributions authorized by sections 2807-c, 2807-d, 2807-j,
§ 15. Paragraph (a) of subdivision 1 of section 18 of chapter 266 of the laws of 1986, amending the civil practice law and rules and other laws relating to malpractice and professional medical conduct, as amended by section 2 of part C of chapter 59 of the laws of 2016, is amended to read as follows:

certified as eligible for such each such period or periods pursuant to subdivision 2 of this section by a general hospital licensed pursuant to article 28 of the public health law; provided that no single insurer shall write more than fifty percent of the total excess premium for a given policy year; and provided, however, that such eligible physicians or dentists must have in force an individual policy, from an insurer licensed in this state of primary malpractice insurance coverage in amounts of no less than one million three hundred thousand dollars for each claimant and three million nine hundred thousand dollars for all claimants under that policy during the period of such excess coverage for such occurrences or be endorsed as additional insureds under a hospital professional liability policy which is offered through a voluntary attending physician ("channeling") program previously permitted by the superintendent of financial services during the period of such excess coverage for such occurrences. During such period, such policy for excess coverage or such equivalent excess coverage shall, when combined with the physician's or dentist's primary malpractice insurance coverage or coverage provided through a voluntary attending physician ("channeling") program, total an aggregate level of two million three hundred thousand dollars for each claimant and six million nine hundred thousand dollars for all claimants from all such policies with respect to occurrences in each of such years provided, however, if the cost of primary malpractice insurance coverage in excess of one million dollars, but below the excess medical malpractice insurance coverage provided pursuant to this act, exceeds the rate of nine percent per annum, then the required level of primary malpractice insurance coverage in excess of one million dollars for each claimant shall be in an amount of not less than the dollar amount of such coverage available at nine percent per annum; the required level of such coverage for all claimants under that policy shall be in an amount not less than three times the dollar amount of coverage for each claimant; and excess coverage, when combined with such primary malpractice insurance coverage, shall increase the aggregate level for each claimant by one million dollars and three million dollars for all claimants; and provided further, that, with respect to policies of primary medical malpractice coverage that include occurrences between April 1, 2002 and June 30, 2002, such requirement that coverage be in amounts no less than one million three hundred thousand dollars for each claimant and three million nine hundred thousand dollars for all claimants for such occurrences shall be effective April 1, 2002.

§ 16. Subdivision 3 of section 18 of chapter 266 of the laws of 1986, amending the civil practice law and rules and other laws relating to malpractice and professional medical conduct, as amended by section 3 of part C of chapter 59 of the laws of 2016, is amended to read as follows:

July 1, 2000 and June 30, 2001, between July 1, 2001 and June 30, 2002,
July 1, 2002 and June 30, 2003, between July 1, 2003 and June 30,
2004, between July 1, 2004 and June 30, 2005, between July 1, 2005 and June
30, 2006, between July 1, 2006 and June 30, 2007, between July 1, 2007 and
June 30, 2008, between July 1, 2008 and June 30, 2009, between July 1, 2009
and June 30, 2010, between July 1, 2010 and June 30, 2011, between July 1,
2011 and June 30, 2012, between July 1, 2012 and June 30, 2013, and between
July 1, 2013 and June 30, 2014, between July 1, 2014 and June 30, 2015,
between July 1, 2015 and June 30, 2016, and between July 1, 2016 and June 30,
2017, and between July 1, 2017 and June 30, 2018
allocable to each general
hospital for physicians or dentists certified as eligible for purchase of a
policy for excess insurance coverage by such general hospital in accordance
with subdivision 2 of this section, and may amend such determination and
certification as necessary.

(b) The superintendent of financial services shall determine and certify
to each general hospital and to the commissioner of health the cost of excess
malpractice insurance or equivalent excess coverage for medical or dental
malpractice occurrences between July 1, 1987 and June 30, 1988, between July
1, 1988 and June 30, 1989, between July 1, 1989 and June 30, 1990, between
July 1, 1990 and June 30, 1991, between July 1, 1991 and June 30, 1992,
between July 1, 1992 and June 30, 1993, between July 1, 1993 and June 30,
1994, between July 1, 1994 and June 30, 1995, between July 1, 1995 and June
30, 1996, between July 1, 1996 and June 30, 1997, between July 1, 1997 and
June 30, 1998, between July 1, 1998 and June 30, 1999, between July 1, 1999
and June 30, 2000, between July 1, 2000 and June 30, 2001, between July 1,
2001 and June 30, 2002, between July 1, 2002 and June 30, 2003, between July
1, 2003 and June 30, 2004, between July 1, 2004 and June 30, 2005, between
July 1, 2005 and June 30, 2006, between July 1, 2006 and June 30, 2007,
between July 1, 2007 and June 30, 2008, between July 1, 2008 and June 30,
2009, between July 1, 2009 and June 30, 2010, between July 1, 2010 and June
30, 2011, between July 1, 2011 and June 30, 2012, between July 1, 2012 and
June 30, 2013, between July 1, 2013 and June 30, 2014, between July 1, 2014
and June 30, 2015, between July 1, 2015 and June 30, 2016, and between July
1, 2016 and June 30, 2017, and between July 1, 2017 and June 30, 2018
allocable to each general hospital for physicians or dentists certified as
eligible for purchase of a policy for excess insurance coverage or equivalent
excess coverage by such general hospital in accordance with subdivision 2 of
this section, and may amend such determination and certification as
necessary. The superintendent of financial services shall determine and
certify to each general hospital and to the commissioner of health the
ratable share of such cost allocable to the period July 1, 1987 to December
31, 1987, to the period January 1, 1988 to June 30, 1988, to the period July
1, 1988 to December 31, 1988, to the period January 1, 1989 to June 30, 1989,
to the period July 1, 1989 to December 31, 1989, to the period January 1,
1990 to June 30, 1990, to the period July 1, 1990 to December 31, 1990, to
the period January 1, 1991 to June 30, 1991, to the period July 1, 1991 to
December 31, 1991, to the period January 1, 1992 to June 30, 1992, to the
period July 1, 1992 to December 31, 1992, to the period January 1, 1993 to
June 30, 1993, to the period July 1, 1993 to December 31, 1993, to the period
January 1, 1994 to June 30, 1994, to the period July 1, 1994 to December 31,
1994, to the period January 1, 1995 to June 30, 1995, to the period July 1,
1995 to December 31, 1995, to the period January 1, 1996 to June 30, 1996, to
the period July 1, 1996 to December 31, 1996, to the period January 1, 1997
to June 30, 1997, to the period July 1, 1997 to December 31, 1997, to the
period January 1, 1998 to June 30, 1998, to the period July 1, 1998 to
and to the period July 1, 2017 and June 30, 2018.

§ 17. Paragraphs (a), (b), (c), (d) and (e) of subdivision 8 of section 18 of chapter 266 of the laws of 1986, amending the civil practice law and rules and other laws relating to malpractice and professional medical conduct, as amended by section 4 of part C of chapter 59 of the laws of 2016, are amended to read as follows:

(a) To the extent funds available to the hospital excess liability pool pursuant to subdivision 5 of this section as amended, and pursuant to section 6 of part J of chapter 63 of the laws of 2001, as may from time to time be amended, which amended this subdivision, are insufficient to meet the costs of excess insurance coverage or equivalent excess coverage for coverage periods during the period July 1, 1992 to June 30, 1993, during the period July 1, 1993 to June 30, 1994, during the period July 1, 1994 to June 30, 1995, during the period July 1, 1995 to June 30, 1996, during the period July 1, 1996 to June 30, 1997, during the period July 1, 1997 to June 30, 1998, during the period July 1, 1998 to June 30, 1999, during the period July 1, 1999 to June 30, 2000, during the period July 1, 2000 to June 30, 2001, during the period July 1, 2001 to October 29, 2001, during the period April 1, 2002 to June 30, 2002, during the period July 1, 2002 to June 30, 2003, during the period July 1, 2003 to June 30, 2004, during the period July 1, 2004 to June 30, 2005, during the period July 1, 2005 to June 30, 2006, during the period July 1, 2006 to June 30, 2007, during the period July 1, 2007 to June 30, 2008, during the period July 1, 2008 to June 30, 2009, during the period July 1, 2009 to June 30, 2010, during the period July 1, 2010 to June 30, 2011, during the period July 1, 2011 to June 30, 2012, during the period July 1, 2012 to June 30, 2013, during the period July 1, 2013 to June 30, 2014, during the period July 1, 2014 to June 30, 2015, during the period July 1, 2015 and June 30, 2016, [and between] during the period July 1, 2016 and June 30, 2017, and during the period July 1, 2017 and June 30, 2018 allocated or reallocated in accordance with paragraph (a) of subdivision 4-a of this section to rates of payment applicable to governmental agencies, each physician or dentist for whom a policy for excess insurance coverage or equivalent excess coverage is purchased for such period shall be responsible for payment to the provider of excess insurance coverage or equivalent excess coverage of an allocable share of such insufficiency, based on the ratio of the total cost of such coverage for such physician to the sum of the total cost of such coverage for all physicians applied to such insufficiency.

(b) Each provider of excess insurance coverage or equivalent excess coverage covering the period July 1, 1992 to June 30, 1993, or covering the
period July 1, 1993 to June 30, 1994, or covering the period July 1, 1994 to
June 30, 1995, or covering the period July 1, 1995 to June 30, 1996, or
covering the period July 1, 1996 to June 30, 1997, or covering the period
July 1, 1997 to June 30, 1998, or covering the period July 1, 1998 to June
30, 1999, or covering the period July 1, 1999 to June 30, 2000, or covering
the period July 1, 2000 to June 30, 2001, or covering the period July 1, 2001
to October 29, 2001, or covering the period April 1, 2002 to June 30, 2002,
or covering the period July 1, 2002 to June 30, 2003, or covering the period
July 1, 2003 to June 30, 2004, or covering the period July 1, 2004 to June
30, 2005, or covering the period July 1, 2005 to June 30, 2006, or covering
the period July 1, 2006 to June 30, 2007, or covering the period July 1, 2007
to June 30, 2008, or covering the period July 1, 2008 to June 30, 2009, or
covering the period July 1, 2009 to June 30, 2010, or covering the period
July 1, 2010 to June 30, 2011, or covering the period July 1, 2011 to June
30, 2012, or covering the period July 1, 2012 to June 30, 2013, or covering
the period July 1, 2013 to June 30, 2014, or covering the period July 1, 2014
to June 30, 2015, or covering the period July 1, 2015 to June 30, 2016, or
covering the period July 1, 2016 to June 30, 2017, or covering the period
July 1, 2017 to June 30, 2018 shall notify a covered physician or dentist by
mail, mailed to the address shown on the last application for excess
insurance coverage or equivalent excess coverage, of the amount due to such
provider from such physician or dentist for such coverage period determined
in accordance with paragraph (a) of this subdivision. Such amount shall be
due from such physician or dentist to such provider of excess insurance
coverage or equivalent excess coverage in a time and manner determined by the
superintendent of financial services.

(c) If a physician or dentist liable for payment of a portion of the
costs of excess insurance coverage or equivalent excess coverage covering the
period July 1, 1992 to June 30, 1993, or covering the period July 1, 1993 to
June 30, 1994, or covering the period July 1, 1994 to June 30, 1995, or
covering the period July 1, 1995 to June 30, 1996, or covering the period
July 1, 1996 to June 30, 1997, or covering the period July 1, 1997 to June
30, 1998, or covering the period July 1, 1998 to June 30, 1999, or covering
the period July 1, 1999 to June 30, 2000, or covering the period July 1, 2000
to June 30, 2001, or covering the period July 1, 2001 to October 29, 2001, or
covering the period April 1, 2002 to June 30, 2002, or covering the period
July 1, 2002 to June 30, 2003, or covering the period July 1, 2003 to June
30, 2004, or covering the period July 1, 2004 to June 30, 2005, or covering
the period July 1, 2005 to June 30, 2006, or covering the period July 1, 2006
to June 30, 2007, or covering the period July 1, 2007 to June 30, 2008, or
covering the period July 1, 2008 to June 30, 2009, or covering the period
July 1, 2009 to June 30, 2010, or covering the period July 1, 2010 to June
30, 2011, or covering the period July 1, 2011 to June 30, 2012, or covering
the period July 1, 2012 to June 30, 2013, or covering the period July 1, 2013
to June 30, 2014, or covering the period July 1, 2014 to June 30, 2015, or
covering the period July 1, 2015 to June 30, 2016, or covering the period
July 1, 2016 to June 30, 2017, or covering the period July 1, 2017 to June
30, 2018 determined in accordance with paragraph (a) of this subdivision
fails, refuses or neglects to make payment to the provider of excess
insurance coverage or equivalent excess coverage in such time and manner as
determined by the superintendent of financial services pursuant to paragraph
(b) of this subdivision, excess insurance coverage or equivalent excess
coverage purchased for such physician or dentist in accordance with this
section for such coverage period shall be cancelled and shall be null and
void as of the first day on or after the commencement of a policy period.
where the liability for payment pursuant to this subdivision has not been met.

(d) Each provider of excess insurance coverage or equivalent excess coverage shall notify the superintendent of financial services and the commissioner of health or their designee of each physician and dentist eligible for purchase of a policy for excess insurance coverage or equivalent excess coverage covering the period July 1, 1992 to June 30, 1993, or covering the period July 1, 1993 to June 30, 1994, or covering the period July 1, 1994 to June 30, 1995, or covering the period July 1, 1995 to June 30, 1996, or covering the period July 1, 1996 to June 30, 1997, or covering the period July 1, 1997 to June 30, 1998, or covering the period July 1, 1998 to June 30, 1999, or covering the period July 1, 1999 to June 30, 2000, or covering the period July 1, 2000 to June 30, 2001, or covering the period July 1, 2001 to October 29, 2001, or covering the period April 1, 2002 to June 30, 2002, or covering the period July 1, 2002 to June 30, 2003, or covering the period July 1, 2003 to June 30, 2004, or covering the period July 1, 2004 to June 30, 2005, or covering the period July 1, 2005 to June 30, 2006, or covering the period July 1, 2006 to June 30, 2007, or covering the period July 1, 2007 to June 30, 2008, or covering the period July 1, 2008 to June 30, 2009, or covering the period July 1, 2009 to June 30, 2010, or covering the period July 1, 2010 to June 30, 2011, or covering the period July 1, 2011 to June 30, 2012, or covering the period July 1, 2012 to June 30, 2013, or covering the period July 1, 2013 to June 30, 2014, or covering the period July 1, 2014 to June 30, 2015, or covering the period July 1, 2015 to June 30, 2016, or covering the period July 1, 2016 to June 30, 2017, or covering the period July 1, 2017 to June 30, 2018, that has made payment to such provider of excess insurance coverage or equivalent excess coverage in accordance with paragraph (b) of this subdivision and of each physician and dentist who has failed, refused or neglected to make such payment.

(e) A provider of excess insurance coverage or equivalent excess coverage shall refund to the hospital excess liability pool any amount allocable to the period July 1, 1992 to June 30, 1993, and to the period July 1, 1993 to June 30, 1994, and to the period July 1, 1994 to June 30, 1995, and to the period July 1, 1995 to June 30, 1996, and to the period July 1, 1996 to June 30, 1997, and to the period July 1, 1997 to June 30, 1998, and to the period July 1, 1998 to June 30, 1999, and to the period July 1, 1999 to June 30, 2000, and to the period July 1, 2000 to June 30, 2001, and to the period July 1, 2001 to October 29, 2001, and to the period April 1, 2002 to June 30, 2002, and to the period July 1, 2002 to June 30, 2003, and to the period July 1, 2003 to June 30, 2004, and to the period July 1, 2004 to June 30, 2005, and to the period July 1, 2005 to June 30, 2006, and to the period July 1, 2006 to June 30, 2007, and to the period July 1, 2007 to June 30, 2008, and to the period July 1, 2008 to June 30, 2009, and to the period July 1, 2009 to June 30, 2010, and to the period July 1, 2010 to June 30, 2011, and to the period July 1, 2011 to June 30, 2012, and to the period July 1, 2012 to June 30, 2013, and to the period July 1, 2013 to June 30, 2014, and to the period July 1, 2014 to June 30, 2015, and to the period July 1, 2015 to June 30, 2016, and to the period July 1, 2016 to June 30, 2017, and to the period July 1, 2017 to June 30, 2018, received from the hospital excess liability pool for purchase of excess insurance coverage or equivalent excess coverage covering the period July 1, 1992 to June 30, 1993, and covering the period July 1, 1993 to June 30, 1994, and covering the period July 1, 1994 to June 30, 1995, and covering the period July 1, 1995 to June 30, 1996, and covering the period July 1, 1996 to June 30, 1997, and covering the period July 1, 1997 to June 30, 1998, and covering the period July 1, 1998 to June 30, 1999, and covering the period July 1, 1999 to June 30, 2000, and covering the period July 1, 2000 to June 30, 2001, and covering the period July 1, 2001 to October 29, 2001, and covering the period April 1, 2002 to June 30, 2002, and covering the period July 1, 2002 to June 30, 2003, and covering the period July 1, 2003 to June 30, 2004, and covering the period July 1, 2004 to June 30, 2005, and covering the period July 1, 2005 to June 30, 2006, and covering the period July 1, 2006 to June 30, 2007, and covering the period July 1, 2007 to June 30, 2008, and covering the period July 1, 2008 to June 30, 2009, and covering the period July 1, 2009 to June 30, 2010, and covering the period July 1, 2010 to June 30, 2011, and covering the period July 1, 2011 to June 30, 2012, and covering the period July 1, 2012 to June 30, 2013, and covering the period July 1, 2013 to June 30, 2014, and covering the period July 1, 2014 to June 30, 2015, and covering the period July 1, 2015 to June 30, 2016, and covering the period July 1, 2016 to June 30, 2017, and covering the period July 1, 2017 to June 30, 2018.
1997 to June 30, 1998, and covering the period July 1, 1998 to June 30, 1999, and covering the period July 1, 1999 to June 30, 2000, and covering the period July 1, 2000 to June 30, 2001, and covering the period July 1, 2001 to October 29, 2001, and covering the period April 1, 2002 to June 30, 2002, and covering the period July 1, 2002 to June 30, 2003, and covering the period July 1, 2003 to June 30, 2004, and covering the period July 1, 2004 to June 30, 2005, and covering the period July 1, 2005 to June 30, 2006, and covering the period July 1, 2006 to June 30, 2007, and covering the period July 1, 2007 to June 30, 2008, and covering the period July 1, 2008 to June 30, 2009, and covering the period July 1, 2009 to June 30, 2010, and covering the period July 1, 2010 to June 30, 2011, and covering the period July 1, 2011 to June 30, 2012, and covering the period July 1, 2012 to June 30, 2013, and covering the period July 1, 2013 to June 30, 2014, and covering the period July 1, 2014 to June 30, 2015, and covering the period July 1, 2015 to June 30, 2016, and covering the period July 1, 2016 to June 30, 2017, and covering the period July 1, 2017 to June 30, 2018 for a physician or dentist where such excess insurance coverage or equivalent excess coverage is cancelled in accordance with paragraph (c) of this subdivision.

§ 18. Section 40 of chapter 266 of the laws of 1986, amending the civil practice law and rules and other laws relating to malpractice and professional medical conduct, as amended by section 5 of part C of chapter 59 of the laws of 2016, is amended to read as follows:

§ 40. The superintendent of financial services shall establish rates for policies providing coverage for physicians and surgeons medical malpractice for the periods commencing July 1, 1985 and ending June 30, [2017] 2018; provided, however, that notwithstanding any other provision of law, the superintendent shall not establish or approve any increase in rates for the period commencing July 1, 2009 and ending June 30, 2010. The superintendent shall direct insurers to establish segregated accounts for premiums, payments, reserves and investment income attributable to such premium periods and shall require periodic reports by the insurers regarding claims and expenses attributable to such periods to monitor whether such accounts will be sufficient to meet incurred claims and expenses. On or after July 1, 1989, the superintendent shall impose a surcharge on premiums to satisfy a projected deficiency that is attributable to the premium levels established pursuant to this section for such periods; provided, however, that such annual surcharge shall not exceed eight percent of the established rate until July 1, [2017] 2018, at which time and thereafter such surcharge shall not exceed twenty-five percent of the approved adequate rate, and that such annual surcharges shall continue for such period of time as shall be sufficient to satisfy such deficiency. The superintendent shall not impose such surcharge during the period commencing July 1, 2009 and ending June 30, 2010. On and after July 1, 1989, the surcharge prescribed by this section shall be retained by insurers to the extent that they insured physicians and surgeons during the July 1, 1985 through June 30, [2017] 2018 policy periods; in the event and to the extent physicians and surgeons were insured by another insurer during such periods, all or a pro rata share of the surcharge, as the case may be, shall be remitted to such other insurer in accordance with rules and regulations to be promulgated by the superintendent. Surcharges collected from physicians and surgeons who were not insured during such policy periods shall be apportioned among all insurers in proportion to the premium written by each insurer during such policy periods; if a physician or surgeon was insured by an insurer subject to rates established by the superintendent during such policy periods, and at
any time thereafter a hospital, health maintenance organization, employer or
institution is responsible for responding in damages for liability arising
out of such physician's or surgeon's practice of medicine, such responsible
entity shall also remit to such prior insurer the equivalent amount that
would then be collected as a surcharge if the physician or surgeon had
continued to remain insured by such prior insurer. In the event any insurer
that provided coverage during such policy periods is in liquidation, the
property/casualty insurance security fund shall receive the portion of
surcharges to which the insurer in liquidation would have been entitled. The
surcharges authorized herein shall be deemed to be income earned for the
purposes of section 2303 of the insurance law. The superintendent, in
establishing adequate rates and in determining any projected deficiency
pursuant to the requirements of this section and the insurance law, shall
give substantial weight, determined in his discretion and judgment, to the
prospective anticipated effect of any regulations promulgated and laws
enacted and the public benefit of stabilizing malpractice rates and
minimizing rate level fluctuation during the period of time necessary for the
development of more reliable statistical experience as to the efficacy of
such laws and regulations affecting medical, dental or podiatric malpractice
enacted or promulgated in 1985, 1986, by this act and at any other time.
Notwithstanding any provision of the insurance law, rates already established
and to be established by the superintendent pursuant to this section are
deemed adequate if such rates would be adequate when taken together with the
maximum authorized annual surcharges to be imposed for a reasonable period of
time whether or not any such annual surcharge has been actually imposed as of
the establishment of such rates.

§ 19. Section 5 and subdivisions (a) and (e) of section 6 of 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, as amended by section 6 of part
C of chapter 59 of the laws of 2016, are amended to read as follows:

§ 5. The superintendent of financial services and the commissioner of
health shall determine, no later than June 15, 2002, June 15, 2003, June 15,
the amount of funds available in the hospital excess liability pool, created
pursuant to section 18 of chapter 266 of the laws of 1986, and whether such
funds are sufficient for purposes of purchasing excess insurance coverage for
eligible participating physicians and dentists during the period July 1, 2001
to June 30, 2002, or July 1, 2002 to June 30, 2003, or July 1, 2003 to June
30, 2004, or July 1, 2004 to June 30, 2005, or July 1, 2005 to June 30, 2006,
or July 1, 2006 to June 30, 2007, or July 1, 2007 to June 30, 2008, or July
1, 2008 to June 30, 2009, or July 1, 2009 to June 30, 2010, or July 1, 2010
to June 30, 2011, or July 1, 2011 to June 30, 2012, or July 1, 2012 to June
30, 2013, or July 1, 2013 to June 30, 2014, or July 1, 2014 to June 30, 2015,
or July 1, 2015 to June 30, 2016, or July 1, 2016 to June 30, 2017, or to
July 1, 2017 to June 30, 2018 as applicable.

(a) This section shall be effective only upon a determination, pursuant
to section five of this act, by the superintendent of financial services and
the commissioner of health, and a certification of such determination to the
state director of the budget, the chair of the senate committee on finance
and the chair of the assembly committee on ways and means, that the amount of
funds in the hospital excess liability pool, created pursuant to section 18
of chapter 266 of the laws of 1986, is insufficient for purposes of
purchasing excess insurance coverage for eligible participating physicians
and dentists during the period July 1, 2001 to June 30, 2002, or July 1, 2002
to June 30, 2003, or July 1, 2003 to June 30, 2004, or July 1, 2004 to June
30, 2005, or July 1, 2005 to June 30, 2006, or July 1, 2006 to June 30, 2007,
or July 1, 2007 to June 30, 2008, or July 1, 2008 to June 30, 2009, or July
1, 2009 to June 30, 2010, or July 1, 2010 to June 30, 2011, or July 1, 2011
to June 30, 2012, or July 1, 2012 to June 30, 2013, or July 1, 2013 to June
30, 2014, or July 1, 2014 to June 30, 2015, or July 1, 2015 to June 30, 2016,
or July 1, 2016 to June 30, 2017, or July 1, 2017 to June 30, 2018

(e) The commissioner of health shall transfer for deposit to the hospital
excess liability pool created pursuant to section 18 of chapter 266 of the
laws of 1986 such amounts as directed by the superintendent of financial
services for the purchase of excess liability insurance coverage for eligible
participating physicians and dentists for the policy year July 1, 2001 to
June 30, 2002, or July 1, 2002 to June 30, 2003, or July 1, 2003 to June 30,
2004, or July 1, 2004 to June 30, 2005, or July 1, 2005 to June 30, 2006, or
July 1, 2006 to June 30, 2007, as applicable, and the cost of administering
the hospital excess liability pool for such applicable policy year, pursuant
to the program established in chapter 266 of the laws of 1986, as amended, no

§ 20. Notwithstanding any law, rule or regulation to the contrary, only
physicians or dentists who were eligible, and for whom the superintendent of
financial services and the commissioner of health, or their designee,
purchased, with funds available in the hospital excess liability pool, a full
or partial policy for excess coverage or equivalent excess coverage for the
coverage period ending the thirtieth of June, two thousand seventeen, shall
be eligible to apply for such coverage for the coverage period beginning the
first of July, two thousand seventeen; provided, however, if the total number
of physicians or dentists for whom such excess coverage or equivalent excess
coverage was purchased for the policy year ending the thirtieth of June, two
thousand seventeen exceeds the total number of physicians or dentists
certified as eligible for the coverage period beginning the first of July,
two thousand seventeen, then the general hospitals may certify additional
eligible physicians or dentists in a number equal to such general hospital's
proportional share of the total number of physicians or dentists for whom
excess coverage or equivalent excess coverage was purchased with funds
available in the hospital excess liability pool as of the thirtieth of June,
two thousand seventeen, as applied to the difference between the number of
eligible physicians or dentists for whom a policy for excess coverage or
equivalent excess coverage was purchased for the coverage period ending the
thirtieth of June, two thousand seventeen and the number of such eligible
physicians or dentists who have applied for excess coverage or equivalent
excess coverage for the coverage period beginning the first of July, two
thousand seventeen.

§ 21. Section 2807-l of the public health law, as amended by section 7 of
part B of chapter 60 of the laws of 2014, is amended to read as follows:
§ 2807-l. Health care initiatives pool distributions. 1. Funds accumulated in the health care initiatives pools pursuant to paragraph (b) of subdivision nine of section twenty-eight hundred seven-j of this article, or the health care reform act (HCRA) resources fund established pursuant to section ninety-two-dd of the state finance law, whichever is applicable, including income from invested funds, shall be distributed or retained by the commissioner or by the state comptroller, as applicable, in accordance with the following.

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

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

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

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

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

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

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

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

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

   (ix) from the pool or the health care reform act (HCRA) resources fund, whichever is applicable, for the period January first, two thousand five through December thirty-first, two thousand five, up to one hundred fifty-three million eight hundred thousand dollars;
(x) from the health care reform act (HCRA) resources fund for the period January first, two thousand six through December thirty-first, two thousand six, up to three hundred twenty-five million four hundred thousand dollars;

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

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

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

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

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

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

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

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

(i) (A) an amount not to exceed six million dollars on an annualized basis for the periods January first, nineteen hundred ninety-seven through December thirty-first, nineteen hundred ninety-nine; up to six million dollars for the period January first, two thousand through December thirty-first, two thousand; up to five million dollars for the period January first, two thousand one through December thirty-first, two thousand one; up to four million dollars for the period January first, two thousand two through December thirty-first, two thousand two; up to two million six hundred thousand dollars for the period January first, two thousand three through
December thirty-first, two thousand three; up to one million three hundred thousand dollars for the period January first, two thousand four through December thirty-first, two thousand four; up to six hundred seventy thousand dollars for the period January first, two thousand five through June thirtieth, two thousand five; up to one million three hundred thousand dollars for the period April first, two thousand six through March thirty-first, two thousand seven; and up to one million three hundred thousand dollars annually for the period April first, two thousand seven through March thirty-first, two thousand nine, shall be allocated to individual subsidy programs; and

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

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

(c) Up to seventy-eight million dollars shall be reserved and accumulated from year to year from the pool for the period January first, nineteen hundred ninety-seven through December thirty-first, nineteen hundred ninety-seven, for purposes of public health programs, up to seventy-six million dollars shall be reserved and accumulated from year to year from the pools for the periods January first, nineteen hundred ninety-eight through December thirty-first, nineteen hundred ninety-eight and January first, nineteen hundred ninety-nine through December thirty-first, nineteen hundred ninety-nine, up to eighty-four million dollars shall be reserved and accumulated from year to year from the pools for the period January first, two thousand through December thirty-first, two thousand, up to eighty-five million dollars shall be reserved and accumulated from year to year from the pools for the period January first, two thousand one through December thirty-first, two thousand one, up to eighty-six million dollars shall be reserved and accumulated from year to year from the pools for the period January first, two thousand two through December thirty-first, two thousand two, up to eighty-six million one hundred fifty thousand dollars shall be reserved and
accumulated from year to year from the pools for the period January first, two thousand three through December thirty-first, two thousand three, up to fifty-eight million seven hundred eighty thousand dollars shall be reserved and accumulated from year to year from the pools for the period January first, two thousand four through December thirty-first, two thousand four, up to sixty-eight million seven hundred thirty thousand dollars shall be reserved and accumulated from year to year from the pools or the health care reform act (HCRA) resources fund, whichever is applicable, for the period January first, two thousand five through December thirty-first, two thousand five, up to ninety-four million three hundred fifty thousand dollars shall be reserved and accumulated from year to year from the health care reform act (HCRA) resources fund for the period January first, two thousand six through December thirty-first, two thousand six, up to seventy million nine hundred thirty-nine thousand dollars shall be reserved and accumulated from year to year from the health care reform act (HCRA) resources fund for the period January first, two thousand seven through December thirty-first, two thousand seven, up to fifty-five million six hundred eighty-nine thousand dollars annually shall be reserved and accumulated from year to year from the health care reform act (HCRA) resources fund for the period January first, two thousand eight through December thirty-first, two thousand eight, up to thirteen million nine hundred twenty-two thousand dollars shall be reserved and accumulated from year to year from the health care reform act (HCRA) resources fund for the period January first, two thousand nine through March thirty-first, two thousand nine, and for periods on and after April first, two thousand ten, up to funding amounts specified below and shall be available, including income from invested funds, for:

(i) deposit by the commissioner, within amounts appropriated, and the state comptroller is hereby authorized and directed to receive for deposit to, to the credit of the department of health's special revenue fund - other, hospital based grants program account or the health care reform act (HCRA) resources fund, whichever is applicable, for purposes of services and expenses related to general hospital based grant programs, up to twenty-two million dollars annually from the nineteen hundred ninety-seven pool, nineteen hundred ninety-eight pool, nineteen hundred ninety-nine pool, two thousand pool, two thousand one pool and two thousand two pool, respectively, up to twenty-two million dollars from the nineteen hundred ninety-eight pool, nineteen hundred ninety-nine pool, two thousand pool, up to fifteen million dollars from the nineteen hundred ninety-eight pool, nineteen hundred ninety-nine pool, two thousand pool, respectively, up to twenty-two million dollars for the period January first, two thousand five through December thirty-first, two thousand five, up to twenty-two million nine hundred twenty-two thousand dollars annually for the period January first, two thousand six through December thirty-first, two thousand six, up to twenty-two million nine hundred twenty-seven thousand dollars annually for the period January first, two thousand seven through December thirty-first, two thousand seven, up to ten million dollars for the period January first, two thousand eight through December thirty-first, two thousand eight, up to eleven million dollars for the period January first, two thousand nine through December thirty-first, two thousand nine, up to twelve million dollars for the period January first, two thousand ten through December thirty-first, two thousand ten, up to five million five hundred twenty-four thousand dollars annually for the period January first, two thousand eleven through March thirty-first, two thousand eleven, up to thirteen million four hundred forty-five thousand dollars for the period April first, two thousand eleven through March thirty-first, two thousand twelve, and up to thirteen million three hundred seventy-five thousand dollars each state fiscal year for the period April first, two thousand twelve through March thirty-first, two thousand fourteen;

(ii) deposit by the commissioner, within amounts appropriated, and the state comptroller is hereby authorized and directed to receive for deposit to, to the credit of the emergency medical services training account established in section ninety-seven-q of the state finance law or the health
care reform act (HCRA) resources fund, whichever is applicable, up to sixteen million dollars on an annualized basis for the periods January first, nineteen hundred ninety-seven through December thirty-first, nineteen hundred ninety-nine, up to twenty million dollars for the period January first, two thousand through December thirty-first, two thousand, up to twenty-one million dollars for the period January first, two thousand two through December thirty-first, two thousand two, up to twenty-two million five hundred fifty thousand dollars for the period January first, two thousand three through December thirty-first, two thousand three, up to nine million six hundred eighty thousand dollars for the period January first, two thousand four through December thirty-first, two thousand four, up to twelve million one hundred thirty thousand dollars for the period January first, two thousand five through December thirty-first, two thousand five, up to twenty-four million two hundred fifty thousand dollars for the period January first, two thousand six through December thirty-first, two thousand six, up to twenty million four hundred ninety-two thousand dollars annually for the period January first, two thousand seven through December thirty-first, two thousand ten, up to five million one hundred twenty-three thousand dollars for the period January first, two thousand eleven through March thirty-first, two thousand eleven, up to eighteen million three hundred fifty thousand dollars for the period April first, two thousand eleven through March thirty-first, two thousand twelve, up to eighteen million nine hundred fifty thousand dollars for the period April first, two thousand thirteen through March thirty-first, two thousand thirteen, up to nineteen million four hundred nineteen thousand dollars for the period April first, two thousand fourteen through March thirty-first, two thousand fourteen, and up to nineteen million six hundred fifty-nine thousand seven hundred dollars each state fiscal year for the period of April first, two thousand fourteen through March thirty-first, two thousand seventeen.

(iii) priority distributions by the commissioner up to thirty-two million dollars on an annualized basis for the period January first, two thousand through December thirty-first, two thousand four, up to thirty-eight million dollars on an annualized basis for the period January first, two thousand five through December thirty-first, two thousand six, up to eighteen million two hundred fifty thousand dollars for the period January first, two thousand seven through December thirty-first, two thousand eight, up to three million dollars annually for the period January first, two thousand nine through March thirty-first, two thousand ten, up to seven hundred fifty thousand dollars for the period January first, two thousand eleven through March thirty-first, two thousand eleven, up to two million nine hundred thousand dollars each state fiscal year for the period April first, two thousand eleven through March thirty-first, two thousand fourteen, and up to two million nine hundred thousand dollars each state fiscal year for the period April first, two thousand fourteen through March thirty-first, two thousand seventeen.

[seventeen] twenty to be allocated (A) for the purposes established pursuant to subparagraph (ii) of paragraph (f) of subdivision nineteen of section twenty-eight hundred seven-c of this article as in effect on December thirty-first, nineteen hundred ninety-six and as may thereafter be amended, up to fifteen million dollars annually for the periods January first, two thousand through December thirty-first, two thousand four, up to twenty-one million dollars annually for the period January first, two thousand five through December thirty-first, two thousand six, and up to seven million five hundred
thousand dollars for the period January first, two thousand seven through March thirty-first, two thousand seven;

(B) pursuant to a memorandum of understanding entered into by the commissioner, the majority leader of the senate and the speaker of the assembly, for the purposes outlined in such memorandum upon the recommendation of the majority leader of the senate, up to eight million five hundred thousand dollars annually for the period January first, two thousand through December thirty-first, two thousand six, and up to four million two hundred fifty thousand dollars for the period January first, two thousand seven through June thirtieth, two thousand seven, and for the purposes outlined in such memorandum upon the recommendation of the speaker of the assembly, up to eight million five hundred thousand dollars annually for the periods January first, two thousand through December thirty-first, two thousand six, and up to four million two hundred fifty thousand dollars for the period January first, two thousand seven through June thirtieth, two thousand seven; and

(C) for services and expenses, including grants, related to emergency assistance distributions as designated by the commissioner. Notwithstanding section one hundred twelve or one hundred sixty-three of the state finance law or any other contrary provision of law, such distributions shall be limited to providers or programs where, as determined by the commissioner, emergency assistance is vital to protect the life or safety of patients, to ensure the retention of facility caregivers or other staff, or in instances where health facility operations are jeopardized, or where the public health is jeopardized or other emergency situations exist, up to three million dollars annually for the period April first, two thousand seven through March thirty-first, two thousand eleven, up to two million nine hundred thousand dollars each state fiscal year for the period April first, two thousand eleven through March thirty-first, two thousand fourteen, [and] up to two million nine hundred thousand dollars each state fiscal year for the period April first, two thousand fourteen through March thirty-first, two thousand seventeen, and up to two million nine hundred thousand dollars each state fiscal year for the period April first, two thousand seventeen through March thirty-first, two thousand twenty. Upon any distribution of such funds, the commissioner shall immediately notify the chair and ranking minority member of the senate finance committee, the assembly ways and means committee, the senate committee on health, and the assembly committee on health;

(iv) distributions by the commissioner related to poison control centers pursuant to subdivision seven of section twenty-five hundred-d of this chapter, up to five million dollars for the period January first, nineteen hundred ninety-seven through December thirty-first, nineteen hundred ninety-seven, up to three million dollars on an annualized basis for the periods during the period January first, nineteen hundred ninety-eight through December thirty-first, nineteen hundred ninety-eight, up to five million dollars annually for the periods January first, nineteen hundred ninety-nine through December thirty-first, nineteen hundred ninety-nine, up to five million dollars annually for the periods January first, two thousand through December thirty-first, two thousand two, up to four million six hundred thousand dollars annually for the periods January first, two thousand three through December thirty-first, two thousand four, up to five million one hundred thousand dollars for the period January first, two thousand five through December thirty-first, two thousand six annually, up to five million one hundred thousand dollars annually for the period January first, two thousand seven through December thirty-first, two thousand nine, up to three million six hundred thousand dollars for the period January first, two thousand ten
through December thirty-first, two thousand ten, up to seven hundred seventy-five thousand dollars for the period January first, two thousand eleven through March thirty-first, two thousand eleven, up to two million five hundred thousand dollars each state fiscal year for the period April first, two thousand eleven through March thirty-first, two thousand fourteen, [and] up to three million dollars each state fiscal year for the period April first, two thousand fourteen through March thirty-first, two thousand seventeen, and up to three million dollars each state fiscal year for the period April first, two thousand seventeen through March thirty-first, two thousand twenty; and

(v) deposit by the commissioner, within amounts appropriated, and the state comptroller is hereby authorized and directed to receive for deposit to, to the credit of the department of health's special revenue fund - other, miscellaneous special revenue fund - 339 maternal and child HIV services account or the health care reform act (HCRA) resources fund, whichever is applicable, for purposes of a special program for HIV services for women and children, including adolescents pursuant to section twenty-five hundred-f-one of this chapter, up to five million dollars annually for the periods January first, two thousand through December thirty-first, two thousand two, up to five million dollars for the period January first, two thousand three through December thirty-first, two thousand three, up to two million five hundred thousand dollars for the period January first, two thousand four through December thirty-first, two thousand four, up to two million five hundred thousand dollars for the period January first, two thousand five through December thirty-first, two thousand five, up to five million dollars for the period January first, two thousand six through December thirty-first, two thousand six, up to five million dollars annually for the period January first, two thousand seven through December thirty-first, two thousand seven, up to one million two hundred fifty thousand dollars for the period January first, two thousand eight through March thirty-first, two thousand eight, and up to five million dollars each state fiscal year for the period April first, two thousand eight through March thirty-first, two thousand nine, and up to five million dollars each state fiscal year for the period April first, two thousand nine through March thirty-first, two thousand ten, and up to one million two hundred fifty thousand dollars for the period January first, two thousand eleven through March thirty-first, two thousand eleven, and up to five million dollars each state fiscal year for the period April first, two thousand eleven through March thirty-first, two thousand twelve, and up to three million dollars each state fiscal year for the period April first, two thousand twelve through March thirty-first, two thousand thirteen, and up to three million dollars each state fiscal year for the period April first, two thousand thirteen through March thirty-first, two thousand fourteen; and

(d) (i) An amount of up to twenty million dollars annually for the period January first, two thousand through December thirty-first, two thousand six, up to ten million dollars for the period January first, two thousand seven through June thirtieth, two thousand seven, up to twenty million dollars annually for the period January first, two thousand eight through December thirty-first, two thousand ten, up to five million dollars for the period January first, two thousand eleven through March thirty-first, two thousand eleven, up to nineteen million six hundred thousand dollars each state fiscal year for the period April first, two thousand twelve through March thirty-first, two thousand twelve, [and] up to nineteen million six hundred thousand dollars each state fiscal year for the period April first, two thousand thirteen through March thirty-first, two thousand thirteen, and up to nineteen million six hundred thousand dollars each state fiscal year for the period April first, two thousand fourteen through March thirty-first, two thousand fourteen, [and] up to nineteen million six hundred thousand dollars each state fiscal year for the period April first, two thousand fifteen through March thirty-first, two thousand fifteen, shall be transferred to the health facility restructuring pool established pursuant to section twenty-eight hundred fifteen of this article;

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

(e) Funds shall be reserved and accumulated from year to year and shall
be available, including income from invested funds, for purposes of
distributions to organizations to support the health workforce retraining
program established pursuant to section twenty-eight hundred seven-g of this
article from the respective health care initiatives pools established for the
following periods in the following amounts from the pools or the health care
reform act (HCRA) resources fund, whichever is applicable, during the period
January first, nineteen hundred ninety-seven through December thirty-first,
nineteen hundred ninety-nine, up to fifty million dollars on an annualized
basis, up to thirty million dollars for the period January first, two
thousand through December thirty-first, two thousand, up to forty million
dollars for the period January first, two thousand one through December
thirty-first, two thousand one, up to fifty million dollars for the period
January first, two thousand two through December thirty-first, two thousand
two, up to forty-one million one hundred fifty thousand dollars for the
period January first, two thousand three through December thirty-first, two
thousand three, up to forty-one million one hundred sixty thousand dollars
for the period January first, two thousand four through December thirty-
first, two thousand four, up to fifty-eight million three hundred sixty
dollars for the period January first, two thousand five through
December thirty-first, two thousand five, up to fifty-two million three
hundred sixty thousand dollars for the period January first, two thousand six
through December thirty-first, two thousand six, up to thirty-five million
four hundred thousand dollars annually for the period January first, two
thousand seven through December thirty-first, two thousand ten, up to eight
million eight hundred fifty thousand dollars for the period January first,
two thousand eleven through March thirty-first, two thousand eleven, up to
twenty-eight million four hundred thousand dollars each state fiscal year for
the period April first, two thousand twelve through March thirty-first, two
thousand twelve, [and] up to thirty-five million four hundred twelve
thousand dollars each state fiscal year for the period April first, two
thousand thirteen through March thirty-first, two thousand thirteen, and up
to twenty-six million eight hundred seventeen thousand dollars each state
fiscal year for the period April first, two thousand seventeen through March
thirty-first, two thousand twenty, less the amount of funds available for
allocations for rate adjustments for workforce training programs for payments
by state governmental agencies for inpatient hospital services.

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

(i) from the pool for the period January first, nineteen hundred ninety-
seven through December thirty-first, nineteen hundred ninety-seven, (A)
three-four million six hundred thousand dollars shall be transferred to
funds reserved and accumulated pursuant to paragraph (b) of subdivision
nineteen of section twenty-eight hundred seven-c of this article, and (B)
eighty-two million dollars shall be transferred and deposited and credited to
the credit of the state general fund medical assistance local assistance
account;

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

(iv) from the pool or the health care reform act (HCRA) resources fund, whichever is applicable, for the period January first, two thousand through December thirty-first, two thousand four, eighty-two million dollars annually, and for the period January first, two thousand five through December thirty-first, two thousand six through December thirty-first, two thousand six, eighty-two million dollars, and for the period January first, two thousand seven through December thirty-first, two thousand seven, eighty-two million dollars, and for the period January first, two thousand eight through December thirty-first, two thousand eight, ninety million seven hundred thousand dollars shall be deposited by the commissioner, and the state comptroller is hereby authorized and directed to receive for deposit to the credit of the state special revenue fund - other, HCRA transfer fund, medical assistance account;

(v) from the health care reform act (HCRA) resources fund for the period January first, two thousand nine through December thirty-first, two thousand nine, one hundred eight million nine hundred seventy-five thousand dollars, and for the period January first, two thousand ten through December thirty-first, two thousand ten, one hundred twenty-six million one hundred thousand dollars, and for the period January first, two thousand eleven through March thirty-first, two thousand eleven, twenty million five hundred thousand dollars, and for each state fiscal year for the period April first, two thousand eleven through March thirty-first, two thousand fourteen, one hundred forty-six million four hundred thousand dollars, shall be deposited by the commissioner, and the state comptroller is hereby authorized and directed to receive for deposit, to the credit of the state special revenue fund - other, HCRA transfer fund, medical assistance account.

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

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

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

(iii) from the pool for the period January first, nineteen hundred ninety-nine through December thirty-first, nineteen hundred ninety-nine, sixteen and thirteen-hundredths percent.
(h) Funds shall be reserved and accumulated from year to year by the commissioner and shall be available, including income from invested funds, for purposes of primary care education and training pursuant to article nine of this chapter from the respective health care initiatives pools established for the following periods in the following percentage amounts of funds remaining after allocations in accordance with paragraphs (a) through (f) of this subdivision and shall be available for distributions as follows:

(i) funds shall be reserved and accumulated:

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

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

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

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

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

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

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

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

(i) Funds shall be reserved and accumulated from year to year and shall be available, including income from invested funds, for distributions in accordance with section twenty-nine hundred fifty-two and section twenty-nine hundred fifty-eight of this chapter for rural health care delivery development and rural health care access development, respectively, from the respective health care initiatives pools or the health care reform act (HCRA) resources fund, whichever is applicable, for the following periods in the following percentage amounts of funds remaining after allocations in accordance with paragraphs (a) through (f) of this subdivision, and for periods on and after January first, two thousand, in the following amounts:
(i) from the pool for the period January first, nineteen hundred ninety-seven through December thirty-first, nineteen hundred ninety-seven, thirteen and forty-nine-hundredths percent;

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

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

(iv) from the pool for the periods January first, two thousand through December thirty-first, two thousand two, seventeen million dollars annually, and for the period January first, two thousand three through December thirty-first, two thousand three, up to fifteen million eight hundred fifty thousand dollars;

(v) from the pool or the health care reform act (HCRA) resources fund, whichever is applicable, for the period January first, two thousand four through December thirty-first, two thousand four, up to fifteen million eight hundred fifty thousand dollars, for the period January first, two thousand five through December thirty-first, two thousand five, up to nineteen million two hundred thousand dollars, for the period January first, two thousand six through December thirty-first, two thousand six, up to nineteen million two hundred thousand dollars, for the period January first, two thousand seven through December thirty-first, two thousand seven, up to eighteen million one hundred fifty thousand dollars annually, for the period January first, two thousand eight through March thirty-first, two thousand eight, up to four million five hundred thirty-eight thousand dollars, for each state fiscal year for the period April first, two thousand nine through March thirty-first, two thousand nine, and up to sixteen million two hundred thousand dollars each state fiscal year for the period April first, two thousand ten through March thirty-first, two thousand ten, up to sixteen million two hundred thousand dollars, and up to sixteen million two hundred thousand dollars each state fiscal year for the period April first, two thousand eleven through March thirty-first, two thousand eleven, up to sixteen million two hundred thousand dollars each state fiscal year for the period April first, two thousand twelve through March thirty-first, two thousand twelve, up to sixteen million two hundred thousand dollars each state fiscal year for the period April first, two thousand thirteen through March thirty-first, two thousand thirteen, up to sixteen million two hundred thousand dollars each state fiscal year for the period April first, two thousand fourteen through March thirty-first, two thousand fourteen, up to sixteen million two hundred thousand dollars each state fiscal year for the period April first, two thousand fifteen through March thirty-first, two thousand fifteen, up to sixteen million two hundred thousand dollars each state fiscal year for the period April first, two thousand sixteen through March thirty-first, two thousand sixteen, up to sixteen million two hundred thousand dollars each state fiscal year for the period April first, two thousand seventeen through March thirty-first, two thousand seventeen, and up to sixteen million two hundred thousand dollars each state fiscal year for the period April first, two thousand eighteen through March thirty-first, two thousand eighteen, and up to sixteen million two hundred thousand dollars each state fiscal year for the period April first, two thousand nineteen through March thirty-first, two thousand nineteen, and up to sixteen million two hundred thousand dollars each state fiscal year for the period April first, two thousand twenty.

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

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

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

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

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

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

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

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

(v) (A) from the pool or the health care reform act (HCRA) resources fund, whichever is applicable, for the period July first, two thousand three through December thirty-first, two thousand three, up to six million dollars, for the period January first, two thousand four through December thirty-first, two thousand six, up to twelve million dollars annually, for the period January first, two thousand seven through December thirty-first, two thousand thirteen, up to forty-eight million dollars annually, for the period January first, two thousand fourteen through March thirty-first, two thousand fourteen, up to twelve million dollars [and] for the period April first, two thousand fourteen through March thirty-first, two thousand seventeen, up to forty-eight million dollars annually, and for the period April first, two thousand seventeen through March thirty-first, two thousand twenty, up to forty-eight million dollars annually;

(B) from the health care reform act (HCRA) resources fund for the period January first, two thousand six through December thirty-first, two thousand six, an additional seven million five hundred thousand dollars, for the period January first, two thousand seven through December thirty-first, two thousand thirteen, an additional seven million five hundred thousand dollars annually, for the period January first, two thousand fourteen through March thirty-first, two thousand fourteen, an additional one million eight hundred seventy-five thousand dollars, [and] for the period April first, two thousand fourteen through March thirty-first, two thousand seventeen, an additional seven million five hundred thousand dollars annually, and for the period
April first, two thousand seventeen through March thirty-first, two thousand twenty, an additional seven million five hundred thousand dollars annually

for voluntary non-profit diagnostic and treatment center uncompensated care in accordance with subdivision four-c of section twenty-eight hundred seven-p of this article; and

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

(l) Funds shall be reserved and accumulated from year to year by the commissioner and shall be available, including income from invested funds, for transfer to and allocation for services and expenses for the payment of benefits to recipients of drugs under the AIDS drug assistance program (ADAP) - HIV uninsured care program as administered by Health Research Incorporated from the respective health care initiatives pools or the health care reform act (HCRA) resources fund, whichever is applicable, established for the following periods in the following percentage amounts of funds remaining after allocations in accordance with paragraphs (a) through (f) of this subdivision, and for periods on and after January first, two thousand, in the following amounts:

(i) from the pool for the period January first, nineteen hundred ninety-seven through December thirty-first, nineteen hundred ninety-seven, nine and fifty-two-hundredths percent;

(ii) from the pool for the period January first, nineteen hundred ninety-eight through December thirty-first, nineteen hundred ninety-eight, nine and fifty-two-hundredths percent;

(iii) from the pool for the period January first, nineteen hundred ninety-nine and December thirty-first, nineteen hundred ninety-nine, nine and sixty-eight-hundredths percent;

(iv) from the pool for the periods January first, two thousand through December thirty-first, two thousand two, up to twelve million dollars annually, and for the period January first, two thousand three through December thirty-first, two thousand three, up to forty million dollars; and

(v) from the pool or the health care reform act (HCRA) resources fund, whichever is applicable, for the periods January first, two thousand four through December thirty-first, two thousand four, up to fifty-six million dollars, for the period January first, two thousand five through December thirty-first, two thousand six, up to sixty million dollars annually, for the
period January first, two thousand seven through December thirty-first, two thousand ten, up to sixty million dollars annually, for the period January first, two thousand eleven through March thirty-first, two thousand eleven, up to fifteen million dollars, each state fiscal year for the period April first, two thousand eleven through March thirty-first, two thousand fourteen, up to forty-two million three hundred thousand dollars and up to forty-one million fifty thousand dollars each state fiscal year for the period April first, two thousand fourteen through March thirty-first, two thousand seventeen.

(m) Funds shall be reserved and accumulated from year to year and shall be available, including income from invested funds, for purposes of distributions pursuant to section twenty-eight hundred seven-r of this article for cancer related services from the respective health care initiatives pools or the health care reform act (HCRA) resources fund, whichever is applicable, established for the following periods in the following percentage amounts of funds remaining after allocations in accordance with paragraphs (a) through (f) of this subdivision, and for periods on and after January first, two thousand, in the following amounts:

(i) from the pool for the period January first, nineteen hundred ninety-seven through December thirty-first, nineteen hundred ninety-seven, seven and ninety-four-hundredths percent;

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

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

(iv) from the pool for the period January first, two thousand through December thirty-first, two thousand two, up to ten million dollars on an annual basis;

(v) from the pool for the period January first, two thousand three through December thirty-first, two thousand four, up to eight million nine hundred fifty thousand dollars on an annual basis;

(vi) from the pool or the health care reform act (HCRA) resources fund, whichever is applicable, for the period January first, two thousand five through December thirty-first, two thousand six, up to ten million fifty thousand dollars on an annual basis, for the period January first, two thousand seven through December thirty-first, two thousand ten, up to nineteen million dollars annually, and for the period January first, two thousand eleven through March thirty-first, two thousand eleven, up to four million seven hundred fifty thousand dollars.

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

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

3. Revenue from distributions pursuant to this section shall not be
included in gross revenue received for purposes of the assessments pursuant
to subdivision eighteen of section twenty-eight hundred seven-c of this
article, subject to the provisions of paragraph (e) of subdivision eighteen
of section twenty-eight hundred seven-c of this article, and shall not be
included in gross revenue received for purposes of the assessments pursuant
to section twenty-eight hundred seven-d of this article, subject to the
provisions of subdivision twelve of section twenty-eight hundred seven-d of
this article.

§ 22. Section 2807-v of the public health law, as amended by section 8 of
part B of chapter 60 of the laws of 2014, is amended to read as follows:

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

(a) Funds shall be deposited by the commissioner, within amounts
appropriated, and the state comptroller is hereby authorized and directed to
receive for deposit to the credit of the state special revenue funds - other,
HCRA transfer fund, medicaid fraud hotline and medicaid administration
account, or any successor fund or account, for purposes of services and
expenses related to the toll-free medicaid fraud hotline established pursuant
to section one hundred eight of chapter one of the laws of nineteen hundred
ninety-nine from the tobacco control and insurance initiatives pool
established for the following periods in the following amounts: four hundred thousand dollars annually for the periods January first, two thousand through December thirty-first, two thousand two, up to four hundred thousand dollars for the period January first, two thousand three through December thirty-first, two thousand three, up to four hundred thousand dollars for the period January first, two thousand four through December thirty-first, two thousand four, up to four hundred thousand dollars for the period January first, two thousand five through December thirty-first, two thousand five, up to four hundred thousand dollars for the period January first, two thousand six through December thirty-first, two thousand six, up to four hundred thousand dollars for the period January first, two thousand seven through December thirty-first, two thousand seven, up to four hundred thousand dollars for the period January first, two thousand eight through December thirty-first, two thousand eight, up to four hundred thousand dollars for the period January first, two thousand nine through December thirty-first, two thousand nine, up to four hundred thousand dollars for the period January first, two thousand ten through December thirty-first, two thousand ten, up to one hundred thousand dollars for the period January first, two thousand eleven through March thirty-first, two thousand eleven and within amounts appropriated on and after April first, two thousand twelve.

(b) Funds shall be reserved and accumulated from year to year and shall be available, including income from invested funds, for purposes of payment of audits or audit contracts necessary to determine payor and provider compliance with requirements set forth in sections twenty-eight hundred seven-j, twenty-eight hundred seven-s and twenty-eight hundred seven-t of this article from the tobacco control and insurance initiatives pool established for the following periods in the following amounts: five million six hundred thousand dollars annually for the periods January first, two thousand through December thirty-first, two thousand two, up to five million dollars for the period January first, two thousand three through December thirty-first, two thousand three, up to five million dollars for the period January first, two thousand four through December thirty-first, two thousand four, up to five million dollars for the period January first, two thousand five through December thirty-first, two thousand five, up to five million dollars for the period January first, two thousand six through December thirty-first, two thousand six, up to seven million eight hundred thousand dollars for the period January first, two thousand seven through December thirty-first, two thousand seven, and up to eight million three hundred twenty-five thousand dollars for the period January first, two thousand eight through December thirty-first, two thousand eight, up to eight million five hundred thousand dollars for the period January first, two thousand nine through December thirty-first, two thousand nine, up to eight million five hundred thousand dollars for the period January first, two thousand ten through December thirty-first, two thousand ten, up to two million one hundred twenty-five thousand dollars for the period January first, two thousand eleven through March thirty-first, two thousand eleven, up to fourteen million seven hundred thousand dollars for the period April first, two thousand eleven through March thirty-first, two thousand fourteen, and up to eleven million one hundred thousand dollars each state fiscal year for the period April first, two thousand seventeen through March thirty-first, two thousand twenty.
(c) Funds shall be deposited by the commissioner, within amounts appropriated, and the state comptroller is hereby authorized and directed to receive for deposit to the credit of the state special revenue funds — other, HCRA transfer fund, enhanced community services account, or any successor fund or account, for mental health services programs for case management services for adults and children; supported housing; home and community based waiver services; family based treatment; family support services; mobile mental health teams; transitional housing; and community oversight, established pursuant to articles seven and forty-one of the mental hygiene law and subdivision nine of section three hundred sixty-six of the social services law; and for comprehensive care centers for eating disorders pursuant to the former section twenty-seven hundred ninety-nine-l of this chapter, provided however that, for such centers, funds in the amount of five hundred thousand dollars on an annualized basis shall be transferred from the enhanced community services account, or any successor fund or account, and deposited into the fund established by section ninety-five-e of the state finance law; from the tobacco control and insurance initiatives pool established for the following periods in the following amounts:

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

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

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

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

(v) eighty-eight million dollars, plus five hundred thousand dollars, to be reserved, to be retained or for distribution pursuant to a chapter of the laws of two thousand four, and pursuant to the former section twenty-seven hundred ninety-nine-l of this chapter, for the period January first, two thousand four through December thirty-first, two thousand four;

(vi) eighty-eight million dollars, plus five hundred thousand dollars, to be reserved, to be retained or for distribution pursuant to a chapter of the laws of two thousand five, and pursuant to the former section twenty-seven hundred ninety-nine-l of this chapter, for the period January first, two thousand five through December thirty-first, two thousand five;

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

(viii) eighty-six million four hundred thousand dollars, plus five
hundred thousand dollars, to be reserved, to be retained or for distribution
pursuant to a chapter of the laws of two thousand seven and pursuant to the
former section twenty-seven hundred ninety-nine-l of this chapter, for the
period January first, two thousand seven through December thirty-first, two
thousand seven; and

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

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

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

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

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

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

(ii) thirty million five hundred thousand dollars for the period January first, two thousand one through December thirty-first, two thousand one; and

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

(f) Funds shall be deposited by the commissioner, within amounts appropriated, and the state comptroller is hereby authorized and directed to receive for deposit to the credit of the state special revenue funds - other, HCRA transfer fund, medicaid fraud hotline and medicaid administration account, or any successor fund or account, for purposes of payment of administrative expenses of the department related to the family health plus program established pursuant to section three hundred sixty-nine-ee of the social services law from the tobacco control and insurance initiatives pool established for the following periods in the following amounts: five hundred thousand dollars on an annual basis for the periods January first, two thousand through December thirty-first, two thousand six, five hundred thousand dollars for the period January first, two thousand seven through December thirty-first, two thousand seven, and five hundred thousand dollars for the period January first, two thousand eight through December thirty-first, two thousand eight, five hundred thousand dollars for the period January first, two thousand nine through December thirty-first, two thousand nine, five hundred thousand dollars for the period January first, two thousand ten through December thirty-first, two thousand ten, one hundred twenty-five thousand dollars for the period January first, two thousand eleven through March thirty-first, two thousand eleven and within amounts appropriated on and after April first, two thousand eleven.

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

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

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

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

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

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

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

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

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

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

(h) Funds shall be reserved and accumulated from year to year and shall be available, including income from invested funds, for purposes of services and expenses related to the healthy New York individual program established pursuant to sections four thousand three hundred twenty-six and four thousand three hundred twenty-seven of the insurance law from the tobacco control and insurance initiatives pool established for the following periods in the following amounts:
(i) up to six million dollars for the period January first, two thousand one through December thirty-first, two thousand one;

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(i-1) Notwithstanding the provisions of paragraphs (h) and (i) of this subdivision, the commissioner shall reserve and accumulate up to two million five hundred thousand dollars annually for the periods January first, two thousand four through December thirty-first, two thousand six, one million four hundred thousand dollars for the period January first, two thousand seven through December thirty-first, two thousand seven, two million dollars for the period January first, two thousand eight through December thirty-first, two thousand eight, from funds otherwise available for distribution under such paragraphs for the services and expenses related to the pilot program for entertainment industry employees included in subsection (b) of section one thousand one hundred twenty-two of the insurance law, and an additional seven hundred thousand dollars annually for the periods January first, two thousand four through December thirty-first, two thousand six, an additional three hundred thousand dollars for the period January first, two thousand seven through June thirtieth, two thousand seven for services and expenses related to the pilot program for displaced workers included in subsection (c) of section one thousand one hundred twenty-two of the insurance law.

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

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

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

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

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

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

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

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

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

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

(xi) up to eighty-seven million seven hundred seventy-five thousand dollars for the period January first, two thousand ten through December thirty-first, two thousand ten;

(xii) up to twenty-one million four hundred twelve thousand dollars for the period January first, two thousand eleven through March thirty-first, two thousand eleven;

(xiii) up to fifty-two million one hundred thousand dollars each state fiscal year for the period April first, two thousand eleven through March thirty-first, two thousand fourteen; [and]

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

(xv) up to six million dollars each state fiscal year for the period April first, two thousand seventeen through March thirty-first, two thousand twenty.

(k) Funds shall be deposited by the commissioner, within amounts appropriated, and the state comptroller is hereby authorized and directed to receive for deposit to the credit of the state special revenue fund - other, HCRA transfer fund, health care services account, or any successor fund or account, for purposes of services and expenses related to public health programs, including comprehensive care centers for eating disorders pursuant
to the former section twenty-seven hundred ninety-nine-l of this chapter,
provided however that, for such centers, funds in the amount of five hundred
thousand dollars on an annualized basis shall be transferred from the health
care services account, or any successor fund or account, and deposited into
the fund established by section ninety-five-e of the state finance law for
periods prior to March thirty-first, two thousand eleven, from the tobacco
control and insurance initiatives pool established for the following periods
in the following amounts:

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

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

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

(iv) one hundred twenty-two million five hundred thousand dollars for the
period January first, two thousand three through December thirty-first, two
thousand three;

(v) one hundred eight million five hundred seventy-five thousand dollars,
plus an additional five hundred thousand dollars, for the period January
first, two thousand four through December thirty-first, two thousand four;

(vi) ninety-one million eight hundred thousand dollars, plus an
additional five hundred thousand dollars, for the period January first, two
thousand five through December thirty-first, two thousand five;

(vii) one hundred fifty-six million six hundred thousand dollars, plus an
additional five hundred thousand dollars, for the period January first, two
thousand six through December thirty-first, two thousand six;

(viii) one hundred fifty-one million four hundred thousand dollars, plus
an additional five hundred thousand dollars, for the period January first, two
thousand seven through December thirty-first, two thousand seven;

(ix) one hundred sixteen million nine hundred forty-nine thousand
dollars, plus an additional five hundred thousand dollars, for the period
January first, two thousand eight through December thirty-first, two thousand
eight;

(x) one hundred sixteen million nine hundred forty-nine thousand
dollars, plus an additional five hundred thousand dollars, for the period
January first, two thousand nine through December thirty-first, two thousand
nine;

(xi) one hundred sixteen million nine hundred forty-nine thousand
dollars, plus an additional five hundred thousand dollars, for the period
January first, two thousand ten through December thirty-first, two thousand
ten;

(xii) twenty-nine million two hundred thirty-seven thousand two hundred
fifty dollars, plus an additional one hundred twenty-five thousand dollars,
for the period January first, two thousand eleven through March thirty-first, two thousand eleven;

(xiii) one hundred twenty million thirty-eight thousand dollars for the period April first, two thousand eleven through March thirty-first, two thousand twelve; and

(xiv) one hundred nineteen million four hundred seven thousand dollars each state fiscal year for the period April first, two thousand twelve through March thirty-first, two thousand fourteen.

(l) Funds shall be deposited by the commissioner, within amounts appropriated, and the state comptroller is hereby authorized and directed to receive for deposit to the credit of the state special revenue funds - other, HCRA transfer fund, medical assistance account, or any successor fund or account, for purposes of funding the state share of the personal care and certified home health agency rate or fee increases established pursuant to subdivision three of section three hundred sixty-seven-o of the social services law from the tobacco control and insurance initiatives pool established for the following periods in the following amounts:

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

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

(iii) twenty-three million two hundred thousand dollars for the period January first, two thousand two through December thirty-first, two thousand two;

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

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

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

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

(viii) up to sixty-five million two hundred thousand dollars for the period January first, two thousand seven through December thirty-first, two thousand seven; and
(ix) up to sixteen million three hundred thousand dollars for the period January first, two thousand eight through March thirty-first, two thousand eight.

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

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

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

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

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

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

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

(vii) up to three million eight hundred thousand dollars for the period January first, two thousand six through December thirty-first, two thousand six;

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

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

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

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

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

(iii) three hundred twenty-two million seven hundred thousand dollars for the period January first, two thousand two through December thirty-first, two thousand two;

(iv) four hundred thirty-three million three hundred thousand dollars for the period January first, two thousand three through December thirty-first, two thousand three;

(v) five hundred four million one hundred fifty thousand dollars for the period January first, two thousand four through December thirty-first, two thousand four;

(vi) five hundred sixty-six million eight hundred thousand dollars for the period January first, two thousand five through December thirty-first, two thousand five;

(vii) six hundred three million one hundred fifty thousand dollars for the period January first, two thousand six through December thirty-first, two thousand six;

(viii) six hundred sixty million eight hundred thousand dollars for the period January first, two thousand seven through December thirty-first, two thousand seven;

(ix) three hundred sixty-seven million four hundred sixty-three thousand dollars for the period January first, two thousand eight through December thirty-first, two thousand eight;

(x) three hundred thirty-four million eight hundred twenty-five thousand dollars for the period January first, two thousand nine through December thirty-first, two thousand nine;

(xi) three hundred forty-four million nine hundred thousand dollars for the period January first, two thousand ten through December thirty-first, two thousand ten;

(xii) eighty-seven million seven hundred eighty-eight thousand dollars for the period January first, two thousand eleven through March thirty-first, two thousand eleven;

(xiii) one hundred forty-three million one hundred fifty thousand dollars for the period April first, two thousand eleven through March thirty-first, two thousand twelve;
(xiv) one hundred twenty million nine hundred fifty thousand dollars for the period April first, two thousand twelve through March thirty-first, two thousand thirteen;

(xv) one hundred twenty-eight million eight hundred fifty thousand dollars for the period April first, two thousand thirteen through March thirty-first, two thousand fourteen; [and]

(xvi) one hundred twenty-seven million four hundred sixteen thousand dollars each state fiscal year for the period April first, two thousand fourteen through March thirty-first, two thousand seventeen[.]; and

(xvii) one hundred twenty-seven million four hundred sixteen thousand dollars each state fiscal year for the period April first, two thousand seventeen through March thirty-first, two thousand twenty.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(p) Funds shall be deposited by the commissioner, within amounts appropriated, and the state comptroller is hereby authorized and directed to receive for deposit to the credit of the state special revenue funds - other, indigent care fund - 068, indigent care account, or any successor fund or account, for purposes of providing a medicaid disproportionate share payment from the high need indigent care adjustment pool established pursuant to section twenty-eight hundred seven-w of this article, from the tobacco control and insurance initiatives pool established for the following periods in the following amounts:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(xi) up to five million six hundred thousand dollars each state fiscal year for the period April first, two thousand eleven through March thirty-first, two thousand fourteen; [and]
(xii) up to five million two hundred eighty-eight thousand dollars each state fiscal year for the period April first, two thousand fourteen through March thirty-first, two thousand seventeen.; and

(xiii) up to five million two hundred eighty-eight thousand dollars each state fiscal year for the period April first, two thousand seventeen through March thirty-first, two thousand twenty.

(r) Funds shall be deposited by the commissioner within amounts appropriated, and the state comptroller is hereby authorized and directed to receive for deposit to the credit of the state special revenue funds - other, HCRA transfer fund, medical assistance account, or any successor fund or account, for purposes of providing distributions for supplementary medical insurance for Medicare part B premiums, physicians services, outpatient services, medical equipment, supplies and other health services, from the tobacco control and insurance initiatives pool established for the following periods in the following amounts:

(i) forty-three million dollars for the period January first, two thousand through December thirty-first, two thousand;

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

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

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

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

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

(vii) sixty-eight million dollars for the period January first, two thousand six through December thirty-first, two thousand six;

(viii) seventeen million five hundred thousand dollars for the period January first, two thousand seven through December thirty-first, two thousand seven;

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

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

(xi) sixty-eight million dollars for the period January first, two thousand ten through December thirty-first, two thousand ten;
(xii) seventeen million dollars for the period January first, two thousand eleven through March thirty-first, two thousand eleven; and

(xiii) sixty-eight million dollars each state fiscal year for the period April first, two thousand eleven through March thirty-first, two thousand fourteen.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(u) Funds shall be deposited by the commissioner, within amounts appropriated, and the state comptroller is hereby authorized and directed to receive for deposit to the credit of the state special revenue funds - other, HCRA transfer fund, medical assistance account, or any successor fund or account, for purposes of funding the state share of services and expenses related to the nursing home quality improvement demonstration program established pursuant to section twenty-eight hundred eight-d of this article from the tobacco control and insurance initiatives pool established for the following periods in the following amounts:

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

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

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

(v) Funds shall be transferred by the commissioner and shall be deposited to the credit of the hospital excess liability pool created pursuant to section eighteen of chapter two hundred sixty-six of the laws of nineteen hundred eighty-six, or any successor fund or account, for purposes of expenses related to the purchase of excess medical malpractice insurance and the cost of administrating the pool, including costs associated with the risk management program established pursuant to section forty-two of part A of chapter one of the laws of two thousand two required by paragraph (a) of subdivision one of section eighteen of chapter two hundred sixty-six of the laws of nineteen hundred eighty-six as may be amended from time to time, from the tobacco control and insurance initiatives pool established for the following periods in the following amounts:
(i) up to fifty million dollars or so much as is needed for the period January first, two thousand two through December thirty-first, two thousand two;

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

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

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

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

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

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

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

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

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

(xi) up to one hundred twenty-seven million four hundred thousand dollars each state fiscal year for the period April first, two thousand eleven through March thirty-first, two thousand fourteen; [and]

(xii) up to one hundred twenty-seven million four hundred thousand dollars each state fiscal year for the period April first, two thousand fourteen through March thirty-first, two thousand seventeen[.]; and

(xiii) up to one hundred twenty-seven million four hundred thousand dollars each state fiscal year for the period April first, two thousand seventeen through March thirty-first, two thousand twenty.

(w) Funds shall be deposited by the commissioner, within amounts appropriated, and the state comptroller is hereby authorized and directed to receive for deposit to the credit of the state special revenue funds - other, HCRA transfer fund, medical assistance account, or any successor fund or account, for purposes of funding the state share of the treatment of breast and cervical cancer pursuant to paragraph (v) of subdivision four of section three hundred sixty-six of the social services law, from the tobacco control
and insurance initiatives pool established for the following periods in the
following amounts:

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

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

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

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

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

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

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

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

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

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

(xi) up to two million one hundred thousand dollars each state fiscal
year for the period April first, two thousand eleven through March thirty-
first, two thousand fourteen; [and]

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

(xiii) up to two million one hundred thousand dollars each state fiscal
year for the period April first, two thousand seventeen through March thirty-
first, two thousand twenty.
(x) Funds shall be deposited by the commissioner, within amounts appropriated, and the state comptroller is hereby authorized and directed to receive for deposit to the credit of the state special revenue funds - other, HCRA transfer fund, medical assistance account, or any successor fund or account, for purposes of funding the state share of the non-public general hospital rates increases for recruitment and retention of health care workers from the tobacco control and insurance initiatives pool established for the following periods in the following amounts:

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

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

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

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

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

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

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

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

(y) Funds shall be reserved and accumulated from year to year and shall be available, including income from invested funds, for purposes of grants to public general hospitals for recruitment and retention of health care workers pursuant to paragraph (b) of subdivision thirty of section twenty-eight hundred seven-c of this article from the tobacco control and insurance initiatives pool established for the following periods in the following amounts:

(i) eighteen million five hundred thousand dollars on an annualized basis for the period January first, two thousand two through December thirty-first, two thousand two;
(ii) thirty-seven million four hundred thousand dollars on an annualized basis for the period January first, two thousand three through December thirty-first, two thousand three;

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

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

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

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

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

(viii) twelve million two hundred fifty thousand dollars for the period January first, two thousand nine through March thirty-first, two thousand nine.

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

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

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

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

(iii) forty-six million three hundred thousand dollars on an annualized basis for the period January first, two thousand four through December thirty-first, two thousand four;
(iv) forty-six million three hundred thousand dollars for the period January first, two thousand five through December thirty-first, two thousand five;

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

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

(vii) twenty-four million seven hundred thousand dollars for the period January first, two thousand eight through December thirty-first, two thousand eight;

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

(ix) nine million three hundred thousand dollars for the period January first, two thousand ten through December thirty-first, two thousand ten; and

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

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

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

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

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

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

(v) sixteen million two hundred thousand dollars for the period January first, two thousand six through December thirty-first, two thousand six;

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

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

(bb)(i) Funds shall be deposited by the commissioner, within amounts appropriated, and subject to the availability of federal financial participation, and the state comptroller is hereby authorized and directed to receive for deposit to the credit of the state special revenue funds - other, HCRA transfer fund, medical assistance account, or any successor fund or account, for the purpose of supporting the state share of adjustments to Medicaid rates of payment for personal care services provided pursuant to paragraph (e) of subdivision two of section three hundred sixty-five-a of the social services law, for local social service districts which include a city with a population of over one million persons and computed and distributed in accordance with memorandums of understanding to be entered into between the state of New York and such local social service districts for the purpose of supporting the recruitment and retention of personal care service workers or any worker with direct patient care responsibility, from the tobacco control and insurance initiatives pool established for the following periods and the following amounts:

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

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

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

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

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

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

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

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

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

(K) up to one hundred thirty-six million dollars each state fiscal year for the period April first, two thousand eleven through March thirty-first, two thousand fourteen; [and]

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

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

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

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

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

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

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

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

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

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

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

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

(J) for the period January first, two thousand eleven through March thirty-first, two thousand eleven, eighty-five million dollars;
(K) for each state fiscal year within the period April first, two thousand eleven through March thirty-first, two thousand fourteen, three hundred forty million dollars; [and]

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

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

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

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

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

(ii) five million six hundred thousand dollars, on an annualized basis, for the period January first, two thousand three through December thirty-first, two thousand three;

(iii) eight million four hundred thousand dollars, on an annualized basis, for the period January first, two thousand four through December thirty-first, two thousand four;
(iv) ten million eight hundred thousand dollars, on an annualized basis, for the period January first, two thousand five through December thirty-first, two thousand five;

(v) ten million eight hundred thousand dollars, on an annualized basis, for the period January first, two thousand six through December thirty-first, two thousand six;

(vi) eleven million two hundred thousand dollars for the period January first, two thousand seven through December thirty-first, two thousand seven;

(vii) eleven million two hundred thousand dollars for the period January first, two thousand eight through December thirty-first, two thousand eight;

(viii) eleven million two hundred thousand dollars for the period January first, two thousand nine through December thirty-first, two thousand nine;

(ix) eleven million two hundred thousand dollars for the period January first, two thousand ten through December thirty-first, two thousand ten;

(x) two million eight hundred thousand dollars for the period January first, two thousand eleven through March thirty-first, two thousand eleven;

(xi) up to eleven million two hundred thousand dollars each state fiscal year for the period April first, two thousand eleven through March thirty-first, two thousand fourteen; [and]

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

(xiii) up to eleven million two hundred thousand dollars each state fiscal year for the period April first, two thousand seventeen through March thirty-first, two thousand twenty.

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

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

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

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

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

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

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

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

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

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

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

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

(i) three million two hundred fifty thousand dollars for the period April first, two thousand two through December thirty-first, two thousand two;

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

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

(v) three million two hundred fifty thousand dollars for the period January first, two thousand six through December thirty-first, two thousand six;

(vi) three million two hundred fifty thousand dollars for the period January first, two thousand seven through December thirty-first, two thousand seven;

(vii) three million four hundred thirty-eight thousand dollars for the period January first, two thousand eight through December thirty-first, two thousand eight;

(viii) two million four hundred fifty thousand dollars for the period January first, two thousand nine through December thirty-first, two thousand nine;

(ix) one million five hundred thousand dollars for the period January first, two thousand ten through December thirty-first, two thousand ten; and

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

(ff) Funds shall be deposited by the commissioner, within amounts appropriated, and the state comptroller is hereby authorized and directed to receive for deposit to the credit of the state special revenue fund - other, HCRA transfer fund, medical assistance account, or any successor fund or account, for purposes of funding the state share of Medicaid expenditures for disabled persons as authorized pursuant to former subparagraphs twelve and thirteen of paragraph (a) of subdivision one of section three hundred sixty-six of the social services law from the tobacco control and insurance initiatives pool established for the following periods in the following amounts:

(i) one million eight hundred thousand dollars for the period April first, two thousand two through December thirty-first, two thousand two;

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

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

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

(v) thirty million six hundred thousand dollars for the period January first, two thousand six through December thirty-first, two thousand six;
(vi) thirty million six hundred thousand dollars for the period January first, two thousand seven through December thirty-first, two thousand seven;

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

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

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

(x) three million seven hundred fifty thousand dollars for the period January first, two thousand eleven through March thirty-first, two thousand eleven;

(xi) fifteen million dollars each state fiscal year for the period April first, two thousand eleven through March thirty-first, two thousand fourteen; and

(xii) fifteen million dollars each state fiscal year for the period April first, two thousand fourteen through March thirty-first, two thousand seventeen; and

(xiii) fifteen million dollars each state fiscal year for the period April first, two thousand seventeen through March thirty-first, two thousand twenty.

(gg) Funds shall be reserved and accumulated from year to year and shall be available, including income from invested funds, for purposes of grants to non-public general hospitals pursuant to paragraph (c) of subdivision thirty of section twenty-eight hundred seven-c of this article from the tobacco control and insurance initiatives pool established for the following periods in the following amounts:

(i) up to one million three hundred thousand dollars on an annualized basis for the period January first, two thousand two through December thirty-first, two thousand two;

(ii) up to three million two hundred thousand dollars on an annualized basis for the period January first, two thousand three through December thirty-first, two thousand three;

(iii) up to five million six hundred thousand dollars on an annualized basis for the period January first, two thousand four through December thirty-first, two thousand four;

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

(v) up to eight million six hundred thousand dollars on an annualized basis for the period January first, two thousand six through December thirty-first, two thousand six;
(vi) up to two million six hundred thousand dollars for the period January first, two thousand seven through December thirty-first, two thousand seven;

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(v) eight million five hundred thousand dollars for the period January first, two thousand six through December thirty-first, two thousand six;

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

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

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

(ix) eight million five hundred thousand dollars for the period January first, two thousand ten through December thirty-first, two thousand ten;

(x) two million one hundred twenty-five thousand dollars for the period January first, two thousand eleven through March thirty-first, two thousand eleven;
(xi) eight million five hundred thousand dollars each state fiscal year for the period April first, two thousand eleven through March thirty-first, two thousand fourteen; and

(xii) eight million five hundred thousand dollars each state fiscal year for the period April first, two thousand fourteen through March thirty-first, two thousand seventeen; and

(xiii) eight million five hundred thousand dollars each state fiscal year for the period April first, two thousand seventeen through March thirty-first, two thousand twenty.

(jj) Funds shall be reserved and accumulated from year to year and shall be available, including income from invested funds, for the purposes of a grant program to improve access to infertility services, treatments and procedures, from the tobacco control and insurance initiatives pool established for the period January first, two thousand two through December thirty-first, two thousand one hundred seventy-five thousand dollars, for the period April first, two thousand six through March thirty-first, two thousand seven in the amount of five million dollars, for the period April first, two thousand seven through March thirty-first, two thousand eight in the amount of five million dollars, for the period April first, two thousand eight through March thirty-first, two thousand nine in the amount of five million dollars, and for the period April first, two thousand nine through March thirty-first, two thousand ten in the amount of five million dollars, and for the period April first, two thousand ten through March thirty-first, two thousand eleven in the amount of two million two hundred thousand dollars, and for the period April first, two thousand eleven through March thirty-first, two thousand twelve up to one million one hundred thousand dollars.

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

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

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

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

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

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

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

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

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

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

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

(iii) one hundred twenty-four million seven hundred thousand dollars for the period January first, two thousand four through December thirty-first, two thousand four;

(iv) one hundred twenty-four million seven hundred thousand dollars for the period January first, two thousand five through December thirty-first, two thousand five;

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

(vi) one hundred twenty-four million seven hundred thousand dollars for the period January first, two thousand seven through December thirty-first, two thousand seven;

(vii) one hundred twenty-four million seven hundred thousand dollars for the period January first, two thousand eight through December thirty-first, two thousand eight;
(viii) one hundred twenty-four million seven hundred thousand dollars for the period January first, two thousand nine through December thirty-first, two thousand nine;

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

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

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

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

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

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

and

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

(ii) Funding for the family health plus program will include up to five million dollars annually for the period January first, two thousand three through December thirty-first, two thousand six, up to five million dollars for the period January first, two thousand seven through December thirty-first, two thousand seven, up to seven million two hundred thousand dollars for the period January first, two thousand eight through December thirty-first, two thousand eight, up to seven million two hundred thousand dollars for the period January first, two thousand nine through December thirty-first, two thousand nine, up to seven million two hundred thousand dollars for the period January first, two thousand ten through December thirty-first, two thousand ten, up to one million eight hundred thousand dollars for the period January first, two thousand eleven through March thirty-first, two thousand eleven, up to six million forty-nine thousand dollars for the period April first, two thousand eleven through March thirty-first, two thousand twelve, up to six million two hundred eighty-nine thousand dollars for the period April first, two thousand twelve through March thirty-first, two thousand thirteen, and up to six million four hundred sixty-one thousand dollars for the period April first, two thousand thirteen through March thirty-first, two thousand fourteen, for administration and marketing costs associated with such program established pursuant to clauses (A) and (B) of subparagraph (v) of paragraph (a) of subdivision two of section three hundred
sixty-nine-ee of the social services law from the tobacco control and insurance initiatives pool established for the following periods in the following amounts:

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

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

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

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

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

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

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

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

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

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

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

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

(M) up to three hundred ten million five hundred ninety-five thousand dollars for the period April first, two thousand fourteen through March thirty-first, two thousand fifteen.
(nn) Funds shall be deposited by the commissioner, within amounts appropriated, and the state comptroller is hereby authorized and directed to receive for deposit to the credit of the state special revenue fund - other, HCRA transfer fund, health care services account, or any successor fund or account, for purposes related to adult home initiatives for medicaid eligible residents of residential facilities licensed pursuant to section four hundred sixty-b of the social services law from the tobacco control and insurance initiatives pool established for the following periods in the following amounts:

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

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

(iii) up to eight million dollars for the period January first, two thousand five through December thirty-first, two thousand five, provided, however, that up to five million two hundred fifty thousand dollars of such funds shall be received by the comptroller and deposited to the credit of the special revenue fund - other / aid to localities, HCRA transfer fund - 061, enhanced community services account - 05, or any successor fund or account, for the purposes set forth in this paragraph;

(iv) up to eight million dollars for the period January first, two thousand six through December thirty-first, two thousand six, provided, however, that up to five million two hundred fifty thousand dollars of such funds shall be received by the comptroller and deposited to the credit of the special revenue fund - other / aid to localities, HCRA transfer fund - 061, enhanced community services account - 05, or any successor fund or account, for the purposes set forth in this paragraph;

(v) up to eight million dollars for the period January first, two thousand seven through December thirty-first, two thousand seven, provided, however, that up to five million two hundred fifty thousand dollars of such funds shall be received by the comptroller and deposited to the credit of the special revenue fund - other / aid to localities, HCRA transfer fund - 061, enhanced community services account - 05, or any successor fund or account, for the purposes set forth in this paragraph;

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

(vii) up to two million seven hundred fifty thousand dollars for the period January first, two thousand nine through December thirty-first, two thousand nine;

(viii) up to two million seven hundred fifty thousand dollars for the period January first, two thousand ten through December thirty-first, two thousand ten; and

(ix) up to six hundred eighty-eight thousand dollars for the period January first, two thousand eleven through March thirty-first, two thousand eleven.
(oo) Funds shall be reserved and accumulated from year to year and shall be available, including income from invested funds, for purposes of grants to non-public general hospitals pursuant to paragraph (e) of subdivision twenty-five of section twenty-eight hundred seven-c of this article from the tobacco control and insurance initiatives pool established for the following periods in the following amounts:

(i) up to five million dollars on an annualized basis for the period January first, two thousand four through December thirty-first, two thousand four;

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

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

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

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

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

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

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

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

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

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

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

(iv) five million dollars for the period January first, two thousand seven through June thirtieth, two thousand seven.
Funds shall be reserved and accumulated from year to year and shall be available, including income from invested funds, for the purpose of supporting the long-term care insurance education and outreach program established pursuant to section two hundred seventeen-a of the elder law for the following periods in the following amounts:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(uu) Funds shall be reserved and accumulated from year to year and shall be available, including income from invested funds, for the purpose of supporting disease management and telemedicine demonstration programs authorized pursuant to section twenty-one hundred eleven of this chapter for the following periods in the following amounts:

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

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

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

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

(vi) seven million eight hundred thirty-three thousand three hundred thirty-three dollars for the period January first, two thousand nine through December thirty-first, two thousand nine, of which seven million five hundred thousand dollars shall be available for disease management demonstration programs and three hundred thirty-three thousand three hundred thirty-three dollars shall be available for telemedicine demonstration programs for the period January first, two thousand nine through March first, two thousand nine;

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

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

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

(ii) sixty million five hundred thousand dollars for the period January first, two thousand six through December thirty-first, two thousand six.
(xx) Funds shall be deposited by the commissioner, within amounts appropriated, and the state comptroller is hereby authorized and directed to receive for the deposit to the credit of the state special revenue funds - other, HCRA transfer fund, medical assistance account, or any successor fund or account, for purposes of funding the state share of the general hospital rates increases for rural hospitals pursuant to subdivision thirty-two of section twenty-eight hundred seven-c of this article from the tobacco control and insurance initiatives pool established for the following periods in the following amounts:

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

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

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

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

and

(v) three million two hundred eight thousand dollars for the period January first, two thousand nine through November thirtieth, two thousand nine.

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

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

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

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

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

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

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

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

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

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

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

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

(aaa) Funds shall be reserved and accumulated from year to year and shall be available, including income from invested funds, for services and expenses related to school based health centers, in an amount up to three million five hundred thousand dollars for the period April first, two thousand six through March thirty-first, two thousand seven, up to three million five hundred thousand dollars for the period April first, two thousand seven through March thirty-first, two thousand eight, up to three million five hundred thousand dollars for the period April first, two thousand eight through March thirty-first, two thousand nine, up to three million five hundred thousand dollars for the period April first, two thousand nine through March thirty-first, two thousand ten, up to three million five hundred thousand dollars for the period April first, two thousand ten through March thirty-first, two thousand eleven, up to two million eight hundred thousand dollars each state fiscal year for the period April first, two thousand eleven through March thirty-first, two thousand fourteen, and up to two million six hundred forty-four thousand dollars each state fiscal year for the period April first, two thousand fourteen through March thirty-first, two thousand seventeen, and up
to two million six hundred forty-four thousand dollars each state fiscal year for the period April first, two thousand seventeen through March thirty-first, two thousand twenty. The total amount of funds provided herein shall be distributed as grants based on the ratio of each provider's total enrollment for all sites to the total enrollment of all providers. This formula shall be applied to the total amount provided herein.

(bbb) Funds shall be reserved and accumulated from year to year and shall be available, including income from invested funds, for purposes of awarding grants to operators of adult homes, enriched housing programs and residences through the enhancing abilities and life experience (EnAbLe) program to provide for the installation, operation and maintenance of air conditioning in resident rooms, consistent with this paragraph, in an amount up to two million dollars for the period April first, two thousand six through March thirty-first, two thousand seven, up to three million eight hundred thousand dollars for the period April first, two thousand seven through March thirty-first, two thousand eight, up to three million eight hundred thousand dollars for the period April first, two thousand eight through March thirty-first, two thousand nine, up to three million eight hundred thousand dollars for the period April first, two thousand nine through March thirty-first, two thousand ten, and up to three million eight hundred thousand dollars for the period April first, two thousand ten through March thirty-first, two thousand eleven. Residents shall not be charged utility cost for the use of air conditioners supplied under the EnAbLe program. All such air conditioners must be operated in occupied resident rooms consistent with requirements applicable to common areas.

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

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

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

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

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

(v) fifty million dollars for the period January first, two thousand ten through December thirty-first, two thousand ten;
(vi) twelve million five hundred thousand dollars for the period January first, two thousand eleven through March thirty-first, two thousand eleven;

(vii) up to fifty million dollars each state fiscal year for the period April first, two thousand eleven through March thirty-first, two thousand fourteen; [and]

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

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

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

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

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

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

(i) sixteen million dollars for the period July first, two thousand eight through December thirty-first, two thousand eight; and
(ii) fourteen million seven hundred thousand dollars for the period January first, two thousand nine through November thirtieth, two thousand nine.

(hhh) Funds shall be deposited by the commissioner, within amounts appropriated, and the state comptroller is hereby authorized and directed to receive for deposit to the credit of the state special revenue fund - other, HCRA transfer fund, medical assistance account, or any successor fund or account, for the purpose of supporting the state share of Medicaid expenditures for adjustments to inpatient rates of payment for general hospitals located in the counties of Nassau and Suffolk as authorized pursuant to paragraph (l) of subdivision one of section twenty-eight hundred seven-c of this article from the tobacco control and initiatives pool established for the following periods in the following amounts:

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

(ii) two million two hundred ninety-two thousand dollars for the period January first, two thousand nine through November thirtieth, two thousand nine.

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

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

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

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

§ 23. This act shall take effect immediately; provided, however, that:

(a) the amendments made to sections 2807-s and 2807-j of the public health law made by sections three, four and five of this act shall not affect the expiration of such sections and shall expire therewith; and

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

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

SUBPART E

Section 1. Section 11 of chapter 884 of the laws of 1990, amending the public health law relating to authorizing bad debt and charity care allowances for certified home health agencies, as amended by section 1 of part D of chapter 57 of the laws of 2015, is amended to read as follows:

§ 11. This act shall take effect immediately and:

(a) sections one and three shall expire on December 31, 1996,

(b) sections four through ten shall expire on June 30, [2017] 2019, and

(c) provided that the amendment to section 2807-b of the public health law by section two of this act shall not affect the expiration of such section 2807-b as otherwise provided by law and shall be deemed to expire therewith.

§ 2. Subdivision 4-a of section 71 of part C of chapter 60 of the laws of 2014 amending the social services law relating to eliminating prescriber prevails for brand name drugs with generic equivalent, as amended by section 6 of part D of chapter 59 of the laws of 2016, is amended to read as follows:

4-a. section twenty-two of this act shall take effect April 1, 2014, and shall be deemed expired January 1, [2018] 2019;

§ 3. Subparagraph (vi) of paragraph (b) of subdivision 2 of section 2807-d of the public health law, as amended by section 3 of part D of chapter 57 of the laws of 2015, is amended to read as follows:

(vi) Notwithstanding any contrary provision of this paragraph or any other provision of law or regulation to the contrary, for residential health care facilities the assessment shall be six percent of each residential health care facility's gross receipts received from all patient care services
and other operating income on a cash basis for the period April first, two
thousand two through March thirty-first, two thousand three for hospital or
health-related services, including adult day services; provided, however,
that residential health care facilities' gross receipts attributable to
payments received pursuant to title XVIII of the federal social security act
(medicare) shall be excluded from the assessment; provided, however, that for
all such gross receipts received on or after April first, two thousand three
through March thirty-first, two thousand five, such assessment shall be five
percent, and further provided that for all such gross receipts received on or
after April first, two thousand five through March thirty-first, two thousand
nine, and on or after April first, two thousand nine through March thirty-
first, two thousand eleven such assessment shall be six percent, and further
provided that for all such gross receipts received on or after April first,
two thousand eleven through March thirty-first, two thousand thirteen such
assessment shall be six percent, and further provided that for all such gross
receipts received on or after April first, two thousand fifteen through March thirty-first, two
thousand seventeen such assessment shall be six percent, and further provided
that for all such gross receipts received on or after April first, two thousand seventeen through March thirty-first, two thousand nineteen such
assessment shall be six percent.

§ 4. Subdivision 1 of section 194 of chapter 474 of the laws of 1996,
amending the education law and other laws relating to rates for residential
health care facilities, as amended by section 5 of part D of chapter 57 of
the laws of 2015, is amended to read as follows:

1. Notwithstanding any inconsistent provision of law or regulation, the
trend factors used to project reimbursable operating costs to the rate period
for purposes of determining rates of payment pursuant to article 28 of the
public health law for residential health care facilities for reimbursement of
inpatient services provided to patients eligible for payments made by state
governmental agencies on and after April 1, 1996 through March 31, 1999 and
for payments made on and after July 1, 1999 through March 31, 2000 and on and
after April 1, 2000 through March 31, 2003 and on and after April 1, 2003
through March 31, 2007 and on and after April 1, 2007 through March 31, 2009
and on and after April 1, 2009 through March 31, 2011 and on and after April
1, 2011 through March 31, 2013 and on and after April 1, 2013 through March
31, 2015, and on and after April 1, 2015 through March 31, 2017, and on and
after April 1, 2017 through March 31, 2019 shall reflect no trend factor
projections or adjustments for the period April 1, 1996, through March 31,
1997.

§ 5. Subdivision 1 of section 89-a of part C of chapter 58 of the laws of
2007, amending the social services law and other laws relating to enacting
the major components of legislation necessary to implement the health and
mental hygiene budget for the 2007-2008 state fiscal year, as amended by
section 6 of part D of chapter 57 of the laws of 2015, is amended to read as
follows:

1. Notwithstanding paragraph (c) of subdivision 10 of section 2807-c of
the public health law and section 21 of chapter 1 of the laws of 1999, as
amended, and any other inconsistent provision of law or regulation to the
contrary, in determining rates of payments by state governmental agencies
effective for services provided beginning April 1, 2006, through March 31, 2009, and on and after April 1, 2009 through March 31, 2011, and on and after April 1, 2011 through March 31, 2013, and on and after April 1, 2013 through March 31, 2015, and on and after April 1, 2015 through March 31, 2017, and on and after April 1, 2017 through March 31, 2019 for inpatient and outpatient services provided by general hospitals and for inpatient services and outpatient adult day health care services provided by residential health care facilities pursuant to article 28 of the public health law, the commissioner of health shall apply a trend factor projection of two and twenty-five hundredths percent attributable to the period January 1, 2006 through December 31, 2006, and on and after January 1, 2007, provided, however, that on reconciliation of such trend factor for the period January 1, 2006 through December 31, 2006 pursuant to paragraph (c) of subdivision 10 of section 2807-c of the public health law, such trend factor shall be the final US Consumer Price Index (CPI) for all urban consumers, as published by the US Department of Labor, Bureau of Labor Statistics less twenty-five hundredths of a percentage point.

§ 6. Subdivision 5-a of section 246 of chapter 81 of the laws of 1995, amending the public health law and other laws relating to medical reimbursement and welfare reform, as amended by section 11 of part D of chapter 57 of the laws of 2015, is amended to read as follows:

5-a. Section sixty-four-a of this act shall be deemed to have been in full force and effect on and after April 1, 1995 through March 31, 1999 and on and after July 1, 1999 through March 31, 2000 and on and after April 1, 2000 through March 31, 2003 and on and after April 1, 2003 through March 31, 2007, and on and after April 1, 2007 through March 31, 2009, and on and after April 1, 2009 through March 31, 2011, and on and after April 1, 2011 through March 31, 2013, and on and after April 1, 2013 through March 31, 2015, and on and after April 1, 2015 through March 31, 2017 through March 31, 2019; and on and after April 1, 2017 through March 31, 2019.

§ 7. Section 64-b of chapter 81 of the laws of 1995, amending the public health law and other laws relating to medical reimbursement and welfare reform, as amended by section 12 of part D of chapter 57 of the laws of 2015, is amended to read as follows:

§ 64-b. Notwithstanding any inconsistent provision of law, the provisions of subdivision 7 of section 3614 of the public health law, as amended, shall remain and be in full force and effect on April 1, 1995 through March 31, 1999 and on July 1, 1999 through March 31, 2000 and on and after April 1, 2000 through March 31, 2003 and on and after April 1, 2003 through March 31, 2007, and on and after April 1, 2007 through March 31, 2009, and on and after April 1, 2009 through March 31, 2011, and on and after April 1, 2011 through March 31, 2013, and on and after April 1, 2013 through March 31, 2015, and on and after April 1, 2015 through March 31, 2017 through March 31, 2019; and on and after April 1, 2017 through March 31, 2019.

§ 8. Subdivision (a) of section 40 of part B of chapter 109 of the laws of 2010, amending the social services law relating to transportation costs, as amended by section 23 of part D of chapter 57 of the laws of 2015, is amended to read as follows:
(a) sections two, three, three-a, three-b, three-c, three-d, three-e and
twenty-one of this act shall take effect July 1, 2010; sections fifteen,
sixteen, seventeen, eighteen and nineteen of this act shall take effect
January 1, 2011; and provided further that section twenty of this act shall
be deemed repealed [six] eight years after the date the contract entered into
pursuant to section 365-h of the social services law, as amended by section
twenty of this act, is executed; provided that the commissioner of health
shall notify the legislative bill drafting commission upon the execution of
the contract entered into pursuant to section 367-h of the social services
law in order that the commission may maintain an accurate and timely
effective data base of the official text of the laws of the state of New York
in furtherance of effectuating the provisions of section 44 of the
legislative law and section 70-b of the public officers law;

§ 9. Section 4-a of part A of chapter 56 of the laws of 2013 amending
chapter 59 of the laws of 2011 amending the public health law and other laws
relating to general hospital reimbursement for annual rates relating to the
cap on local Medicaid expenditures, as amended by section 29 of part D of
chapter 57 of the laws of 2015, is amended to read as follows:

§ 4-a. Notwithstanding paragraph (c) of subdivision 10 of section 2807-c
of the public health law, section 21 of chapter 1 of the laws of 1999, or any
other contrary provision of law, in determining rates of payments by state
governmental agencies effective for services provided on and after January 1,
[2017] 2019 through March 31, [2017] 2019, for inpatient and outpatient
services provided by general hospitals, for inpatient services and adult day
health care outpatient services provided by residential health care
facilities pursuant to article 28 of the public health law, except for
residential health care facilities or units of such facilities providing
services primarily to children under twenty-one years of age, for home health
care services provided pursuant to article 36 of the public health law by
certified home health agencies, long term home health care programs and AIDS
home care programs, and for personal care services provided pursuant to
section 365-a of the social services law, the commissioner of health shall
apply no greater than zero trend factors attributable to the [2017] 2019
calendar year in accordance with paragraph (c) of subdivision 10 of section
2807-c of the public health law, provided, however, that such no greater than
zero trend factors attributable to such [2017] 2019 calendar year shall also
be applied to rates of payment provided on and after January 1, [2017] 2019
through March 31, [2017] 2019 for personal care services provided in those
local social services districts, including New York city, whose rates of
payment for such services are established by such local social services
districts pursuant to a rate-setting exemption issued by the commissioner of health
to such local social services districts in accordance with applicable
regulations, and provided further, however, that for rates of payment for
assisted living program services provided on and after January 1, [2017] 2019
through March 31, [2017] 2019, such trend factors attributable to the [2017]
2019 calendar year shall be established at no greater than zero percent.

§ 10. Subdivisions 3 and 5 of section 47 of chapter 2 of the laws of
1998, amending the public health law and other laws relating to expanding the
child health insurance plan, as amended by section 61 of part C of chapter 60
of the laws of 2014, are amended to read as follows:

3. section six of this act shall take effect January 1, 1999; provided,
however, that subparagraph (iii) of paragraph (c) of subdivision 9 of section
2510 of the public health law, as added by this act, shall expire on July 1, [2017] 2019;

5. section twelve of this act shall take effect January 1, 1999;
provided, however, paragraphs (g) and (h) of subdivision 2 of section 2511 of
the public health law, as added by such section, shall expire on July 1, [2017] 2019;

§ 11. Section 4 of chapter 19 of the laws of 1998, amending the social
services law relating to limiting the method of payment for prescription
drugs under the medical assistance program, as amended by section 65 of part
C of chapter 60 of the laws of 2014, is amended to read as follows:

§ 4. This act shall take effect 120 days after it shall have become a law
and shall expire and be deemed repealed March 31, [2017] 2020.

§ 12. Paragraph (e-1) of subdivision 12 of section 2808 of the public
health law, as amended by section 66 of part C of chapter 60 of the laws of
2014, is amended to read as follows:

(e-1) Notwithstanding any inconsistent provision of law or regulation,
the commissioner shall provide, in addition to payments established pursuant
to this article prior to application of this section, additional payments
under the medical assistance program pursuant to title eleven of article five
of the social services law for non-state operated public residential health
care facilities, including public residential health care facilities located
in the county of Nassau, the county of Westchester and the county of Erie,
but excluding public residential health care facilities operated by a town or
city within a county, in aggregate annual amounts of up to one hundred fifty
million dollars in additional payments for the state fiscal year beginning
April first, two thousand six and for the state fiscal year beginning April
first, two thousand seven and for the state fiscal year beginning April
first, two thousand eight and of up to three hundred million dollars in such
aggregate annual additional payments for the state fiscal year beginning
April first, two thousand nine, and for the state fiscal year beginning April
first, two thousand ten and for the state fiscal year beginning April first,
two thousand eleven, and for the state fiscal years beginning April first,
two thousand twelve and April first, two thousand thirteen, and of up to five
hundred million dollars in such aggregate annual additional payments for the
state fiscal years beginning April first, two thousand fourteen, April first,
two thousand fifteen and April first, two thousand sixteen and of up to five
hundred million dollars in such aggregate annual additional payments for the
state fiscal years beginning April first, two thousand seventeen, April first,
two thousand eighteen, and April first, two thousand nineteen. The
amount allocated to each eligible public residential health care facility for
this period shall be computed in accordance with the provisions of paragraph
(f) of this subdivision, provided, however, that patient days shall be
utilized for such computation reflecting actual reported data for two
thousand three and each representative succeeding year as applicable, and
provided further, however, that, in consultation with impacted providers, of
the funds allocated for distribution in the state fiscal year beginning April
first, two thousand thirteen, up to thirty-two million dollars may be
allocated in accordance with paragraph (f-1) of this subdivision.
§ 13. Section 18 of chapter 904 of the laws of 1984, amending the public health law and the social services law relating to encouraging comprehensive health services, as amended by section 67-c of part C of chapter 60 of the laws of 2014, is amended to read as follows:

§ 18. This act shall take effect immediately, except that sections six, nine, ten and eleven of this act shall take effect on the sixtieth day after it shall have become a law, sections two, three, four and nine of this act shall expire and be of no further force or effect on or after March 31, 2017; section two of this act shall take effect on April 1, 1985 or seventy-five days following the submission of the report required by section one of this act, whichever is later, and sections eleven and thirteen of this act shall expire and be of no further force or effect on or after March 31, 1988.

§ 14. Section 4 of 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, as amended by section 4-b of part A of chapter 57 of the laws of 2015, is amended to read as follows:

§ 4. This act shall take effect immediately; provided that the provisions of section one of this act shall be deemed to have been in full force and effect on and after April 1, 2003, and shall expire March 31, 2017 when upon such date the provisions of such section shall be deemed repealed.

§ 15. Subdivision (o) of section 111 of 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, as amended by section 28 of part D of chapter 57 of the laws of 2015, is amended to read as follows:

(o) sections thirty-eight and thirty-eight-a of this act shall expire and be deemed repealed March 31, 2017;

§ 16. Section 32 of 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, as amended by section 13 of part A of chapter 57 of the laws of 2015, is amended to read as follows:

§ 32. This act shall take effect immediately and shall be deemed to have been in full force and effect on and after April 1, 2008; provided however, that sections one, six-a, nineteen, twenty, twenty-four, and twenty-five of this act shall take effect July 1, 2008; provided however that sections sixteen, seventeen and eighteen of this act shall expire April 1, 2020; provided, however, that the amendments made by section twenty-eight of this act shall take effect on the same date as section 1 of chapter 281 of the laws of 2007 takes effect; provided further, that sections twenty-nine, thirty, and thirty-one of this act shall take effect October 1, 2008; provided further, that section twenty-seven of this act shall take effect January 1, 2009; and provided further, that section twenty-seven of this act shall expire and be deemed repealed March 31, 2020; and provided, further, however, that the amendments to subdivision 1 of section 241 of the education law made by section twenty-nine of this act shall not affect the expiration of such subdivision and shall be deemed to expire therewith and
provided that the amendments to section 272 of the public health law made by
section thirty of this act shall not affect the repeal of such section and
shall be deemed repealed therewith.

§ 17. Subdivision 3 of section 2999-p of the public health law, as
amended by chapter 461 of the laws of 2012, is amended to read as follows:

3. The commissioner may issue a certificate of authority to an entity
that meets conditions for ACO certification as set forth in regulations made
by the commissioner pursuant to section twenty-nine hundred ninety-nine-q of
this article. The commissioner shall not issue any new certificate under this
article after December thirty-first, two thousand [sixteen] twenty.

§ 18. Subdivision 2 of section 246 of chapter 81 of the laws of 1995,
amending the public health law and other laws relating to medical
reimbursement and welfare reform, as amended by section 2 of part D of
chapter 57 of the laws of 2015, is amended to read as follows:

2. Sections five, seven through nine, twelve through fourteen, and
eighteen of this act shall be deemed to have been in full force and effect on
and after April 1, 1995 through March 31, 1999 and on and after July 1, 1999
through March 31, 2000 and on and after April 1, 2000 through March 31, 2003
and on and after April 1, 2003 through March 31, 2006 and on and after April
1, 2006 through March 31, 2007 and on and after April 1, 2007 through March
31, 2009 and on and after April 1, 2009 through March 31, 2011 and sections
twelve, thirteen and fourteen of this act shall be deemed to be in full force
and effect on and after April 1, 2011 through March 31, 2015 and on and after
April 1, 2015 through March 31, 2017 and on and after April 1, 2017 through
March 31, 2019;

§ 19. This act shall take effect immediately and shall be deemed to have
been in full force and effect on and after April 1, 2017.

SUBPART F

Section 1. Section 48-a of part A of chapter 56 of the laws of 2013
amending chapter 59 of the laws of 2011 amending the public health law and
other laws relating to general hospital reimbursement for annual rates
relating to the cap on local Medicaid expenditures, as amended by section 29
of part B of chapter 59 of the laws of 2016, is amended to read as follows:

§ 48-a. 1. Notwithstanding any contrary provision of law, the
commissioners of the office of alcoholism and substance abuse services and
the office of mental health are authorized, subject to the approval of the
director of the budget, to transfer to the commissioner of health state funds
to be utilized as the state share for the purpose of increasing payments
under the Medicaid program to managed care organizations licensed under
article 44 of the public health law or under article 43 of the insurance law.
Such managed care organizations shall utilize such funds for the purpose of
reimbursing providers licensed pursuant to article 28 of the public health
law or article 31 or 32 of the mental hygiene law for ambulatory behavioral
health services, as determined by the commissioner of health, in consultation
with the commissioner of alcoholism and substance abuse services and the
commissioner of the office of mental health, provided to Medicaid [eligible]
enrolled outpatients and for all other behavioral health services except
inpatient included in New York state's Medicaid redesign waiver approved by the centers for medicare and Medicaid services (CMS). Such reimbursement shall be in the form of fees for such services which are equivalent to the payments established for such services under the ambulatory patient group (APG) rate-setting methodology as utilized by the department of health, the office of alcoholism and substance abuse services, or the office of mental health for rate-setting purposes or any such other fees pursuant to the Medicaid state plan or otherwise approved by CMS in the Medicaid redesign waiver; provided, however, that the increase to such fees that shall result from the provisions of this section shall not, in the aggregate and as determined by the commissioner of health, in consultation with the commissioner of alcoholism and substance abuse services and the commissioner of the office of mental health, be greater than the increased funds made available pursuant to this section. The increase of such ambulatory behavioral health fees to providers available under this section shall be for all rate periods on and after the effective date of section [1][29] of part [C][B] of chapter [57][59] of the laws of [2015][2016] through March 31, [2018][2020] for patients in the city of New York, for all rate periods on and after the effective date of section [1][29] of part [C][B] of chapter [57][59] of the laws of [2015][2016] through [June 30, 2018][March 31, 2020] for patients outside the city of New York, and for all rate periods on and after the effective date of such chapter through [June 30, 2018][March 31, 2020] for all services provided to persons under the age of twenty-one; provided, however, [eligible providers may work with managed care plans to achieve quality and efficiency objectives and engage in shared savings] the commissioner of health, in consultation with the commissioner of alcoholism and substance abuse services and the commissioner of mental health, may require, as a condition of approval of such ambulatory behavioral health fees, that aggregate managed care expenditures to eligible providers meet the alternative payment methodology requirements as set forth in attachment I of the New York state medicaid section one thousand one hundred fifteen medicaid redesign team waiver as approved by the centers for medicare and medicaid services. The commissioner of health shall, in consultation with the commissioner of alcoholism and substance abuse services and the commissioner of mental health, waive such conditions if a sufficient number of providers, as determined by the commissioner, suffer a financial hardship as a consequence of such alternative payment methodology requirements, or if he or she shall determine that such alternative payment methodologies significantly threaten individuals access to ambulatory behavioral health services. Such waiver may be applied on a provider specific or industry wide basis. Further, such conditions may be waived, as the commissioner determines necessary, to comply with federal rules or regulations governing these payment methodologies. Nothing in this section shall prohibit managed care organizations and providers from negotiating different rates and methods of payment during such periods described above, subject to the approval of the department of health. The department of health shall consult with the office of alcoholism and substance abuse services and the office of mental health in determining whether such alternative rates shall be approved. The commissioner of health may, in consultation with the commissioner of alcoholism and substance abuse services and the commissioner of the office of mental health, promulgate regulations, including emergency regulations promulgated prior to October 1, 2015 to establish rates for ambulatory behavioral health services, as are necessary to implement the provisions of this section. Rates promulgated under this section shall be included in the report required under section 45-c of part A of this chapter.
2. Notwithstanding any contrary provision of law, the fees paid by managed care organizations licensed under article 44 of the public health law or under article 43 of the insurance law, to providers licensed pursuant to article 28 of the public health law or article 31 or 32 of the mental hygiene law, for ambulatory behavioral health services provided to patients enrolled in the child health insurance program pursuant to title one-A of article 25 of the public health law, shall be in the form of fees for such services which are equivalent to the payments established for such services under the ambulatory patient group (APG) rate-setting methodology or any such other fees established pursuant to the Medicaid state plan. The commissioner of health shall consult with the commissioner of alcoholism and substance abuse services and the commissioner of the office of mental health in determining such services and establishing such fees. Such ambulatory behavioral health fees to providers available under this section shall be for all rate periods on and after the effective date of this chapter through [June 30, 2018] March 31, 2020, provided, however, that managed care organizations and providers may negotiate different rates and methods of payment during such periods described above, subject to the approval of the department of health. The department of health shall consult with the office of alcoholism and substance abuse services and the office of mental health in determining whether such alternative rates shall be approved. The report required under section 16-a of part C of chapter 60 of the laws of 2014 shall also include the population of patients enrolled in the child health insurance program pursuant to title one-A of article 25 of the public health law in its examination on the transition of behavioral health services into managed care.

§ 2. Section 1 of 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, as amended by section 30 of part B of chapter 59 of the laws of 2016, is amended to read as follows:

Section 1. a. Notwithstanding any contrary provision of law, the commissioners of mental health and alcoholism and substance abuse services are authorized, subject to the approval of the director of the budget, to transfer to the commissioner of health state funds to be utilized as the state share for the purpose of increasing payments under the medicaid program to managed care organizations licensed under article 44 of the public health law or under article 43 of the insurance law. Such managed care organizations shall utilize such funds for the purpose of reimbursing providers licensed pursuant to article 28 of the public health law, or pursuant to article 31 or article 32 of the mental hygiene law for ambulatory behavioral health services, as determined by the commissioner of health in consultation with the commissioner of mental health and commissioner of alcoholism and substance abuse services, provided to medicaid [eligible] enrolled outpatients and for all other behavioral health services except inpatient included in New York state’s Medicaid redesign waiver approved by the centers for medicare and Medicaid services (CMS). Such reimbursement shall be in the form of fees for such services which are equivalent to the payments established for such services under the ambulatory patient group (APG) rate-setting methodology as utilized by the department of health or by the office of mental health or office of alcoholism and substance abuse services for rate-setting purposes or any such other fees pursuant to the Medicaid state plan or otherwise approved by CMS in the Medicaid redesign waiver; provided, however, that the increase to such fees that shall result from the provisions
of this section shall not, in the aggregate and as determined by the commissioner of health in consultation with the commissioners of mental health and alcoholism and substance abuse services, be greater than the increased funds made available pursuant to this section. The increase of such behavioral health fees to providers available under this section shall be for all rate periods on and after the effective date of section [2] 30 of part [C] B of chapter [57] 59 of the laws of [2015] 2016 through [June 30, 2018] March 31, 2020 for patients outside the city of New York, and for all rate periods on and after the effective date of section [2] 30 of part [C] B of chapter [57] 59 of the laws of [2015] 2016 through [June 30, 2018] March 31, 2020 for all services provided to persons under the age of twenty-one; provided, however, [eligible providers may work with managed care plans to achieve quality and efficiency objectives and engage in shared savings] the commissioner of health, in consultation with the commissioner of alcoholism and substance abuse services and the commissioner of mental health, may require, as a condition of approval of such ambulatory behavioral health fees, that aggregate managed care expenditures to eligible providers meet the alternative payment methodology requirements as set forth in attachment I of the New York state medicaid section one thousand one hundred fifteen medicaid redesign team waiver as approved by the centers for medicare and medicaid services. The commissioner of health shall, in consultation with the commissioner of alcoholism and substance abuse services and the commissioner of mental health, waive such conditions if a sufficient number of providers, as determined by the commissioner, suffer a financial hardship as a consequence of such alternative payment methodology requirements, or if he or she shall determine that such alternative payment methodologies significantly threaten individuals access to ambulatory behavioral health services. Such waiver may be applied on a provider specific or industry wide basis. Further, such conditions may be waived, as the commissioner determines necessary, to comply with federal rules or regulations governing these payment methodologies. Nothing in this section shall prohibit managed care organizations and providers from negotiating different rates and methods of payment during such periods described, subject to the approval of the department of health. The department of health shall consult with the office of alcoholism and substance abuse services and the office of mental health in determining whether such alternative rates shall be approved. The commissioner of health may, in consultation with the commissioners of mental health and alcoholism and substance abuse services, promulgate regulations, including emergency regulations promulgated prior to October 1, 2013 that establish rates for behavioral health services, as are necessary to implement the provisions of this section. Rates promulgated under this section shall be included in the report required under section 45-c of part A of chapter 56 of the laws of 2013.

b. Notwithstanding any contrary provision of law, the fees paid by managed care organizations licensed under article 44 of the public health law or under article 43 of the insurance law, to providers licensed pursuant to article 28 of the public health law or article 31 or 32 of the mental hygiene law, for ambulatory behavioral health services provided to patients enrolled in the child health insurance program pursuant to title one-A of article 25 of the public health law, shall be in the form of fees for such services which are equivalent to the payments established for such services under the ambulatory patient group (APG) rate-setting methodology. The commissioner of
health shall consult with the commissioner of alcoholism and substance abuse
services and the commissioner of the office of mental health in determining
such services and establishing such fees. Such ambulatory behavioral health
fees to providers available under this section shall be for all rate periods
on and after the effective date of this chapter through [June 30, 2018] March
31, 2020, provided, however, that managed care organizations and providers
may negotiate different rates and methods of payment during such periods
described above, subject to the approval of the department of health. The
department of health shall consult with the office of alcoholism and
substance abuse services and the office of mental health in determining
whether such alternative rates shall be approved. The report required under
section 16-a of part C of chapter 60 of the laws of 2014 shall also include
the population of patients enrolled in the child health insurance program
pursuant to title one-A of article 25 of the public health law in its
examination on the transition of behavioral health services into managed
care.

§ 3. This act shall take effect immediately and shall be deemed to have
been in full force and effect on and after April 1, 2017; provided, however,
that the amendments to section 48-a of part A of chapter 56 of the laws of
2013 made by section one of this act shall not affect the repeal of such
section and shall be deemed repealed therewith; provided further, that the
amendments to section 1 of part H of chapter 111 of the laws of 2010 made by
section two of this act shall not affect the expiration of such section and
shall be deemed to expire therewith.

SUBPART G

Section 1. Subdivisions 3-b and 3-c of section 1 of part C of chapter 57 of
the laws of 2006, relating to establishing a cost of living adjustment for
designated human services programs, as amended by section 1 of part I of
chapter 60 of the laws of 2014, are amended to read as follows:

3-b. Notwithstanding any inconsistent provision of law, beginning April
1, 2009 and ending March 31, 2016 and beginning April 1, 2017 and ending
March 31, 2018, the commissioners shall not include a COLA for the purpose of
establishing rates of payments, contracts or any other form of reimbursement,
provided that the commissioners of the office for people with developmental
disabilities, the office of mental health, and the office of alcoholism and
substance abuse services shall not include a COLA beginning April 1, 2017 and
ending March 31, 2019.

3-c. Notwithstanding any inconsistent provision of law, beginning April
1, [2016] 2018 and ending March 31, [2019] 2021, the commissioners shall
develop the COLA under this section using the actual U.S. consumer price
index for all urban consumers (CPI-U) published by the United States
department of labor, bureau of labor statistics for the twelve month period
ending in July of the budget year prior to such state fiscal year, for the
purpose of establishing rates of payments, contracts or any other form of
reimbursement.

§ 2. Section 1 of part C of chapter 57 of the laws of 2006, relating to
establishing a cost of living adjustment for designated human service
programs, is amended by adding a new subdivision 3-e to read as follows:
3-e. (i) Notwithstanding the provisions of subdivision 3-b of this section or any other inconsistent provision of law, and subject to the availability of the appropriation therefor, for the programs listed in paragraphs (i), (ii), and (iii) of subdivision 4 of this section, the commissioners shall provide funding to support (1) an overall average three and one-quarter percent (3.25%) increase to total salaries for direct care staff, direct support professionals for each eligible state-funded program beginning January 1, 2018; and (2) an overall average three and one-quarter percent (3.25%) increase to total salaries for direct care staff and direct support professionals, and clinical staff for each eligible state-funded program beginning April 1, 2018. For the purpose of this funding increase, direct support professionals are individuals employed in consolidated fiscal reporting position title codes ranging from 100 to 199; direct care staff are individuals employed in consolidated fiscal reporting position title codes ranging from 200 to 299; and clinical staff are individuals employed in consolidated fiscal reporting position title codes ranging from 300 to 399.

(ii) The funding made available pursuant to paragraph (i) of this subdivision shall be used: (1) to help alleviate the recruitment and retention challenges of direct care staff, direct support professionals and clinical staff employed in eligible programs; and (2) to continue and to expand efforts to support the professionalism of the direct care workforce. Each local government unit or direct contract provider receiving such funding shall have flexibility in allocating such funding to support salary increases to particular job titles to best address the needs of its direct care staff, direct support professionals and clinical staff. Each local government unit or direct contract provider receiving such funding shall also submit a written certification, in such form and at such time as each commissioner shall prescribe, attesting to how such funding will be or was used for purposes eligible under this section. Further, providers shall submit a resolution from their governing body to the appropriate commissioner, attesting that the funding received will be used solely to support salary and salary-related fringe benefit increases for direct care staff, direct support professionals and clinical staff, pursuant to paragraph (i) of this subdivision. Salary increases that take effect on and after April 1, 2017 may be used to demonstrate compliance with the January 1, 2018 funding increase authorized by this section, except for salary increases necessary to comply with state minimum wage requirements. Such commissioners shall be authorized to recoup any funds as appropriated herein determined to have been used in a manner inconsistent with such standards or inconsistent with the provisions of this subdivision, and such commissioners shall be authorized to employ any legal mechanism to recoup such funds, including an offset of other funds that are owed to such local governmental unit or provider.

(iii) Where appropriate, transfers to the department of health shall be made as reimbursement for the state share of medical assistance.

§ 3. This act shall take effect immediately and shall be deemed to have been in full force and effect on and after April 1, 2017; provided, however, that the amendments to section 1 of part C of chapter 57 of the laws of 2006 made by sections one and two of this act shall not affect the repeal of such section and shall be deemed repealed therewith.
Section 1. Subdivision 2 of section 365-l of the social services law, as added by section 37 of part H of chapter 59 of the laws of 2011, is amended to read as follows:

2. In addition to payments made for health home services pursuant to subdivision one of this section, the commissioner is authorized to pay additional amounts to providers of health home services that meet process or outcome standards specified by the commissioner. Such additional amounts may be paid with state funds only if federal financial participation for such payments is unavailable.

§ 2. Section 364-j of the social services law is amended by adding a new subdivision 33 to read as follows:

33. For services under this title provided by residential health care facilities under article twenty-eight of the public health law, the commissioner shall direct managed care organizations licensed under article forty-four of the public health law, article forty-three of the insurance law, and this section, to continue to reimburse at a benchmark rate which is to be the fee-for-service rate calculated pursuant to section twenty-eight hundred eight of the public health law. The benchmark fee-for-service rate shall continue to be paid by such managed care organizations for all services provided by residential healthcare facilities from the effective date of this subdivision at least until December thirty-first, two thousand twenty. The commissioner may require, as a condition of continuing to require payment at such benchmark rate that aggregate managed care expenditures to residential health care facilities meet the alternative payment methodology requirements set forth in attachment I of the New York State section 1115 medicaid redesign team waiver as approved by the centers for medicare and medicaid services. The commissioner of health shall waive such requirements if a sufficient number of providers, as determined by the commissioner, suffer a financial hardship as a consequence of such alternative payment methodology requirements, or if the commissioner determines that such alternative payment methodologies significantly threaten individuals' access to residential health care facility services; such waiver may be applied on a provider-specific or industry-wide basis. Further, such requirements may be waived, as the commissioner determines necessary, to comply with federal rules or regulations governing these payment methodologies.

§ 3. Subdivision 2 of section 365-a of the social services law is amended by adding a new paragraph (dd) to read as follows:

(dd) pasteurized donor human milk (PDHM), which may include fortifiers as medically indicated, for inpatient use, for which a licensed medical practitioner has issued an order for an infant who is medically or physically unable to receive maternal breast milk or participate in breast feeding or whose mother is medically or physically unable to produce maternal breast milk at all or in sufficient quantities or participate in breast feeding despite optimal lactation support. Such infant shall: (i) have a documented birth weight of less than one thousand five hundred grams; or (ii) have a congenital or acquired condition that places the infant at a high risk for development of necrotizing enterocolitis; or (iii) have a congenital or acquired condition that may benefit from the use of donor breast milk as determined by the commissioner of health or his or her designee.
§ 4. Subdivision 2 of section 365-a of the social services law is amended by adding a new paragraph (ee) to read as follows:

(ee) Medical assistance shall include the coverage of a set of services to ensure improved outcomes of women who are in the process of ovulation enhancing drugs, limited to the provision of such treatment, office visits, hysterosalpingogram services, pelvic ultrasounds, and blood testing; services shall be limited to those necessary to monitor such treatment. In the event that ninety percent federal financial participation for such services is not available, the state share of appropriations related to these services may be used for a grant program intended to accomplish the purpose of this section.

§ 5. Section 3614-c of the public health law, as amended by chapter 56 of the laws of 2016, subparagraph (iv) of paragraph (a) of subdivision 3 as amended by section 1 and subparagraph (iv) of paragraph (b) of subdivision 3 as amended by section 2 of part E of chapter 73 of the laws of 2016, is amended to read as follows:

§ 3614-c. Home care worker wage parity. 1. As used in this section, the following terms shall have the following meaning:

(a) "Living wage law" means any law enacted by Nassau, Suffolk or Westchester county or a city with a population of one million or more which establishes a minimum wage for some or all employees who perform work on contracts with such county or city.

(b) "Total compensation" means all wages and other direct compensation paid to or provided on behalf of the employee including, but not limited to, wages, health, education or pension benefits, supplements in lieu of benefits and compensated time off, except that it does not include employer taxes or employer portion of payments for statutory benefits, including but not limited to FICA, disability insurance, unemployment insurance and workers' compensation.

(c) "Prevailing rate of total compensation" means the average hourly amount of total compensation paid to all home care aides covered by whatever collectively bargained agreement covers the greatest number of home care aides in a city with a population of one million or more. For purposes of this definition, any set of collectively bargained agreements in such city with substantially the same terms and conditions relating to total compensation shall be considered as a single collectively bargained agreement.

(d) "Home care aide" means a home health aide, personal care aide, home attendant, personal assistant performing consumer directed personal assistance services pursuant to section three hundred sixty-five-f of the social services law, or other licensed or unlicensed person whose primary responsibility includes the provision of in-home assistance with activities of daily living, instrumental activities of daily living or health-related tasks; provided, however, that home care aide does not include any individual (i) working on a casual basis, or (ii) (except for a person employed under the consumer directed personal assistance program under section three hundred sixty-five-f of the social services law) who is a relative through blood, marriage or adoption of: (1) the employer; or (2) the person for whom the
worker is delivering services, under a program funded or administered by
federal, state or local government.

(e) "Managed care plan" means any managed care program, organization or
demonstration covering personal care or home health aide services, and which
receives premiums funded, in whole or in part, by the New York state medical
assistance program, including but not limited to all Medicaid managed care,
Medicaid managed long term care, Medicaid advantage, and Medicaid advantage
plus plans and all programs of all-inclusive care for the elderly.

(f) "Episode of care" means any service unit reimbursed, in whole or in
part, by the New York state medical assistance program, whether through
direct reimbursement or covered by a premium payment, and which covers, in
whole or in part, any service provided by a home care aide, including but not
limited to all service units defined as visits, hours, days, months or
episodes.

(g) "Cash portion of the minimum rate of home care aide total
compensation" means the minimum amount of home care aide total compensation
that may be paid in cash wages, as determined by the department in
consultation with the department of labor.

(h) "Benefit portion of the minimum rate of home care aide total
compensation" means the portion of home care aide total compensation that may
be paid in cash or health, education or pension benefits, wage differentials,
supplements in lieu of benefits and compensated time off, as determined by
the department in consultation with the department of labor. Cash wages paid
pursuant to increases in the state or federal minimum wage cannot be used to
satisfy the benefit portion of the minimum rate of home care aide total
compensation.

2. Notwithstanding any inconsistent provision of law, rule or regulation,
no payments by government agencies shall be made to certified home health
agencies, long term home health care programs, managed care plans, or
the consumer directed personal assistance program under section three hundred
sixty-five-f of the social services law, for any episode of care furnished,
in whole or in part, by any home care aide who is compensated at amounts less
than the applicable minimum rate of home care aide total compensation
established pursuant to this section.

3. (a) The minimum rate of home care aide total compensation in a city
with a population of one million or more shall be:

(i) for the period March first, two thousand twelve through February
twenty-eighth, two thousand thirteen, ninety percent of the total
compensation mandated by the living wage law of such city;

(ii) for the period March first, two thousand thirteen through February
twenty-eighth, two thousand fourteen, ninety-five percent of the total
compensation mandated by the living wage law of such city;

(iii) for the period March first, two thousand fourteen through March
thirty-first two thousand sixteen, no less than the prevailing rate of total
compensation as of January first, two thousand eleven, or the total
compensation mandated by the living wage law of such city, whichever is
greater;

(iv) for all periods on or after April first, two thousand sixteen, the
cash portion of the minimum rate of home care aide total compensation shall
be ten dollars or the minimum wage as laid out in paragraph (a) of
subdivision one of section six hundred fifty-two of the labor law, whichever
is higher. The benefit portion of the minimum rate of home care aide total
compensation shall be four dollars and nine cents.

(b) The minimum rate of home care aide total compensation in the counties
of Nassau, Suffolk and Westchester shall be:

(i) for the period March first, two thousand thirteen through February
twenty-eighth, two thousand fourteen, ninety percent of the total
compensation mandated by the living wage law as set on March first, two
thousand thirteen of a city with a population of a million or more;

(ii) for the period March first, two thousand fourteen through February
twenty-eighth, two thousand fifteen, ninety-five percent of the total
compensation mandated by the living wage law as set on March first, two
thousand fourteen of a city with a population of a million or more;

(iii) for the period March first, two thousand fifteen, through February
twenty-eighth, two thousand sixteen, one hundred percent of the total
compensation mandated by the living wage law as set on March first, two
thousand fifteen of a city with a population of a million or more;

(iv) for all periods on or after March first, two thousand sixteen, the
cash portion of the minimum rate of home care aide total compensation shall
be ten dollars or the minimum wage as laid out in paragraph (b) of
subdivision one of section six hundred fifty-two of the labor law, whichever
is higher. The benefit portion of the minimum rate of home care aide total
compensation shall be three dollars and twenty-two cents.

4. The terms of this section shall apply equally to services provided by
home care aides who work on episodes of care as direct employees of certified
home health agencies, long term home health care programs, or managed care
plans, or as employees of licensed home care services agencies, limited
licensed home care services agencies, or the consumer directed personal
assistance program under section three hundred sixty-five-f of the social
services law, or under any other arrangement.

5. No payments by government agencies shall be made to certified home
health agencies, long term home health care programs, or the consumer directed personal
assistance program under section three hundred sixty-five-f of the social
services law, for any episode of
care without the certified home health agency, long term home health care
program, or the consumer directed personal assistance
program having delivered prior written certification to the commissioner, on
forms prepared by the department in consultation with the department of
labor, that all services provided under each episode of care are in full
compliance with the terms of this section and any regulations promulgated
pursuant to this section.
6. If a certified home health agency or long term home health care
program elects to provide home care aide services through contracts with
licensed home care services agencies or through other third parties, provided
that the episode of care on which the home care aide works is covered under
the terms of this section, the certified home health agency, long term home
health care program, or managed care plan must obtain a written certification
from the licensed home care services agency or other third party, on forms
prepared by the department in consultation with the department of labor,
which attests to the licensed home care services agency's or other third
party's compliance with the terms of this section. Such certifications shall
also obligate the certified home health agency, long term home health care
program, or managed care plan to obtain, on no less than a quarterly basis,
all information from the licensed home care services agency, fiscal
intermediary or other third parties necessary to verify compliance with the
terms of this section. Such certifications and the information exchanged
pursuant to them shall be retained by all certified home health agencies,
long term home health care programs, or managed care plans, and all licensed
home care services agencies, or other third parties for a period of no less
than ten years, and made available to the department upon request.

7. The commissioner shall distribute to all certified home health
agencies, long term home health care programs, [and] managed care plans, and
fiscal intermediaries in the consumer directed personal assistance program
under section three hundred sixty-five-f of the social services law, official
notice of the minimum rates of home care aide compensation at least one
hundred twenty days prior to the effective date of each minimum rate for each
social services district covered by the terms of this section.

8. The commissioner is authorized to promulgate regulations, and may
promulgate emergency regulations, to implement the provisions of this
section.

9. Nothing in this section should be construed as applicable to any
service provided by certified home health agencies, long term home health
care programs, [or] managed care plans, or consumer directed personal
assistance program under section three hundred sixty-five-f of the social
services law except for all episodes of care reimbursed in whole or in part
by the New York Medicaid program.

10. No certified home health agency, managed care plan [or], long term
home health care program, or fiscal intermediary in the consumer directed
personal assistance program under section three hundred sixty-five-f of the
social services law shall be liable for recoupment of payments for services
provided through a licensed home care services agency or other third party
with which the certified home health agency, long term home health care
program, or managed care plan has a contract because the licensed agency or
other third party failed to comply with the provisions of this section if the
certified home health agency, long term home health care program, [or]
managed care plan, or fiscal intermediary has reasonably and in good faith
collected certifications and all information required pursuant to
subdivisions five and six of this section.

§ 6. Notwithstanding any other provision of law, the commissioner of
health is authorized to sell accounts receivable balances owed to the state
by Medicaid provider to financial institutions; provided that no such sale of
accounts receivable balances shall include any state support, including a
guarantee or contingent obligation of state funds to mitigate the risk of nonpayment by providers owing on these account receivable balances. The commissioner in consultation with the director of the budget is authorized to determine the sale prices of any such accounts receivable balances and shall include sale terms governing the reasonable collection of such balances by the financial institution. Following any such sale, providers owing on these accounts receivable balances shall not include any additional cost, interest, or financing charges solely as a result of such sale but shall be fully responsible for paying the accounts receivable balances. Proceeds from the sale of the accounts receivable balances shall be deposited to the Medicaid escrow fund and be used to offset Medicaid costs under the Medicaid global spending cap. The commissioner shall provide the legislature with a description of the terms of any such sale, including a list of the impacted Medicaid providers, at least thirty days prior to the sale.

§ 7. This act shall take effect immediately; provided, however that:

a. the amendments to section 364-j of the social services law made by section two of this act shall not affect the repeal of such section and shall be deemed to be repealed therewith;

b. sections three and five of this act shall take effect July 1, 2017; and

c. section six of this act shall expire April 1, 2019; however, such expiration shall not invalidate or otherwise impact any sale of accounts receivable effected pursuant to such section prior to its expiration.

§ 2. Severability clause. If any clause, sentence, paragraph, subdivision, section, part or subpart of this act shall be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, section, part or subpart thereof directly involved in the controversy in which such judgment shall have been rendered. It is hereby declared to be the intent of the legislature that this act would have been enacted even if such invalid provisions had not been included herein.

§ 3. This act shall take effect immediately provided, however, that the applicable effective date of Subparts A through H of this act shall be as specifically set forth in the last section of such Subparts.

PART B

Section 1. This act enacts into law major components of legislation which are necessary to implement the state public protection and general
government budget for the 2017-2018 state fiscal year. Each component is wholly contained within a Subpart identified as Subparts A through B. The effective date for each particular provision contained within such Subpart is set forth in the last section of such Subpart. Any provision in any section contained within a Subpart, including the effective date of the Subpart, which makes a reference to a section "of this act", when used in connection with that particular component, shall be deemed to mean and refer to the corresponding section of the Subpart in which it is found. Section three of this act sets forth the general effective date of this act.

SUBPART A

Section 1. The state comptroller is hereby authorized and directed to loan money in accordance with the provisions set forth in subdivision 5 of section 4 of the state finance law to the following funds and/or accounts:

1. Proprietary vocational school supervision account (20452).

2. Local government records management account (20501).

3. Child health plus program account (20810).

4. EPIC premium account (20818).

5. Education - New (20901).

6. VLT - Sound basic education fund (20904).

7. Sewage treatment program management and administration fund (21000).

8. Hazardous bulk storage account (21061).


10. Low level radioactive waste account (21066).

11. Recreation account (21067).

12. Public safety recovery account (21077).

13. Environmental regulatory account (21081).

14. Natural resource account (21082).

15. Mined land reclamation program account (21084).


17. Environmental protection and oil spill compensation fund (21200).

18. Public transportation systems account (21401).
19. Metropolitan mass transportation (21402).

20. Operating permit program account (21451).


22. Statewide planning and research cooperative system account (21902).

23. New York state thruway authority account (21905).

24. Mental hygiene program fund account (21907).

25. Mental hygiene patient income account (21909).


27. Regulation of racing account (21912).


29. State university dormitory income reimbursable account (21937).

30. Criminal justice improvement account (21945).

31. Environmental laboratory reference fee account (21959).

32. Clinical laboratory reference system assessment account (21962).

33. Indirect cost recovery account (21978).

34. High school equivalency program account (21979).

35. Multi-agency training account (21989).

36. Interstate reciprocity for post-secondary distance education account (23800).

37. Bell jar collection account (22003).

38. Industry and utility service account (22004).

39. Real property disposition account (22006).

40. Parking account (22007).

41. Asbestos safety training program account (22009).

42. Batavia school for the blind account (22032).

43. Investment services account (22034).
44. Surplus property account (22036).
45. Financial oversight account (22039).
46. Regulation of Indian gaming account (22046).
47. Rome school for the deaf account (22053).
48. Seized assets account (22054).
49. Administrative adjudication account (22055).
50. Federal salary sharing account (22056).
51. New York City assessment account (22062).
52. Cultural education account (22063).
53. Local services account (22078).
54. DHCR mortgage servicing account (22085).
55. Department of motor vehicles compulsory insurance account (22087).
56. Housing indirect cost recovery account (22090).
57. DHCR-HCA application fee account (22100).
58. Low income housing monitoring account (22130).
59. Corporation administration account (22135).
60. Montrose veteran's home account (22144).
61. Deferred compensation administration account (22151).
62. Rent revenue other New York City account (22156).
63. Rent revenue account (22158).
64. Tax revenue arrearage account (22168).
65. State university general income offset account (22654).
66. Lake George park trust fund account (22751).
67. State police motor vehicle law enforcement account (22802).
68. Highway safety program account (23001).
69. DOH drinking water program account (23102).
70. NYCCC operating offset account (23151).
71. Commercial gaming revenue account (23701).
72. Commercial gaming regulation account (23702).
73. Highway use tax administration account (23801).
74. Highway and bridge capital account (30051).
75. Aviation purpose account (30053).
76. State university residence hall rehabilitation fund (30100).
77. State parks infrastructure account (30351).
78. Clean water/clean air implementation fund (30500).
79. Hazardous waste remedial cleanup account (31506).
80. Youth facilities improvement account (31701).
81. Housing assistance fund (31800).
82. Housing program fund (31850).
83. Highway facility purpose account (31951).
84. Information technology capital financing account (32215).
85. New York racing account (32213).
86. Capital miscellaneous gifts account (32214).
87. New York environmental protection and spill remediation account.
88. Mental hygiene facilities capital improvement fund (32300).
89. Correctional facilities capital improvement fund (32350).
90. New York State Storm Recovery Capital Fund (33000).
91. OGS convention center account (50318).
92. Empire Plaza Gift Shop (50327).
93. Centralized services fund (55000).
94. Archives records management account (55052).
95. Federal single audit account (55053).
96. Civil service EHS occupational health program account (55056).
97. Banking services account (55057).
98. Cultural resources survey account (55058).
99. Neighborhood work project account (55059).
100. Automation & printing chargeback account (55060).
101. OFT NYT account (55061).
102. Data center account (55062).
103. Intrusion detection account (55066).
104. Domestic violence grant account (55067).
105. Centralized technology services account (55069).
106. Labor contact center account (55071).
107. Human services contact center account (55072).
108. Tax contact center account (55073).
109. Executive direction internal audit account (55251).
110. CIO Information technology centralized services account (55252).
111. Health insurance internal service account (55300).
112. Civil service employee benefits division administrative account (55301).
113. Correctional industries revolving fund (55350).
114. Employees health insurance account (60201).
115. Medicaid management information system escrow fund (60900).
116. Department of law civil recoveries account

§ 1-a. The state comptroller is hereby authorized and directed to loan money in accordance with the provisions set forth in subdivision 5 of section 4 of the state finance law to any account within the following federal funds, provided the comptroller has made a determination that sufficient federal grant award authority is available to reimburse such loans:

1. Federal USDA-food and nutrition services fund (25000).
2. Federal health and human services fund (25100).


4. Federal block grant fund (25250).

5. Federal miscellaneous operating grants fund (25300).

6. Federal unemployment insurance administration fund (25900).

7. Federal unemployment insurance occupational training fund (25950).


§ 2. Notwithstanding any law to the contrary, and in accordance with
section 4 of the state finance law, the comptroller is hereby authorized and
directed to transfer, upon request of the director of the budget, on or
before March 31, 2018, up to the unencumbered balance or the following
amounts:

Economic Development and Public Authorities:

1. $175,000 from the miscellaneous special revenue fund, underground
facilities safety training account (22172), to the general fund.

2. An amount up to the unencumbered balance from the miscellaneous
special revenue fund, business and licensing services account (21977), to the
genral fund.

3. $14,810,000 from the miscellaneous special revenue fund, code
enforcement account (21904), to the general fund.

4. $3,000,000 from the general fund to the miscellaneous special revenue
fund, tax revenue arrearage account (22168).

Education:

1. $2,394,714,000 from the general fund to the state lottery fund,
education account (20901), as reimbursement for disbursements made from such
fund for supplemental aid to education pursuant to section 92-c of the state
finance law that are in excess of the amounts deposited in such fund for such
purposes pursuant to section 1612 of the tax law.

2. $966,634,000 from the general fund to the state lottery fund, VLT
education account (20904), as reimbursement for disbursements made from such
fund for supplemental aid to education pursuant to section 92-c of the state
finance law that are in excess of the amounts deposited in such fund for such
purposes pursuant to section 1612 of the tax law.

3. Moneys from the state lottery fund (20900) up to an amount deposited
in such fund pursuant to section 1612 of the tax law in excess of the current
year appropriation for supplemental aid to education pursuant to section 92-c of the state finance law.

4. $300,000 from the New York state local government records management improvement fund, local government records management account (20501), to the New York state archives partnership trust fund, archives partnership trust maintenance account (20351).

5. $900,000 from the general fund to the miscellaneous special revenue fund, Batavia school for the blind account (22032).

6. $900,000 from the general fund to the miscellaneous special revenue fund, Rome school for the deaf account (22053).

7. $343,400,000 from the state university dormitory income fund (40350) to the miscellaneous special revenue fund, state university dormitory income reimbursable account (21937).

8. $20,000,000 from any of the state education department special revenue and internal service funds to the miscellaneous special revenue fund, indirect cost recovery account (21978).

9. $8,318,000 from the general fund to the state university income fund, state university income offset account (22654), for the state's share of repayment of the STIP loan.

10. $40,000,000 from the state university income fund, state university hospitals income reimbursable account (22656) to the general fund for hospital debt service for the period April 1, 2017 through March 31, 2018.

11. An amount up to $13,540,000 from the general fund to the state university income fund, state university general revenue account (22653).

Environmental Affairs:

1. $16,000,000 from any of the department of environmental conservation's special revenue federal funds to the environmental conservation special revenue fund, federal indirect recovery account (21065).

2. $5,000,000 from any of the department of environmental conservation's special revenue federal funds to the conservation fund (21150) as necessary to avoid diversion of conservation funds.

3. $3,000,000 from any of the office of parks, recreation and historic preservation capital projects federal funds and special revenue federal funds to the miscellaneous special revenue fund, federal grant indirect cost recovery account (22188).

4. $1,000,000 from any of the office of parks, recreation and historic preservation special revenue federal funds to the miscellaneous special revenue fund, I love NY water account (21930).
5. $28,000,000 from the general fund to the environmental protection fund, environmental protection fund transfer account (30451).

6. $1,800,000 from the general fund to the hazardous waste remedial fund, hazardous waste oversight and assistance account (31505).

Family Assistance:

1. $7,000,000 from any of the office of children and family services, office of temporary and disability assistance, or department of health special revenue federal funds and the general fund, in accordance with agreements with social services districts, to the miscellaneous special revenue fund, office of human resources development state match account (21967).

2. $4,000,000 from any of the office of children and family services or office of temporary and disability assistance special revenue federal funds to the miscellaneous special revenue fund, family preservation and support services and family violence services account (22082).

3. $18,670,000 from any of the office of children and family services, office of temporary and disability assistance, or department of health special revenue federal funds and any other miscellaneous revenues generated from the operation of office of children and family services programs to the general fund.

4. $140,000,000 from any of the office of temporary and disability assistance or department of health special revenue funds to the general fund.

5. $2,500,000 from any of the office of temporary and disability assistance special revenue funds to the miscellaneous special revenue fund, office of temporary and disability assistance program account (21980).

6. $7,400,000 from any of the office of children and family services, office of temporary and disability assistance, department of labor, and department of health special revenue federal funds to the office of children and family services miscellaneous special revenue fund, multi-agency training contract account (21989).

7. $65,000,000 from the miscellaneous special revenue fund, youth facility per diem account (22186), to the general fund.

8. $621,850 from the general fund to the combined gifts, grants, and bequests fund, WB Hoyt Memorial account (20128).

9. $3,100,000 from the miscellaneous special revenue fund, state central registry (22028), to the general fund.

General Government:

1. $1,566,000 from the miscellaneous special revenue fund, examination and miscellaneous revenue account (22065) to the general fund.
2. $8,083,000 from the general fund to the health insurance revolving fund (55300).

3. $192,400,000 from the health insurance reserve receipts fund (60550) to the general fund.

4. $150,000 from the general fund to the not-for-profit revolving loan fund (20650).

5. $150,000 from the not-for-profit revolving loan fund (20650) to the general fund.

6. $3,000,000 from the miscellaneous special revenue fund, surplus property account (22036), to the general fund.

7. $19,000,000 from the miscellaneous special revenue fund, revenue arrearage account (22024), to the general fund.

8. $1,826,000 from the miscellaneous special revenue fund, revenue arrearage account (22024), to the miscellaneous special revenue fund, authority budget office account (22138).

9. $1,000,000 from the miscellaneous special revenue fund, parking services account (22007), to the general fund, for the purpose of reimbursing the costs of debt service related to state parking facilities.

10. $21,783,000 from the general fund to the centralized services fund, COPS account (55013).

11. $8,960,000 from the general fund to the agencies internal service fund, central technology services account (55069), for the purpose of enterprise technology projects.

12. $15,000,000 from the miscellaneous special revenue fund, workers' compensation account (21995), to the miscellaneous capital projects fund, workers' compensation board IT business process design fund, (32218).

Health:

1. A transfer from the general fund to the combined gifts, grants and bequests fund, breast cancer research and education account (20155), up to an amount equal to the monies collected and deposited into that account in the previous fiscal year.

2. A transfer from the general fund to the combined gifts, grants and bequests fund, prostate cancer research, detection, and education account (20183), up to an amount equal to the moneys collected and deposited into that account in the previous fiscal year.

3. A transfer from the general fund to the combined gifts, grants and bequests fund, Alzheimer's disease research and assistance account (20143), up to an amount equal to the moneys collected and deposited into that account in the previous fiscal year.
4. $30,555,000 from the HCRA resources fund (20800) to the miscellaneous special revenue fund, empire state stem cell trust fund account (22161).

5. $6,000,000 from the miscellaneous special revenue fund, certificate of need account (21920), to the miscellaneous capital projects fund, healthcare IT capital subfund (32216).

6. $2,000,000 from the miscellaneous special revenue fund, vital health records account (22103), to the miscellaneous capital projects fund, healthcare IT capital subfund (32216).

7. $2,000,000 from the miscellaneous special revenue fund, professional medical conduct account (22088), to the miscellaneous capital projects fund, healthcare IT capital subfund (32216).

8. $76,021,000 from the HCRA resources fund (20800) to the capital projects fund (30000).

9. $4,540,000 from the general fund to the medical marihuana trust fund, health operation and oversight account (23755).

10. $1,086,000 from the miscellaneous special revenue fund, certificate of need account (21920), to the general fund.

Labor:

1. $400,000 from the miscellaneous special revenue fund, DOL fee and penalty account (21923), to the child performer's protection fund, child performer protection account (20401).

2. $8,400,000 from the miscellaneous special revenue fund, DOL fee and penalty account (21923), to the general fund.

3. $3,300,000 from the unemployment insurance interest and penalty fund, unemployment insurance special interest and penalty account (23601), to the general fund.

Mental Hygiene:

1. $10,000,000 from the miscellaneous special revenue fund, mental hygiene patient income account (21909), to the miscellaneous special revenue fund, federal salary sharing account (22056).

2. $1,800,000,000 from the general fund to the miscellaneous special revenue fund, mental hygiene patient income account (21909).

3. $1,700,000,000 from the general fund to the miscellaneous special revenue fund, mental hygiene program fund account (21907).

4. $100,000,000 from the miscellaneous special revenue fund, mental hygiene program fund account (21907), to the general fund.
5. $100,000,000 from the miscellaneous special revenue fund, mental hygiene patient income account (21909), to the general fund.

6. $3,800,000 from the miscellaneous special revenue fund, mental hygiene patient income account (21909), to the agencies internal service fund, civil service EHS occupational health program account (55056).

7. $11,500,000 from the chemical dependence service fund, substance abuse services fund account (22700), to the capital projects fund (30000).

8. $3,500,000 from the chemical dependence service fund, substance abuse services fund account (22700), to the mental hygiene capital improvement fund (32305).

9. $15,000,000 from the chemical dependence service fund, substance abuse services fund account (22700), to the miscellaneous special revenue fund, mental hygiene program fund account (21907).

Public Protection:

1. $1,350,000 from the miscellaneous special revenue fund, emergency management account (21944), to the general fund.

2. $2,087,000 from the general fund to the miscellaneous special revenue fund, recruitment incentive account (22171).

3. $12,000,000 from the general fund to the correctional industries revolving fund, correctional industries internal service account (55350).

4. $3,000,000 from the federal miscellaneous operating grants fund, DMNA damage account (25324), to the general fund.

5. $8,600,000 from the miscellaneous special revenue fund, criminal justice improvement account (21945), to the general fund.

6. $112,420,000 from the state police motor vehicle law enforcement and motor vehicle theft and insurance fraud prevention fund, state police motor vehicle enforcement account (22802), to the general fund for state operation expenses of the division of state police.

7. A transfer of the unencumbered balance from the miscellaneous special revenue fund, seized assets account (22061), to the miscellaneous special revenue fund, seized assets account (22054).

8. $117,500,000 from the general fund to the correctional facilities capital improvement fund (32350).

9. $5,000,000 from the general fund to the dedicated highway and bridge trust fund (30050) for the purpose of work zone safety activities provided by the division of state police for the department of transportation.
10. $5,238,000 from the miscellaneous special revenue fund, statewide public safety communications account (22123), to the capital projects fund (30000).

11. $9,545,000 from the miscellaneous special revenue fund, legal services assistance account (22096), to the general fund.

12. $1,000,000 from the general fund to the agencies internal service fund, neighborhood work project account (55059).

13. $5,940,556 from the miscellaneous special revenue fund, fingerprint identification & technology account (21950), to the general fund.

14. $4,300,000 from the state police motor vehicle law enforcement and motor vehicle theft and insurance fraud prevention fund, motor vehicle theft and insurance fraud account (22801), to the general fund.

15. $50,000,000 from the miscellaneous special revenue fund, public safety communications account (22123), to the general fund.

16. $2,000,000 from the general fund to the miscellaneous special revenue fund, crimes against revenue program account (22015).

Transportation:

1. $17,672,000 from the federal miscellaneous operating grants fund to the miscellaneous special revenue fund, New York Metropolitan Transportation Council account (21913).

2. $20,147,000 from the federal capital projects fund to the miscellaneous special revenue fund, New York Metropolitan Transportation Council account (21913).

3. $15,058,017 from the general fund to the mass transportation operating assistance fund, public transportation systems operating assistance account (21401), of which $12,000,000 constitutes the base need for operations.

4. $720,000,000 from the general fund to the dedicated highway and bridge trust fund (30050).

5. $3,662,000 from the miscellaneous special revenue fund, accident prevention course program account (22094), to the dedicated highway and bridge trust fund (30050).

6. $3,065,000 from the miscellaneous special revenue fund, motorcycle safety account (21976), to the dedicated highway and bridge trust fund (30050).

7. $244,250,000 from the general fund to the MTA financial assistance fund, mobility tax trust account (23651).

8. $5,000,000 from the miscellaneous special revenue fund, transportation regulation account (22067) to the dedicated highway and bridge trust fund
(30050), for disbursements made from such fund for motor carrier safety that are in excess of the amounts deposited in the dedicated highway and bridge trust fund (30050) for such purpose pursuant to section 94 of the transportation law.

9. $114,000 from the miscellaneous special revenue fund, seized assets account (21906), to the dedicated highway and bridge trust fund (30050).

10. $500,000 from the clean air fund, mobile source account (21452), to the general fund.

11. $3,000,000 from the miscellaneous special revenue fund, traffic adjudication account (22055), to the general fund.

12. $121,548,000 from the mass transportation operating assistance fund, metropolitan mass transportation operating assistance account (21402), to the capital projects fund (30000).

Miscellaneous:

1. $250,000,000 from the general fund to any funds or accounts for the purpose of reimbursing certain outstanding accounts receivable balances.

2. $500,000,000 from the general fund to the debt reduction reserve fund (40000).

3. $450,000,000 from the New York state storm recovery capital fund (33000) to the revenue bond tax fund (40152).

4. $15,500,000 from the general fund, community projects account GG (10256), to the general fund, state purposes account (10050).

§ 3. Notwithstanding any law to the contrary, and in accordance with section 4 of the state finance law, the comptroller is hereby authorized and directed to transfer, on or before March 31, 2018:

1. Upon request of the commissioner of environmental conservation, up to $12,234,600 from revenues credited to any of the department of environmental conservation special revenue funds, including $4,000,000 from the environmental protection and oil spill compensation fund (21200), and $1,793,600 from the conservation fund (21150), to the environmental conservation special revenue fund, indirect charges account (21060).

2. Upon request of the commissioner of agriculture and markets, up to $3,000,000 from any special revenue fund or enterprise fund within the department of agriculture and markets to the general fund, to pay appropriate administrative expenses.

3. Upon request of the commissioner of agriculture and markets, up to $2,000,000 from the state exposition special fund, state fair receipts account (50051) to the miscellaneous capital projects fund, state fair capital improvement account (32208).
4. Upon request of the commissioner of the division of housing and community renewal, up to $6,221,000 from revenues credited to any division of housing and community renewal federal or miscellaneous special revenue fund to the miscellaneous special revenue fund, housing indirect cost recovery account (22090).

5. Upon request of the commissioner of the division of housing and community renewal, up to $5,500,000 may be transferred from any miscellaneous special revenue fund account, to any miscellaneous special revenue fund.

6. Upon request of the commissioner of health up to $8,500,000 from revenues credited to any of the department of health's special revenue funds, to the miscellaneous special revenue fund, administration account (21982).

§ 4. On or before March 31, 2018, the comptroller is hereby authorized and directed to deposit earnings that would otherwise accrue to the general fund that are attributable to the operation of section 98-a of the state finance law, to the agencies internal service fund, banking services account (55057), for the purpose of meeting direct payments from such account.

§ 5. Notwithstanding any law to the contrary, upon the direction of the director of the budget and upon requisition by the state university of New York, the dormitory authority of the state of New York is directed to transfer, up to $22,000,000 in revenues generated from the sale of notes or bonds, the state university income fund general revenue account (22653) for reimbursement of bondable equipment for further transfer to the state's general fund.

§ 6. Notwithstanding any law to the contrary, and in accordance with section 4 of the state finance law, the comptroller is hereby authorized and directed to transfer, upon request of the director of the budget and upon consultation with the state university chancellor or his or her designee, on or before March 31, 2018, up to $16,000,000 from the state university income fund general revenue account (22653) to the state general fund for debt service costs related to campus supported capital project costs for the NY-SUNY 2020 challenge grant program at the University at Buffalo.

§ 7. Notwithstanding any law to the contrary, and in accordance with section 4 of the state finance law, the comptroller is hereby authorized and directed to transfer, upon request of the director of the budget and upon consultation with the state university chancellor or his or her designee, on or before March 31, 2018, up to $6,500,000 from the state university income fund general revenue account (22653) to the state general fund for debt service costs related to campus supported capital project costs for the NY-SUNY 2020 challenge grant program at the University at Albany.

§ 8. Notwithstanding any law to the contrary, the state university chancellor or his or her designee is authorized and directed to transfer estimated tuition revenue balances from the state university collection fund (61000) to the state university income fund, state university general revenue offset account (22655) on or before March 31, 2018.

§ 9. Notwithstanding any law to the contrary, and in accordance with section 4 of the state finance law, the comptroller is hereby authorized and directed to transfer, upon request of the director of the budget, up to
$69,264,000 from the general fund to the state university income fund, state university hospitals income reimbursable account (22656) during the period July 1, 2017 through June 30, 2018 to reflect ongoing state subsidy of SUNY hospitals and to pay costs attributable to the SUNY hospitals' state agency status.

§ 10. Notwithstanding any law to the contrary, and in accordance with section 4 of the state finance law, the comptroller is hereby authorized and directed to transfer, upon request of the director of the budget, up to $996,778,300 from the general fund to the state university income fund, state university general revenue offset account (22655) during the period of July 1, 2017 through June 30, 2018 to support operations at the state university.

§ 11. Notwithstanding any law to the contrary, and in accordance with section 4 of the state financial law, the comptroller is hereby authorized and directed to transfer, upon request of the director of the budget, up to $100,000 from the general fund to the state university income fund, state university general revenue offset account (22655) during the period of April 1, 2017 through June 30, 2017 to support operations at the state university.

§ 12. Notwithstanding any law to the contrary, and in accordance with section 4 of the state finance law, the comptroller is hereby authorized and directed to transfer, upon request of the state university chancellor or his or her designee, up to $55,000,000 from the state university income fund, state university hospitals income reimbursable account (22656), for services and expenses of hospital operations and capital expenditures at the state university hospitals; and the state university income fund, Long Island veterans' home account (22652) to the state university capital projects fund (32400) on or before June 30, 2018.

§ 13. Notwithstanding any law to the contrary, and in accordance with section 4 of the state finance law, the comptroller, after consultation with the state university chancellor or his or her designee, is hereby authorized and directed to transfer moneys, in the first instance, from the state university collection fund, Stony Brook hospital collection account (61006), Brooklyn hospital collection account (61007), and Syracuse hospital collection account (61008) to the state university income fund, state university hospitals income reimbursable account (22656) in the event insufficient funds are available in the state university income fund, state university hospitals income reimbursable account (22656) to permit the full transfer of moneys authorized for transfer, to the general fund for payment of debt service related to the SUNY hospitals. Notwithstanding any law to the contrary, the comptroller is also hereby authorized and directed, after consultation with the state university chancellor or his or her designee, to transfer moneys from the state university income fund to the state university income fund, state university hospitals income reimbursable account (22656) in the event insufficient funds are available in the state university income fund, state university hospitals income reimbursable account (22656) to pay hospital operating costs or to permit the full transfer of moneys authorized for transfer, to the general fund for payment of debt service related to the SUNY hospitals on or before March 31, 2018.

§ 14. Notwithstanding any law to the contrary, upon the direction of the director of the budget and the chancellor of the state university of New York or his or her designee, and in accordance with section 4 of the state finance law, the comptroller is hereby authorized and directed to transfer monies
from the state university dormitory income fund (40350) to the state university residence hall rehabilitation fund (30100), and from the state university residence hall rehabilitation fund (30100) to the state university dormitory income fund (40350), in an amount not to exceed $80 million from each fund.

§ 15. Notwithstanding any law to the contrary, and in accordance with section 4 of the state finance law, the comptroller is hereby authorized and directed to transfer monies, upon request of the director of the budget, on or before March 31, 2018, from and to any of the following accounts: the miscellaneous special revenue fund, patient income account (21909), the miscellaneous special revenue fund, mental hygiene program fund account (21907), the miscellaneous special revenue fund, federal salary sharing account (22056), or the general fund in any combination, the aggregate of which shall not exceed $350 million.

§ 16. Notwithstanding any law to the contrary, and in accordance with section 4 of the state finance law, the comptroller is hereby authorized and directed to transfer, at the request of the director of the budget, up to $500 million from the unencumbered balance of any special revenue fund or account, agency fund or account, internal service fund or account, enterprise fund or account, or any combination of such funds and accounts, to the general fund. The amounts transferred pursuant to this authorization shall be in addition to any other transfers expressly authorized in the 2017-18 budget. Transfers from federal funds, debt service funds, capital projects funds, the community projects fund, or funds that would result in the loss of eligibility for federal benefits or federal funds pursuant to federal law, rule, or regulation as assented to in chapter 683 of the laws of 1938 and chapter 700 of the laws of 1951 are not permitted pursuant to this authorization.

§ 17. Notwithstanding any law to the contrary, and in accordance with section 4 of the state finance law, the comptroller is hereby authorized and directed to transfer, at the request of the director of the budget, up to $100 million from any non-general fund or account, or combination of funds and accounts, to the miscellaneous special revenue fund, technology financing account (22207), the miscellaneous capital projects fund, information technology capital financing account (32215), or the centralized technology services account (55069), for the purpose of consolidating technology procurement and services. The amounts transferred to the miscellaneous special revenue fund, technology financing account (22207) pursuant to this authorization shall be equal to or less than the amount of such monies intended to support information technology costs which are attributable, according to a plan, to such account made in pursuance to an appropriation by law. Transfers to the technology financing account shall be completed from amounts collected by non-general funds or accounts pursuant to a fund deposit schedule or permanent statute, and shall be transferred to the technology financing account pursuant to a schedule agreed upon by the affected agency commissioner. Transfers from funds that would result in the loss of eligibility for federal benefits or federal funds pursuant to federal law, rule, or regulation as assented to in chapter 683 of the laws of 1938 and chapter 700 of the laws of 1951 are not permitted pursuant to this authorization.

§ 18. Notwithstanding any other law to the contrary, up to $245 million of the assessment reserves remitted to the chair of the workers' compensation
board pursuant to subdivision 6 of section 151 of the workers' compensation
law shall, at the request of the director of the budget, be transferred to
the state insurance fund, for partial payment and partial satisfaction of the
state's obligations to the state insurance fund under section 88-c of the
workers' compensation law.

§ 19. Notwithstanding any law to the contrary, and in accordance with
section 4 of the state finance law, the comptroller is hereby authorized and
directed to transfer, at the request of the director of the budget, up to
$400 million from any non-general fund or account, or combination of funds
and accounts, to the general fund for the purpose of consolidating technology
procurement and services. The amounts transferred pursuant to this
authorization shall be equal to or less than the amount of such monies
intended to support information technology costs which are attributable,
according to a plan, to such account made in pursuance to an appropriation by
law. Transfers to the general fund shall be completed from amounts collected
by non-general funds or accounts pursuant to a fund deposit schedule.
Transfers from funds that would result in the loss of eligibility for federal
benefits or federal funds pursuant to federal law, rule, or regulation as
assented to in chapter 683 of the laws of 1938 and chapter 700 of the laws of
1951 are not permitted pursuant to this authorization.

§ 20. Notwithstanding any provision of law, rule or regulation to the
contrary, the New York state energy research and development authority is
authorized and directed to make the following contributions to the state
treasury to the credit of the general fund on or before March 31, 2018: (a)
$913,000; and (b) $23,000,000 from proceeds collected by the authority from
the auction or sale of carbon dioxide emission allowances allocated by the
department of environmental conservation.

§ 21. Subdivision 5 of section 97-rrr of the state finance law, as
amended by section 21 of part UU of chapter 54 of the laws of 2016, is
amended to read as follows:

5. Notwithstanding the provisions of section one hundred seventy-one-a of
the tax law, as separately amended by chapters four hundred eighty-one and
four hundred eighty-four of the laws of nineteen hundred eighty-one, and
notwithstanding the provisions of chapter ninety-four of the laws of two
thousand eleven, or any other provisions of law to the contrary, during the
fiscal year beginning April first, two thousand [sixteen] seventeen, the
state comptroller is hereby authorized and directed to deposit to the fund
created pursuant to this section from amounts collected pursuant to article
twenty-two of the tax law and pursuant to a schedule submitted by the
director of the budget, up to [§3,283,844,000] $2,605,997,000, as may be
certified in such schedule as necessary to meet the purposes of such fund for
the fiscal year beginning April first, two thousand [sixteen] seventeen.

§ 22. Notwithstanding any law to the contrary, the comptroller is hereby
authorized and directed to transfer, upon request of the director of the
budget, on or before March 31, 2018, the following amounts from the following
special revenue accounts to the capital projects fund (30000), for the
purposes of reimbursement to such fund for expenses related to the
maintenance and preservation of state assets:
1. $43,000 from the miscellaneous special revenue fund, administrative program account (21982).

2. $1,478,000 from the miscellaneous special revenue fund, helen hayes hospital account (22140).

3. $366,000 from the miscellaneous special revenue fund, New York city veterans' home account (22141).

4. $513,000 from the miscellaneous special revenue fund, New York state home for veterans' and their dependents at oxford account (22142).

5. $159,000 from the miscellaneous special revenue fund, western New York veterans' home account (22143).

6. $323,000 from the miscellaneous special revenue fund, New York state for veterans in the lower-hudson valley account (22144).

7. $2,550,000 from the miscellaneous special revenue fund, patron services account (22163).

8. $41,930,000 from the miscellaneous special revenue fund, state university dormitory income reimbursable account (21937).

9. $830,000 from the miscellaneous special revenue fund, long island veterans' home account (22652).

10. $5,379,000 from the miscellaneous special revenue fund, state university general income reimbursable account (22653).

11. $112,556,000 from the miscellaneous special revenue fund, state university revenue offset account (22655).

12. $557,000 from the miscellaneous special revenue fund, state university of New York tuition reimbursement account (22659).

§ 22-a. Intentionally Omitted.

§ 22-b. Intentionally Omitted.

§ 22-c. Subdivision 1 of section 4 of section 1 of part D3 of chapter 62 of the laws of 2003 amending the general business law and other laws relating to implementing the state fiscal plan for the 2003-2004 state fiscal year, is amended to read as follows:

1. The state representative, upon the execution of a sale agreement on behalf of the state may sell to the corporation, and the corporation may purchase, for cash or other consideration and in one or more installments, all or a portion of the state's share. Any such agreement shall provide, among other matters, that the purchase price payable by the corporation to the state for such state's share or portion thereof shall consist of the net proceeds of the bonds issued to finance such purchase price and the residual interests, if any. Notwithstanding section 121 of State Finance Law or any
other law to the contrary the residual interests shall be deposited into [the tobacco settlement fund pursuant to section 92-x of the state finance law, unless otherwise directed by statute] the Medicaid management information system (MMIS) statewide escrow fund within thirty days upon the availability of such residual interests to fund a portion of the cumulative non-federal share of expenses related to the state takeover of the local share of Medicaid growth pursuant to part F of chapter 56 of the laws of 2012. Such deposit shall be in an amount equal to (a) the amount of residual interests scheduled for deposit into the MMIS statewide escrow fund in the applicable year’s enacted budget financial plan as updated or (b) the total amount of residual interests available if the total amount of such residual interests is less than the total amount of residual interests scheduled for deposit into the MMIS statewide escrow fund in the applicable year’s enacted budget financial plan as updated. At the discretion of the state representative, any residual interests which exceed the amount scheduled for deposit into the MMIS statewide escrow fund in the applicable year’s enacted budget financial plan as updated may either be deposited into the (i) MMIS statewide escrow fund to fund a portion, as determined by the state representative, of the cumulative non-Federal share of expenses related to the State takeover of the local share of Medicaid growth, pursuant to part F of chapter 56 of the laws of 2012, or (ii) the state general fund; provided, however that any residual interest derived from other assets shall be applied as directed by statute. Notwithstanding any other law to the contrary, the amount used from such deposit to fund a portion of the cumulative non-Federal share of expenses related to the State takeover of the local share of Medicaid growth shall be paid without appropriation. Any such sale shall be pursuant to one or more sale agreements which may contain such terms and conditions deemed necessary by the state representative to carry out and effectuate the purposes of this section, including covenants binding the state in favor of the corporation and its assignees, including the owners of its bonds such as covenants with respect to the enforcement at the expense of the state of the payment provisions of the master settlement agreement, the diligent enforcement at the expense of the state of the qualifying statute, the application and use of the proceeds of the sale of the state's share to preserve the tax-exemption on the bonds, the interest on which is intended to be exempt from federal income tax, issued to finance the purchase thereof and otherwise as provided in this act. Notwithstanding the foregoing, neither the state representative nor the corporation shall be authorized to make any covenant, pledge, promise or agreement purporting to bind the state with respect to pledged tobacco revenues, except as otherwise specifically authorized by this act.

§ 22-d. Intentionally Omitted.

§ 23. Notwithstanding any other law, rule, or regulation to the contrary, the state comptroller is hereby authorized and directed to use any balance remaining in the mental health services fund debt service appropriation, after payment by the state comptroller of all obligations required pursuant to any lease, sublease, or other financing arrangement between the dormitory authority of the state of New York as successor to the New York state medical care facilities finance agency, and the facilities development corporation pursuant to chapter 83 of the laws of 1995 and the department of mental hygiene for the purpose of making payments to the dormitory authority of the state of New York for the amount of the earnings for the investment of monies deposited in the mental health services fund that such agency determines will or may have to be rebated to the federal government pursuant to the
provisions of the internal revenue code of 1986, as amended, in order to
enable such agency to maintain the exemption from federal income taxation on
the interest paid to the holders of such agency's mental services facilities
improvement revenue bonds. Annually on or before each June 30th, such agency
shall certify to the state comptroller its determination of the amounts
received in the mental health services fund as a result of the investment of
monies deposited therein that will or may have to be rebated to the federal
government pursuant to the provisions of the internal revenue code of 1986,
as amended.

§ 24. Subdivision 1 of section 47 of section 1 of chapter 174 of the laws
of 1968, constituting the New York state urban development corporation act,
as amended by section 29 of part UU of chapter 54 of the laws of 2016, is
amended to read as follows:

1. Notwithstanding the provisions of any other law to the contrary, the
dormitory authority and the corporation are hereby authorized to issue bonds
or notes in one or more series for the purpose of funding project costs for
the office of information technology services, department of law, and other
state costs associated with such capital projects. The aggregate principal
amount of bonds authorized to be issued pursuant to this section shall not
exceed [three] four hundred [sixty-four] fifty million [eight] five hundred
forty thousand dollars, excluding bonds issued to fund one or more debt
service reserve funds, to pay costs of issuance of such bonds, and bonds or
notes issued to refund or otherwise repay such bonds or notes previously
issued. Such bonds and notes of the dormitory authority and the corporation
shall not be a debt of the state, and the state shall not be liable thereon,
nor shall they be payable out of any funds other than those appropriated by
the state to the dormitory authority and the corporation for principal,
interest, and related expenses pursuant to a service contract and such bonds
and notes shall contain on the face thereof a statement to such effect.
Except for purposes of complying with the internal revenue code, any interest
income earned on bond proceeds shall only be used to pay debt service on such
bonds.

§ 25. Subdivision 1 of section 16 of part D of chapter 389 of the laws of
1997, relating to the financing of the correctional facilities improvement
fund and the youth facility improvement fund, as amended by section 30 of
part UU of chapter 54 of the laws of 2016, is amended to read as follows:

1. Subject to the provisions of chapter 59 of the laws of 2000, but
notwithstanding the provisions of section 18 of section 1 of chapter 174 of
the laws of 1968, the New York state urban development corporation is hereby
authorized to issue bonds, notes and other obligations in an aggregate
principal amount not to exceed seven billion [four] seven hundred [twenty-
four] forty-one million [nine] one hundred ninety-nine thousand dollars
[$7,424,999,000] $7,741,199,000, and shall include all bonds, notes and other
obligations issued pursuant to chapter 56 of the laws of 1983, as amended or
supplemented. The proceeds of such bonds, notes or other obligations shall be
paid to the state, for deposit in the correctional facilities capital
improvement fund to pay for all or any portion of the amount or amounts paid
by the state from appropriations or reappropriations made to the department
of corrections and community supervision from the correctional facilities
capital improvement fund for capital projects. The aggregate amount of bonds,
notes or other obligations authorized to be issued pursuant to this section
shall exclude bonds, notes or other obligations issued to refund or otherwise
repay bonds, notes or other obligations theretofore issued, the proceeds of which were paid to the state for all or a portion of the amounts expended by the state from appropriations or reappropriations made to the department of corrections and community supervision; provided, however, that upon any such refunding or repayment the total aggregate principal amount of outstanding bonds, notes or other obligations may be greater than seven billion \([four]\) seven hundred \([twenty-four]\) forty-one million \([nine]\) one hundred ninety-nine thousand dollars \([$7,424,999,000]\) \([$7,741,199,000]\), only if the present value of the aggregate debt service of the refunding or repayment bonds, notes or other obligations to be issued shall not exceed the present value of the aggregate debt service of the bonds, notes or other obligations so to be refunded or repaid. For the purposes hereof, the present value of the aggregate debt service of the refunding or repayment bonds, notes or other obligations and of the aggregate debt service of the bonds, notes or other obligations so refunded or repaid, shall be calculated by utilizing the effective interest rate of the refunding or repayment bonds, notes or other obligations so refunded or repaid, which shall be that rate arrived at by doubling the semi-annual interest rate (compounded semi-annually) necessary to discount the debt service payments on the refunding or repayment bonds, notes or other obligations from the payment dates thereof to the date of issue of the refunding or repayment bonds, notes or other obligations and to the price bid including estimated accrued interest or proceeds received by the corporation including estimated accrued interest from the sale thereof.

§ 26. Paragraph (a) of subdivision 2 of section 47-e of the private housing finance law, as amended by section 31 of part UU of chapter 54 of the laws of 2016, is amended to read as follows:

(a) Subject to the provisions of chapter fifty-nine of the laws of two thousand, in order to enhance and encourage the promotion of housing programs and thereby achieve the stated purposes and objectives of such housing programs, the agency shall have the power and is hereby authorized from time to time to issue negotiable housing program bonds and notes in such principal amount as shall be necessary to provide sufficient funds for the repayment of amounts disbursed (and not previously reimbursed) pursuant to law or any prior year making capital appropriations or reappropriations for the purposes of the housing program; provided, however, that the agency may issue such bonds and notes in an aggregate principal amount not exceeding \([four]\) five billion \([six]\) three hundred \([ninety-seven]\) eighty-four million \([four]\) one hundred \([seventy-four]\) ninety-nine thousand dollars, plus a principal amount of bonds issued to fund the debt service reserve fund in accordance with the debt service reserve fund requirement established by the agency and to fund any other reserves that the agency reasonably deems necessary for the security or marketability of such bonds and to provide for the payment of fees and other charges and expenses, including underwriters' discount, trustee and rating agency fees, bond insurance, credit enhancement and liquidity enhancement related to the issuance of such bonds and notes. No reserve fund securing the housing program bonds shall be entitled or eligible to receive state funds apportioned or appropriated to maintain or restore such reserve fund at or to a particular level, except to the extent of any deficiency resulting directly or indirectly from a failure of the state to appropriate or pay the agreed amount under any of the contracts provided for in subdivision four of this section.

§ 27. Subdivision (b) of section 11 of chapter 329 of the laws of 1991, amending the state finance law and other laws relating to the establishment
of the dedicated highway and bridge trust fund, as amended by section 32 of part UU of chapter 54 of the laws of 2016, is amended to read as follows:

(b) Any service contract or contracts for projects authorized pursuant to sections 10-c, 10-f, 10-g and 80-b of the highway law and section 14-k of the transportation law, and entered into pursuant to subdivision (a) of this section, shall provide for state commitments to provide annually to the thruway authority a sum or sums, upon such terms and conditions as shall be deemed appropriate by the director of the budget, to fund, or fund the debt service requirements of any bonds or any obligations of the thruway authority issued to fund or to reimburse the state for funding such projects having a cost not in excess of \$9,147,234,000 \$9,634,586,000 cumulatively by the end of fiscal year \textbf{2016-17} \textbf{2017-18}.

§ 28. Subdivision 1 of section 1689-i of the public authorities law, as amended by section 33 of part UU of chapter 54 of the laws of 2016, is amended to read as follows:

1. The dormitory authority is authorized to issue bonds, at the request of the commissioner of education, to finance eligible library construction projects pursuant to section two hundred seventy-three-a of the education law, in amounts certified by such commissioner not to exceed a total principal amount of one hundred \textbf{59} \textbf{seventy-three} million dollars.

§ 29. Subdivision (a) of section 27 of part Y of chapter 61 of the laws of 2005, relating to providing for the administration of certain funds and accounts related to the 2005-2006 budget, as amended by section 34 of part UU of chapter 54 of the laws of 2016, is amended to read as follows:

(a) Subject to the provisions of chapter 59 of the laws of 2000, but notwithstanding any provisions of law to the contrary, the urban development corporation is hereby authorized to issue bonds or notes in one or more series in an aggregate principal amount not to exceed \$167,600,000 \$173,600,000, excluding bonds issued to finance one or more debt service reserve funds, to pay costs of issuance of such bonds, and bonds or notes issued to refund or otherwise repay such bonds or notes previously issued, for the purpose of financing capital projects including IT initiatives for the division of state police, debt service and leases; and to reimburse the state general fund for disbursements made therefor. Such bonds and notes of such authorized issuer shall not be a debt of the state, and the state shall not be liable thereon, nor shall they be payable out of any funds other than those appropriated by the state to such authorized issuer for debt service and related expenses pursuant to any service contract executed pursuant to subdivision (b) of this section and such bonds and notes shall contain on the face thereof a statement to such effect. Except for purposes of complying with the internal revenue code, any interest income earned on bond proceeds shall only be used to pay debt service on such bonds.

§ 30. Section 44 of section 1 of chapter 174 of the laws of 1968, constituting the New York state urban development corporation act, as amended by section 35 of part UU of chapter 54 of the laws of 2016, is amended to read as follows:

§ 44. Issuance of certain bonds or notes. 1. Notwithstanding the provisions of any other law to the contrary, the dormitory authority and the
corporation are hereby authorized to issue bonds or notes in one or more series for the purpose of funding project costs for the regional economic development council initiative, the economic transformation program, state university of New York college for nanoscale and science engineering, projects within the city of Buffalo or surrounding environs, the New York works economic development fund, projects for the retention of professional football in western New York, the empire state economic development fund, the clarkson-trudeau partnership, the New York genome center, the cornell university college of veterinary medicine, the olympic regional development authority, projects at nano Utica, onondaga county revitalization projects, Binghamton university school of pharmacy, New York power electronics manufacturing consortium, regional infrastructure projects, high technology manufacturing projects in Chautauqua and Erie county, an industrial scale research and development facility in Clinton county, upstate revitalization initiative projects, market New York projects, fairground buildings or facilities used to house and promote agriculture, the state fair, the empire state trail, the moynihan station development project, the Kingsbridge armory project, strategic economic development projects, the cultural, arts and public spaces fund, an LGBT memorial, water infrastructure in the city of Auburn and town of Owasco, a life sciences laboratory public health initiative, and other state costs associated with such projects. The aggregate principal amount of bonds authorized to be issued pursuant to this section shall not exceed [four] six billion [six] five hundred [seventy-one] thirty-three million [seven] two hundred fifty-seven thousand dollars, excluding bonds issued to fund one or more debt service reserve funds, to pay costs of issuance of such bonds, and bonds or notes issued to refund or otherwise repay such bonds or notes previously issued. Such bonds and notes of the dormitory authority and the corporation shall not be a debt of the state, and the state shall not be liable thereon, nor shall they be payable out of any funds other than those appropriated by the state to the dormitory authority and the corporation for principal, interest, and related expenses pursuant to a service contract and such bonds and notes shall contain on the face thereof a statement to such effect. Except for purposes of complying with the internal revenue code, any interest income earned on bond proceeds shall only be used to pay debt service on such bonds.

2. Notwithstanding any other provision of law to the contrary, in order to assist the dormitory authority and the corporation in undertaking the financing for project costs for the regional economic development council initiative, the economic transformation program, state university of New York college for nanoscale and science engineering, projects within the city of Buffalo or surrounding environs, the New York works economic development fund, projects for the retention of professional football in western New York, the empire state economic development fund, the clarkson-trudeau partnership, the New York genome center, the cornell university college of veterinary medicine, the olympic regional development authority, projects at nano Utica, onondaga county revitalization projects, Binghamton university school of pharmacy, New York power electronics manufacturing consortium, regional infrastructure projects, high technology manufacturing projects in Chautauqua and Erie county, an industrial scale research and development facility in Clinton county, upstate revitalization initiative projects, market New York projects, fairground buildings or facilities used to house and promote agriculture, the state fair, the empire state trail, the moynihan station development project, the Kingsbridge armory project, strategic economic development projects, the cultural, arts and public spaces fund, an LGBT memorial, water infrastructure in the city of Auburn and town of Owasco,
a life sciences laboratory public health initiative, and other state costs associated with such projects, the director of the budget is hereby authorized to enter into one or more service contracts with the dormitory authority and the corporation, none of which shall exceed thirty years in duration, upon such terms and conditions as the director of the budget and the dormitory authority and the corporation agree, so as to annually provide to the dormitory authority and the corporation, in the aggregate, a sum not to exceed the principal, interest, and related expenses required for such bonds and notes. Any service contract entered into pursuant to this section shall provide that the obligation of the state to pay the amount therein provided shall not constitute a debt of the state within the meaning of any constitutional or statutory provision and shall be deemed executory only to the extent of monies available and that no liability shall be incurred by the state beyond the monies available for such purpose, subject to annual appropriation by the legislature. Any such contract or any payments made or to be made thereunder may be assigned and pledged by the dormitory authority and the corporation as security for its bonds and notes, as authorized by this section.

§ 31. Subdivisions 1 and 3 of section 1285-p of the public authorities law, subdivision 1 as amended by section 33 of part I of chapter 60 of the laws of 2015 and subdivision 3 as amended by section 36 of part UU of chapter 54 of the laws of 2016, is amended to read as follows:

1. Subject to chapter fifty-nine of the laws of two thousand, but notwithstanding any other provisions of law to the contrary, in order to assist the corporation in undertaking the administration and the financing of the design, acquisition, construction, improvement, installation, and related work for all or any portion of any of the following environmental infrastructure projects and for the provision of funds to the state for any amounts disbursed therefor: (a) projects authorized under the environmental protection fund, or for which appropriations are made to the environmental protection fund including, but not limited to municipal parks and historic preservation, stewardship, farmland protection, non-point source, pollution control, Hudson River Park, land acquisition, and waterfront revitalization; (b) department of environmental conservation capital appropriations for Onondaga Lake for certain water quality improvement projects in the same manner as set forth in paragraph (d) of subdivision one of section 56-0303 of the environmental conservation law; (c) for the purpose of the administration, management, maintenance, and use of the real property at the western New York nuclear service center; (d) department of environmental conservation capital appropriations for the administration, design, acquisition, construction, improvement, installation, and related work on department of environmental conservation environmental infrastructure projects; (e) office of parks, recreation and historic preservation appropriations or reappropriations from the state parks infrastructure fund; (f) capital grants for the cleaner, greener communities program [and] (g) capital costs of water quality infrastructure projects and (h) capital costs of clean water infrastructure projects the director of the division of budget and the corporation are each authorized to enter into one or more service contracts, none of which shall exceed twenty years in duration, upon such terms and conditions as the director and the corporation may agree, so as to annually provide to the corporation in the aggregate, a sum not to exceed the annual debt service payments and related expenses required for any bonds and notes authorized pursuant to section twelve hundred ninety of this title. Any service contract entered into pursuant to this section shall provide that the
obligation of the state to fund or to pay the amounts therein provided for shall not constitute a debt of the state within the meaning of any constitutional or statutory provision and shall be deemed executory only to the extent of moneys available for such purposes, subject to annual appropriation by the legislature. Any such service contract or any payments made or to be made thereunder may be assigned and pledged by the corporation as security for its bonds and notes, as authorized pursuant to section twelve hundred ninety of this title.

3. The maximum amount of bonds that may be issued for the purpose of financing environmental infrastructure projects authorized by this section shall be [two] four billion [one] four hundred [eight] fifty-one million [two] seven hundred sixty thousand dollars, exclusive of bonds issued to fund any debt service reserve funds, pay costs of issuance of such bonds, and bonds or notes issued to refund or otherwise repay bonds or notes previously issued. Such bonds and notes of the corporation shall not be a debt of the state, and the state shall not be liable thereon, nor shall they be payable out of any funds other than those appropriated by the state to the corporation for debt service and related expenses pursuant to any service contracts executed pursuant to subdivision one of this section, and such bonds and notes shall contain on the face thereof a statement to such effect.

§ 32. Subdivision 1 of section 45 of section 1 of chapter 174 of the laws of 1968, constituting the New York state urban development corporation act, as amended by section 37 of part UU of chapter 54 of the laws of 2016, is amended to read as follows:

1. Notwithstanding the provisions of any other law to the contrary, the urban development corporation of the state of New York is hereby authorized to issue bonds or notes in one or more series for the purpose of funding project costs for the implementation of a NY-SUNY and NY-CUNY 2020 challenge grant program subject to the approval of a NY-SUNY and NY-CUNY 2020 plan or plans by the governor and either the chancellor of the state university of New York or the chancellor of the city university of New York, as applicable. The aggregate principal amount of bonds authorized to be issued pursuant to this section shall not exceed [\$550,000,000] \$660,000,000, excluding bonds issued to fund one or more debt service reserve funds, to pay costs of issuance of such bonds, and bonds or notes issued to refund or otherwise repay such bonds or notes previously issued. Such bonds and notes of the corporation shall not be a debt of the state, and the state shall not be liable thereon, nor shall they be payable out of any funds other than those appropriated by the state to the corporation for principal, interest, and related expenses pursuant to a service contract and such bonds and notes shall contain on the face thereof a statement to such effect. Except for purposes of complying with the internal revenue code, any interest income earned on bond proceeds shall only be used to pay debt service on such bonds.

§ 33. Subdivision (a) of section 48 of part K of chapter 81 of the laws of 2002, providing for the administration of certain funds and accounts related to the 2002-2003 budget, as amended by section 38 of part UU of chapter 54 of the laws of 2016, is amended to read as follows:

(a) Subject to the provisions of chapter 59 of the laws of 2000 but notwithstanding the provisions of section 18 of the urban development corporation act, the corporation is hereby authorized to issue bonds or notes in one or more series in an aggregate principal amount not to exceed
§ 34. Subdivision 1 of section 386-b of the public authorities law, as amended by section 39 of part UU of chapter 54 of the laws of 2016, is amended to read as follows:

1. Notwithstanding any other provision of law to the contrary, the authority, the dormitory authority and the urban development corporation are hereby authorized to issue bonds or notes in one or more series for the purpose of financing peace bridge projects and capital costs of state and local highways, parkways, bridges, the New York state thruway, Indian reservation roads, and facilities, and transportation infrastructure projects including aviation projects, non-MTA mass transit projects, and rail service preservation projects, including work appurtenant and ancillary thereto. The aggregate principal amount of bonds authorized to be issued pursuant to this section shall not exceed three billion nine hundred fifty-four million dollars $3,954,000,000, excluding bonds issued to fund one or more debt service reserve funds, to pay costs of issuance of such bonds, and bonds or notes previously issued. Such bonds and notes of the authority, the dormitory authority and the urban development corporation shall not be a debt of the state, and the state shall not be liable thereon, nor shall they be payable out of any funds other than those appropriated by the state to the corporation for debt service and related expenses pursuant to any service contracts executed pursuant to subdivision (b) of this section, and such bonds and notes shall contain on the face thereof a statement to such effect. Except for purposes of complying with the internal revenue code, any interest income earned on bond proceeds shall only be used to pay debt service on such bonds.

§ 35. Paragraph (c) of subdivision 19 of section 1680 of the public authorities law, as amended by section 40 of part UU of chapter 54 of the laws of 2016, is amended to read as follows:

(c) Subject to the provisions of chapter fifty-nine of the laws of two thousand, the dormitory authority shall not issue any bonds for state
university educational facilities purposes if the principal amount of bonds
to be issued when added to the aggregate principal amount of bonds issued by
the dormitory authority on and after July first, nineteen hundred eighty-
eight for state university educational facilities will exceed

\[11\text{ billion } 12\text{ million dollars};\] provided, however, that bonds issued or to be issued shall be
excluded from such limitation if: (1) such bonds are issued to refund state
university construction bonds and state university construction notes
previously issued by the housing finance agency; or (2) such bonds are issued
to refund bonds of the authority or other obligations issued for state
university educational facilities purposes and the present value of the
aggregate debt service on the refunding bonds does not exceed the present
value of the aggregate debt service on the bonds refunded thereby; provided,

further that upon certification by the director of the budget that the
issuance of refunding bonds or other obligations issued between April first,
nineteen hundred ninety-two and March thirty-first, nineteen hundred ninety-
three will generate long term economic benefits to the state, as assessed on
a present value basis, such issuance will be deemed to have met the present
value test noted above. For purposes of this subdivision, the present value
of the aggregate debt service of the refunding bonds and the aggregate debt
service of the bonds refunded, shall be calculated by utilizing the true
interest cost of the refunding bonds, which shall be that rate arrived at by
doubling the semi-annual interest rate (compounded semi-annually) necessary
to discount the debt service payments on the refunding bonds from the payment
dates thereof to the date of issue of the refunding bonds to the purchase
price of the refunding bonds, including interest accrued thereon prior to the
issuance thereof. The maturity of such bonds, other than bonds issued to
refund outstanding bonds, shall not exceed the weighted average economic
life, as certified by the state university construction fund, of the
facilities in connection with which the bonds are issued, and in any case not
later than the earlier of thirty years or the expiration of the term of any
lease, sublease or other agreement relating thereto; provided that no note,
including renewals thereof, shall mature later than five years after the date
of issuance of such note. The legislature reserves the right to amend or
repeal such limit, and the state of New York, the dormitory authority, the
state university of New York, and the state university construction fund are
prohibited from covenanteeing or making any other agreements with or for the
benefit of bondholders which might in any way affect such right.

§ 36. Paragraph (c) of subdivision 14 of section 1680 of the public
authorities law, as amended by section 41 of part UU of chapter 54 of the
laws of 2016, is amended to read as follows:

(c) Subject to the provisions of chapter fifty-nine of the laws of two
thousand, (i) the dormitory authority shall not deliver a series of bonds for
city university community college facilities, except to refund or to be
substituted for or in lieu of other bonds in relation to city university
community college facilities pursuant to a resolution of the dormitory
authority adopted before July first, nineteen hundred eighty-five or any
resolution supplemental thereto, if the principal amount of bonds so to be
issued when added to all principal amounts of bonds previously issued by the
dormitory authority for city university community college facilities, except
to refund or to be substituted in lieu of other bonds in relation to city
university community college facilities will exceed the sum of four hundred
twenty-five million dollars and (ii) the dormitory authority shall not
deliver a series of bonds issued for city university facilities, including
community college facilities, pursuant to a resolution of the dormitory
authority adopted on or after July first, nineteen hundred eighty-five,
except to refund or to be substituted for or in lieu of other bonds in
relation to city university facilities and except for bonds issued pursuant
to a resolution supplemental to a resolution of the dormitory authority
adopted prior to July first, nineteen hundred eighty-five, if the principal
amount of bonds so to be issued when added to the principal amount of bonds
previously issued pursuant to any such resolution, except bonds issued to
refund or to be substituted for or in lieu of other bonds in relation to city
university facilities, will exceed seven billion [five] nine hundred [eighty-
eight] eighty-one million [four] nine hundred [eleven] sixty-eight thousand
dollars. The legislature reserves the right to amend or repeal such limit,
and the state of New York, the dormitory authority, the city university, and
the fund are prohibited from covenanting or making any other agreements with
or for the benefit of bondholders which might in any way affect such right.

§ 37. Subdivision 10-a of section 1680 of the public authorities law, as
amended by section 42 of part UU of chapter 54 of the laws of 2016, is
amended to read as follows:

10-a. Subject to the provisions of chapter fifty-nine of the laws of two
thousand, but notwithstanding any other provision of the law to the contrary,
the maximum amount of bonds and notes to be issued after March thirty-first,
two thousand two, on behalf of the state, in relation to any locally
sponsored community college, shall be [eight] nine hundred [sixty-
one] fourteen million [four] five hundred [fifty-four] ninety thousand
dollars. Such amount shall be exclusive of bonds and notes issued to fund any
reserve fund or funds, costs of issuance and to refund any outstanding bonds
and notes, issued on behalf of the state, relating to a locally sponsored
community college.

§ 38. Subdivision 1 of section 17 of part D of chapter 389 of the laws of
1997, relating to the financing of the correctional facilities improvement
fund and the youth facility improvement fund, as amended by section 43 of
part UU of chapter 54 of the laws of 2016, is amended to read as follows:

1. Subject to the provisions of chapter 59 of the laws of 2000, but
notwithstanding the provisions of section 18 of section 1 of chapter 174 of
the laws of 1968, the New York state urban development corporation is hereby
authorized to issue bonds, notes and other obligations in an aggregate
principal amount not to exceed six hundred [forty-seven] eighty-two million
[sixty-five] nine hundred fifteen thousand dollars
[$647,065,000] [$682,915,000], which authorization increases the aggregate
principal amount of bonds, notes and other obligations authorized by section
40 of chapter 309 of the laws of 1996, and shall include all bonds, notes and
other obligations issued pursuant to chapter 211 of the laws of 1990, as
amended or supplemented. The proceeds of such bonds, notes or other
obligations shall be paid to the state, for deposit in the youth facilities
improvement fund, to pay for all or any portion of the amount or amounts paid
by the state from appropriations or reappropriations made to the office of
children and family services from the youth facilities improvement fund for
capital projects. The aggregate amount of bonds, notes and other obligations
authorized to be issued pursuant to this section shall exclude bonds, notes
or other obligations issued to refund or otherwise repay bonds, notes or
other obligations theretofore issued, the proceeds of which were paid to the
state for all or a portion of the amounts expended by the state from
appropriations or reappropriations made to the office of children and family
services; provided, however, that upon any such refunding or repayment the
total aggregate principal amount of outstanding bonds, notes or other
obligations may be greater than six hundred [forty-seven] eighty-two
[eighty-five] nine hundred fifteen thousand dollars
[($647,065,000)] ($682,915,000), only if the present value of the aggregate
debt service of the refunding or repayment bonds, notes or other obligations
to be issued shall not exceed the present value of the aggregate debt service
of the bonds, notes or other obligations so to be refunded or repaid. For the
purposes hereof, the present value of the aggregate debt service of the
refunding or repayment bonds, notes or other obligations and of the aggregate
debt service of the bonds, notes or other obligations so refunded or repaid,
shall be calculated by utilizing the effective interest rate of the refunding
or repayment bonds, notes or other obligations, which shall be that rate
arrived at by doubling the semi-annual interest rate (compounded semi-
annually) necessary to discount the debt service payments on the refunding or
repayment bonds, notes or other obligations from the payment dates thereof to
the date of issue of the refunding or repayment bonds, notes or other
obligations and to the price bid including estimated accrued interest or
proceeds received by the corporation including estimated accrued interest
from the sale thereof.

§ 39. Paragraph b of subdivision 2 of section 9-a of section 1 of chapter
392 of the laws of 1973, constituting the New York state medical care
facilities finance agency act, as amended by section 44 of part UU of chapter
54 of the laws of 2016, is amended to read as follows:

b. The agency shall have power and is hereby authorized from time to time
to issue negotiable bonds and notes in conformity with applicable provisions
of the uniform commercial code in such principal amount as, in the opinion of
the agency, shall be necessary, after taking into account other moneys which
may be available for the purpose, to provide sufficient funds to the
facilities development corporation, or any successor agency, for the
financing or refinancing of or for the design, construction, acquisition,
reconstruction, rehabilitation or improvement of mental health services
facilities pursuant to paragraph a of this subdivision, the payment of
interest on mental health services improvement bonds and mental health
services improvement notes issued for such purposes, the establishment of
reserves to secure such bonds and notes, the cost or premium of bond
insurance or the costs of any financial mechanisms which may be used to
reduce the debt service that would be payable by the agency on its mental
health services improvement bonds and notes and all other
expenditures of the agency incident to and necessary or convenient to
providing the facilities development corporation, or any successor agency,
with funds for the financing or refinancing of or for any such design,
construction, acquisition, reconstruction, rehabilitation or improvement and
for the refunding of mental hygiene improvement bonds issued pursuant to
section 47-b of the private housing finance law; provided, however, that the
agency shall not issue mental health services facilities improvement bonds
and mental health services facilities improvement notes in an aggregate
principal amount exceeding eight billion [twenty-one] three hundred seventy-
two million eight hundred fifteen thousand dollars, excluding mental health
services facilities improvement bonds and mental health services facilities
improvement notes issued to refund outstanding mental health services
facilities improvement bonds and mental health services facilities
improvement notes; provided, however, that upon any such refunding or
repayment of mental health services facilities improvement bonds and/or
mental health services facilities improvement notes the total aggregate
principal amount of outstanding mental health services facilities improvement
bonds and mental health facilities improvement notes may be greater than
eight billion [twenty-one] three hundred seventy-two million eight hundred
teen thousand dollars only if, except as hereinafter provided with respect
to mental health services facilities bonds and mental health services
facilities notes issued to refund mental hygiene improvement bonds authorized
to be issued pursuant to the provisions of section 47-b of the private
housing finance law, the present value of the aggregate debt service of the
refunding or repayment bonds to be issued shall not exceed the present value
of the aggregate debt service of the bonds to be refunded or repaid. For
purposes hereof, the present values of the aggregate debt service of the
refunding or repayment bonds, notes or other obligations and of the aggregate
debt service of the bonds, notes or other obligations so refunded or repaid,
shall be calculated by utilizing the effective interest rate of the refunding
or repayment bonds, notes or other obligations, which shall be that rate
arrived at by doubling the semi-annual interest rate (compounded semi-
annually) necessary to discount the debt service payments on the refunding or
repayment bonds, notes or other obligations from the payment dates thereof to
the date of issue of the refunding or repayment bonds, notes or other
obligations and to the price bid including estimated accrued interest or
proceeds received by the authority including estimated accrued interest from
the sale thereof. Such bonds, other than bonds issued to refund outstanding
bonds, shall be scheduled to mature over a term not to exceed the average
useful life, as certified by the facilities development corporation, of the
projects for which the bonds are issued, and in any case shall not exceed
thirty years and the maximum maturity of notes or any renewals thereof shall
not exceed five years from the date of the original issue of such notes.
Notwithstanding the provisions of this section, the agency shall have the
power and is hereby authorized to issue mental health services facilities
improvement bonds and/or mental health services facilities improvement notes
to refund outstanding mental hygiene improvement bonds authorized to be
issued pursuant to the provisions of section 47-b of the private housing
finance law and the amount of bonds issued or outstanding for such purposes
shall not be included for purposes of determining the amount of bonds issued
pursuant to this section. The director of the budget shall allocate the
aggregate principal authorized to be issued by the agency among the office of
mental health, office for people with developmental disabilities, and the
office of alcoholism and substance abuse services, in consultation with their
respective commissioners to finance bondable appropriations previously
approved by the legislature.

§ 40. Paragraph (b) of subdivision 3 and clause (B) of subparagraph (iii)
of paragraph (j) of subdivision 4 of section 1 of part D of chapter 63 of the
laws of 2005, relating to the composition and responsibilities of the New
York state higher education capital matching grant board, as amended by
section 45 of part UU of chapter 54 of the laws of 2016, are amended to read
as follows:

(b) Within amounts appropriated therefor, the board is hereby authorized
and directed to award matching capital grants totaling [240] 270 million
dollars. Each college shall be eligible for a grant award amount as
determined by the calculations pursuant to subdivision five of this section.
In addition, such colleges shall be eligible to compete for additional funds
pursuant to paragraph (h) of subdivision four of this section.
The dormitory authority shall not issue any bonds or notes in an amount in excess of $270 million dollars for the purposes of this section; excluding bonds or notes issued to fund one or more debt service reserve funds, to pay costs of issuance of such bonds, and bonds or notes issued to refund or otherwise repay such bonds or notes previously issued. Except for purposes of complying with the internal revenue code, any interest on bond proceeds shall only be used to pay debt service on such bonds.

§ 41. Section 1680-r of the public authorities law, as amended by section 40 of part I of chapter 60 of the laws of 2015, subdivision 1 as amended by section 48 of part UU of chapter 54 of the laws of 2016, is amended to read as follows:

§ 1680-r. Authorization for the issuance of bonds for the capital restructuring financing program and health care facility transformation programs, and the essential health care provider program.

1. Notwithstanding the provisions of any other law to the contrary, the dormitory authority and the urban development corporation are hereby authorized to issue bonds or notes in one or more series for the purpose of funding project costs for the capital restructuring financing program for health care and related facilities licensed pursuant to the public health law or the mental hygiene law and other state costs associated with such capital projects and, the health care facility transformation programs, and the essential health care provider program. The aggregate principal amount of bonds authorized to be issued pursuant to this section shall not exceed two billion four hundred million dollars, excluding bonds issued to fund one or more debt service reserve funds, to pay costs of issuance of such bonds, and bonds or notes issued to refund or otherwise repay such bonds or notes previously issued. Such bonds and notes of the dormitory authority and the urban development corporation shall not be a debt of the state, and the state shall not be liable thereon, nor shall they be payable out of any funds other than those appropriated by the state to the dormitory authority and the urban development corporation for principal, interest, and related expenses pursuant to a service contract and such bonds and notes shall contain on the face thereof a statement to such effect. Except for purposes of complying with the internal revenue code, any interest income earned on bond proceeds shall only be used to pay debt service on such bonds.

2. Notwithstanding any other provision of law to the contrary, in order to assist the dormitory authority and the urban development corporation in undertaking the financing for project costs for the capital restructuring financing program for health care and related facilities licensed pursuant to the public health law or the mental hygiene law and other state costs associated with such capital projects and, the health care facility transformation programs, and the essential health care provider program, the director of the budget is hereby authorized to enter into one or more service contracts with the dormitory authority and the urban development corporation, none of which shall exceed thirty years in duration, upon such terms and conditions as the director of the budget and the dormitory authority and the urban development corporation agree, so as to annually provide to the dormitory authority and the urban development corporation, in the aggregate, a sum not to exceed the principal, interest, and related expenses required for such bonds and notes. Any service contract entered pursuant to this section shall provide that the obligation of the state to pay the amount therein provided shall not constitute a debt of the state.
within the meaning of any constitutional or statutory provision and shall be
deemed executory only to the extent of monies available and that no liability
shall be incurred by the state beyond the monies available for such purpose,
subject to annual appropriation by the legislature. Any such contract or any
payments made or to be made thereunder may be assigned and pledged by the
dormitory authority and the urban development corporation as security for its
bonds and notes, as authorized by this section.

§ 42. Section 50 of section 1 of chapter 174 of the laws of 1968
constituting the New York state urban development corporation act, as added
by section 46-b of part I of chapter 55 of the laws of 2014, is amended to
read as follows:

§ 50. 1. Notwithstanding the provisions of any other law to the contrary,
the dormitory authority and the urban development corporation are hereby
authorized to issue bonds or notes in one or more series for the purpose of
funding project costs undertaken by or on behalf of special act school
districts, state-supported schools for the blind and deaf [and] approved
private special education schools, non-public schools and other state costs
associated with such capital projects. The aggregate principal amount of
bonds authorized to be issued pursuant to this section shall not exceed
[five] thirty million dollars, excluding bonds issued to fund one or more
debt service reserve funds, to pay costs of issuance of such bonds, and bonds
or notes issued to refund or otherwise repay such bonds or notes previously
issued. Such bonds and notes of the dormitory authority and the urban
development corporation shall not be a debt of the state, and the state shall
not be liable thereon, nor shall they be payable out of any funds other than
those appropriated by the state to the dormitory authority and the urban
development corporation for principal, interest, and related expenses
pursuant to a service contract and such bonds and notes shall contain on the
face thereof a statement to such effect. Except for purposes of complying
with the internal revenue code, any interest income earned on bond proceeds
shall only be used to pay debt service on such bonds.

2. Notwithstanding any other provision of law to the contrary, in order
for the dormitory authority and the urban development corporation in
undertaking the financing for project costs undertaken by or on behalf of
special act school districts, state-supported schools for the blind and deaf
and approved private special education schools, non-public schools, and other
state costs associated with such capital projects, the director of the budget
is hereby authorized to enter into one or more service contracts with the
dormitory authority and the urban development corporation, none of which
shall exceed thirty years in duration, upon such terms and conditions as the
director of the budget and the dormitory authority and the urban development
corporation agree, so as to annually provide to the dormitory authority and
the urban development corporation, in the aggregate, a sum not to exceed the
principal, interest, and related expenses required for such bonds and notes.
Any service contract entered into pursuant to this section shall provide that
the obligation of the state to pay the amount therein provided shall not
constitute a debt of the state within the meaning of any constitutional or
statutory provision and shall be deemed executory only to the extent of
monies available and that no liability shall be incurred by the state beyond
the monies available for such purpose, subject to annual appropriation by the
legislature. Any such contract or any payments made or to be made thereunder
may be assigned and pledged by the dormitory authority and the urban
development corporation as security for its bonds and notes, as authorized by this section.

3. Subdivisions 1 and 2 of this section shall take effect only in the event that a chapter of the laws of 2014, enacting the "smart schools bond act of 2014", is submitted to the people at the general election to be held in November 2014 and is approved by a majority of all votes cast for and against it at such election. Upon such approval, subdivisions 1 and 2 of this section shall take effect immediately. If such approval is not obtained, subdivisions 1 and 2 of this section shall expire and be deemed repealed.

§ 43. Paragraph (b) of subdivision 4 of section 72 of the state finance law, as amended by section 27 of part I of chapter 55 of the laws of 2014, is amended to read as follows:

(b) On or before the beginning of each quarter, the director of the budget may certify to the state comptroller the estimated amount of monies that shall be reserved in the general debt service fund for the payment of debt service and related expenses payable by such fund during each month of the state fiscal year, excluding payments due from the revenue bond tax fund. Such certificate may be periodically updated, as necessary. Notwithstanding any provision of law to the contrary, the state comptroller shall reserve in the general debt service fund the amount of monies identified on such certificate as necessary for the payment of debt service and related expenses during the current or next succeeding quarter of the state fiscal year. Such monies reserved shall not be available for any other purpose. Such certificate shall be reported to the chairpersons of the Senate Finance Committee and the Assembly Ways and Means Committee. [The provisions of this paragraph shall expire June thirtieth, two thousand seventeen.]

§ 44. Intentionally Omitted

§ 45. Intentionally Omitted

§ 46. Intentionally Omitted

§ 47. Intentionally Omitted

§ 48. Paragraphs (a) and (g) of subdivision 2 of section 56 of the state finance law, as amended by chapter 11 of the laws of 1994, are amended to read as follows:

(a) Refunding bonds shall be issued only when the comptroller shall have certified that, as a result of the refunding, there will be a debt service savings to the state on a present value basis as a result of the refunding transaction and that either (i) the refunding will benefit state taxpayers over the life of the refunding bonds by achieving an actual debt service savings each year or state fiscal year during the term to maturity of the refunding bonds when debt service on the refunding bonds is expected to be paid from legislative appropriations or (ii) debt service on the refunding bonds shall be payable in annual installments of principal and interest which result in substantially level or declining debt service payments pursuant to paragraph (b) of subdivision two of section fifty-seven of this
[chapter] article. Such certification by the comptroller shall be conclusive as to matters contained therein after the refunding bonds have been issued.

(g) Any refunding bonds issued pursuant to this section shall be paid in annual installments which shall, so long as any refunding bonds are outstanding, be made in each year or state fiscal year in which installments were due on the bonds to be refunded and shall be in an amount which shall result in annual debt service payments which shall be less in each year or state fiscal year than the annual debt service payments on the bonds to be refunded unless debt service on the refunding bonds is payable in annual installments of principal and interest which will result in substantially level or declining debt service payments pursuant to paragraph (b) of subdivision two of section fifty-seven of this [chapter] article.

§ 49. Subdivisions 1, 2 and 6 of section 57 of the state finance law, as amended by chapter 11 of the laws of 1994, are amended to read as follows:

1. Whenever the legislature, after authorization of a bond issue by the people at a general election, as provided by section eleven of article seven of the state constitution, or as provided by section three of article eighteen of the state constitution, shall have authorized, by one or more laws, the creation of a state debt or debts, bonds of the state, to the amount of the debt or debts so authorized, shall be issued and sold by the state comptroller. Any appropriation from the proceeds of the sale of bonds, pursuant to this section, shall be deemed to be an authorization for the creation of a state debt or debts to the extent of such appropriation. The state comptroller may issue and sell a single series of bonds pursuant to one or more such authorizations and for one or more duly authorized works or purposes. As part of the proceedings for each such issuance and sale of bonds, the state comptroller shall designate the works or purposes for which they are issued. It shall not be necessary for him to designate the works or purposes for which the bonds are issued on the face of the bonds. The proceeds from the sale of bonds for more than one work or purpose shall be separately accounted for according to the works or purposes designated for such sale by the comptroller and the proceeds received for each work or purpose shall be expended only for such work or purpose. The bonds shall bear interest at such rate or rates as in the judgment of the state comptroller may be sufficient or necessary to effect a sale of the bonds, and such interest shall be payable at least semi-annually, in the case of bonds with a fixed interest rate, and at least annually, in the case of bonds with an interest rate that varies periodically, in the city of New York unless annual payments of principal and interest result in substantially level or declining debt service payments over the life of an issue of bonds pursuant to paragraph (b) of subdivision two of this section or unless accrued interest is contributed to a sinking fund in accordance with subdivision three of section twelve of article seven of the state constitution, in which case interest shall be paid at such times and at such places as shall be determined by the state comptroller prior to issuance of the bonds.

2. Such bonds, or the portion thereof at any time issued, shall be made payable (a) in equal annual principal installments or (b) in annual installments of principal and interest which result in substantially level or declining debt service payments, over the life of the bonds, the first of which annual installments shall be payable not more than one year from the date of issue and the last of which shall be payable at such time as the comptroller may determine but not more than forty years or state fiscal
years after the date of issue, not more than fifty years after the date of
issue in the case of housing bonds, and not more than twenty-five years in
the case of urban renewal bonds. Where bonds are payable pursuant to
paragraph (b) of this subdivision, except for the year or state fiscal
year of initial issuance if less than a full year of debt service is to
take place, any bonds shall be payable in accordance with paragraph (b) of
this subdivision, or state fiscal year, either (i) the greatest
aggregate amount of debt service payable in any year or state fiscal year
shall not differ from the lowest aggregate amount of debt service payable in
any other year or state fiscal year by more than five percent or (ii) the
aggregate amount of debt service in each year or state fiscal year shall be
less than the aggregate amount of debt service in the immediately
preceding year or state fiscal year. For purposes of this subdivision, debt
service shall include all principal, redemption price, sinking fund
installments or contributions, and interest scheduled to become due. For
purposes of determining whether debt service is level or declining on bonds
issued with a variable rate of interest pursuant to paragraph b of
subdivision four of this section, the comptroller shall assume a market rate
of interest as of the date of issuance. Where the comptroller determines that
interest on any bonds shall be compounded and payable at maturity, such bonds
shall be payable only in accordance with paragraph (b) of this subdivision
unless accrued interest is contributed to a sinking fund in accordance with
subdivision three of section twelve of article seven of the state
constitution. In no case shall any bonds or portion thereof be issued for a
period longer than the probable life of the work or purpose, or part thereof,
to which the proceeds of the bonds are to be applied, or in the alternative,
the weighted average period of the probable life of the works or purposes to
which the proceeds of the bonds are to be applied taking into consideration
the respective amounts of bonds issued for each work or purpose, as may be
determined under section sixty-one of this [chapter] article and in
accordance with the certificate of the commissioner of general services,
and/or the commissioner of transportation, state architect, state
commissioner of housing and urban renewal, or other authority, as the case
may be, having charge by law of the acquisition, construction, work or
improvement for which the debt was authorized. Such certificate shall be
filed in the office of the state comptroller and shall state the group, or,
where the probable lives of two or more separable parts of the work or
purposes are different, the groups, specified in such section, for which the
amount or amounts, shall be provided by the issuance and sale of bonds.
Weighted average period of probable life shall be determined by computing the
sum of the products derived from multiplying the dollar value of the portion
of the debt contracted for each work or purpose (or class of works or
purposes) by the probable life of such work or purpose (or class of works or
purposes) and dividing the resulting sum by the dollar value of the entire
debt after taking into consideration any original issue discount. Any costs
of issuance financed with bond proceeds shall be prorated among the various
works or purposes. Such bonds, or the portion thereof at any time sold, shall
be of such denominations, subject to the foregoing provisions, as the state
comptroller may determine. Notwithstanding the foregoing provisions of this
subdivision, the comptroller may issue all or a portion of such bonds as
serial debt, term debt or a combination thereof, maturing as required by this
subdivision, provided that the comptroller shall have provided for the
retirement each year or state fiscal year, or otherwise have provided for the
payment of, through sinking fund installment payments or otherwise, a portion
of such term bonds in an amount meeting the requirements of paragraph (a) or
(b) of this subdivision or shall have established a sinking fund and provided
for contributions thereto as provided in subdivision eight of this section
and section twelve of article seven of the state constitution.
6. Except with respect to bonds issued in the manner provided in
paragraph (c) of subdivision seven of this section, all bonds of the state of
New York which the comptroller of the state of New York is authorized to
issue and sell, shall be executed in the name of the state of New York by the
manual or facsimile signature of the state comptroller and his seal (or a
facsimile thereof) shall be thereunto affixed, imprinted, engraved or
otherwise reproduced. In case the state comptroller who shall have signed and
sealed any of the bonds shall cease to hold the office of state comptroller
before the bonds so signed and sealed shall have been actually countersigned
and delivered by the fiscal agent or trustee, such bonds may, nevertheless,
be countersigned and delivered as herein provided, and may be issued as if
the state comptroller who signed and sealed such bonds had not ceased to hold
such office. Any bond of a series may be signed and sealed on behalf of the
state of New York by such person as at the actual time of the execution of
such bond shall hold the office of comptroller of the state of New York,
although at the date of the bonds of such series such person may not have
held such office. The coupons to be attached to the coupon bonds of each
series shall be signed by the facsimile signature of the state comptroller of
the state of New York or by any person who shall have held the office of
state comptroller of the state of New York on or after the date of the bonds
of such series, notwithstanding that such person may not have been such state
comptroller at the date of any such bond or may have ceased to be such state
comptroller at the date when any such bond shall be actually countersigned
and delivered. The bonds of each series shall be countersigned with the
manual signature of an authorized employee of the fiscal agent or trustee of
the state of New York. No bond and no coupon thereunto appertaining shall be
valid or obligatory for any purpose until such manual countersignature of an
authorized employee of the fiscal agent or trustee of the state of New York
shall have been duly affixed to such bond.

§ 50. Sections 58, 59 and 60 of the state finance law are REPEALED.

§ 51. Section 62 of the state finance law, as amended by chapter 219 of
the laws of 1999, is amended to read as follows:

§ 62. Replacement of lost certificates. The comptroller, who may act
through his duly authorized fiscal agent or trustee appointed pursuant to
section sixty-five of this article, may issue to the lawful owner of any
certificate or bond issued by him in behalf of this state, which he or such
duly authorized fiscal agent or trustee is satisfied, by due proof filed in
his office or with such duly authorized fiscal agent or trustee, has been
lost or casually destroyed, a new certificate or bond, corresponding in date,
number and amount with the certificate or bond so lost or destroyed, and
expressing on its face that it is a renewed certificate or bond. No such
renewed certificate or bond shall be issued unless sufficient security is
given to satisfy the lawful claim of any person to the original certificate
or bond, or to any interest therein. The comptroller shall report annually to
the legislature the number and amount of all renewed certificates or bonds so
issued. If the renewed certificate is issued by the state's duly authorized
fiscal agent or trustee and such agent or trustee agrees to be responsible
for any loss suffered as a result of unauthorized payment, the security shall
be provided to and approved by the fiscal agent or trustee and no additional
approval by the comptroller or the attorney general shall be required.
§ 52. Section 65 of the state finance law, as amended by chapter 459 of the laws of 1948, subdivision 1 as amended by chapter 219 of the laws of 1999, is amended to read as follows:

§ 65. Appointment of fiscal agent or trustee; powers and duties. 1. Notwithstanding any other provisions of this chapter, the comptroller, on behalf of the state, may contract from time to time for a period or periods not exceeding ten years each, except in the case of a bank or trust company agreeing to act as issuing, paying and/or tender agent with respect to a particular issue of variable interest rate bonds in which case the comptroller, on behalf of the state, may contract for a period not to exceed the term of such particular issue of bonds, with one or more banks or trust companies located in the city of New York, to act as fiscal agent, or agents of the state, and for the maintenance of an office for the registration, conversion, reconversion and transfer of the bonds and notes of the state, including the preparation and substitution of new bonds and notes, for the payment of the principal thereof and interest thereon, and to otherwise effectuate the powers and duties of a fiscal agent or trustee on behalf of the state in all such respects as may be determined by the comptroller for such bonds and notes, and for the payment by the state of such compensation therefor as the comptroller may determine. Any such fiscal agent or trustee may, where authorized pursuant to the terms of its contract, accept delivery of obligations purchased by the state and of securities deposited with the state pursuant to sections one hundred five and one hundred six of this chapter and hold the same in safekeeping, make delivery to purchasers of obligations sold by the state, and accept deposit of such proceeds of sale without securing the same. Any such contract may also provide that such fiscal agent or trustee may, upon the written instruction of the comptroller, deposit any obligations or securities which it receives pursuant to such contract, in an account with a federal reserve bank, to be held in such account in the form of entries on the books of the federal reserve bank, and to be transferred in the event of any assignment, sale, redemption, maturity or other disposition of such obligations or securities, by entries on the books of the federal reserve bank. Any such bank or trust company shall be responsible to the people of this state for the faithful and safe conduct of the business of said office, for the fidelity and integrity of its officers and agents employed in such office, and for all loss or damage which may result from any failure to discharge their duties, and for any improper and incorrect discharge of those duties, and shall save the state free and harmless from any and all loss or damage occasioned by or incurred in the performance of such services. Any such contract may be terminated by the comptroller at any time. In the event of any change in any office maintained pursuant to any such contract, the comptroller shall give public notice thereof in such form as he may determine appropriate.

2. The comptroller shall prescribe rules and regulations for the registration, conversion, reconversion and transfer of the bonds and notes of the state, including the preparation and substitution of new bonds, for the payment of the principal thereof and interest thereon, and for other authorized services to be performed by such fiscal agent or trustee. Such rules and regulations, and all amendments thereof, shall be prepared in duplicate, one copy of which shall be filed in the office of the department of audit and control and the other in the office of the department of state. A copy thereof may be filed as a public record in such other offices as the comptroller may determine. Such rules and regulations shall be obligatory on
all persons having any interests in bonds and notes of the state heretofore or hereafter issued.

§ 53. Intentionally Omitted.

§ 54. Subdivision 2 of section 365 of the public authorities law, as separately amended by sections 349 and 381 of chapter 190 of the laws of 1990, is amended to read as follows:

2. The notes and bonds shall be authorized by resolution of the board, shall bear such date or dates and mature at such time or times, in the case of notes and any renewals thereof within five years after their respective dates and in the case of bonds not exceeding forty years from their respective dates, as such resolution or resolutions may provide. The notes and bonds shall bear interest at such rate or rates, be in such denominations, be in such form, either coupon or registered, carry such registration privileges, be executed in such manner, be payable in such medium of payment, at such place or places, and be subject to such terms of redemption as such resolution or resolutions may provide. Bonds and notes shall be sold by the authority, at public or private sale, at such price or prices as the authority may determine. Bonds and notes of the authority shall not be sold by the authority at private sale unless such sale and the terms thereof have been approved in writing by the comptroller, where such sale is not to the comptroller, or by the director of the budget, where such sale is to the comptroller. [Bonds and notes sold at public sale shall be sold by the comptroller, as agent of the authority, in such manner as the authority, with the approval of the comptroller, shall determine.]

§ 55. This act shall take effect immediately and shall be deemed to have been in full force and effect on and after April 1, 2017; provided, however, that the provisions of sections one, two, three, four, five, six, seven, eight, thirteen, fourteen, fifteen, sixteen, seventeen, eighteen, nineteen, twenty, twenty-one, and twenty-two of this act shall expire March 31, 2018 when upon such date the provisions of such sections shall be deemed repealed.

SUBPART B

Section 1. Subdivision 5 of section 227 of the vehicle and traffic law, as amended by section 3 of part CC of chapter 58 of the laws of 2015, is amended to read as follows:

5. All penalties and forfeited security collected pursuant to the provisions of this article shall be paid to the department of audit and control to the credit of the justice court fund and shall be subject to the applicable provisions of section eighteen hundred three of this chapter. After such audit as shall reasonably be required by the comptroller, such penalties and forfeited security shall be paid quarterly or, in the discretion of the comptroller, monthly, to the appropriate jurisdiction in which the violation occurred in accordance with the provisions of section ninety-nine-a of the state finance law, except that the sum of four dollars for each violation occurring in such jurisdiction for which a complaint has been filed with the administrative tribunal established pursuant to this article shall be retained by the state. Notwithstanding any law to the contrary an additional annual sum of three million dollars collected from fines and assessed to the city of New York, shall be deposited into the
general fund in accordance with the provisions of section ninety-nine-a of the state finance law. The amount distributed during the first three quarters to the city of Rochester in any given fiscal year shall not exceed seventy percent of the amount which will be otherwise payable. Provided, however, that if the full costs of administering this article shall exceed the amounts received and retained by the state for any period specified by the commissioner, then such additional sums as shall be required to offset such costs shall be retained by the state out of the penalties and forfeited security collected pursuant to this article.

§ 2. Paragraph c of subdivision 1 of section 1803 of the vehicle and traffic law, as amended by chapter 385 of the laws of 1999, is amended to read as follows:

c. for compliance with or violations of subdivision nineteen of section three hundred eighty-five of this chapter, notwithstanding any inconsistent provision of law, except as provided in section ninety of the state finance law, the fees and fines collected by the state pursuant to sections two hundred twenty-seven, three hundred eighty-five and eighteen hundred three of this chapter and section ninety-nine-a of the state finance law, shall be made available to the state comptroller for deposit in the general fund except that fines collected within a city not wholly included within one county shall be paid to such city in accordance with the procedures set forth in subdivision four of section two hundred twenty-seven of this chapter for deposit into the general fund of such city, and except that an annual amount of three million dollars of fines collected within the city of New York pursuant to article two-A of this chapter be deposited by the comptroller to the general fund.

§ 3. Subdivision 3 of section 99-a of the state finance law, as amended by section 10 of part CC of chapter 58 of the laws of 2015, is amended to read as follows:

3. The comptroller is hereby authorized to implement alternative procedures, including guidelines in conjunction therewith, relating to the remittance of fines, penalties, forfeitures and other moneys by town and village justice courts, and by the Nassau and Suffolk counties traffic and parking violations agencies, and by the city of Buffalo traffic violations agency, and by the city of New York pursuant to article two-A of the vehicle and traffic law, to the justice court fund and for the distribution of such moneys by the justice court fund. Notwithstanding any law to the contrary, the alternative procedures utilized may include:

a. electronic funds transfer;

b. remittance of funds by the justice court to the chief fiscal office of the town or village, or, in the case of the Nassau and Suffolk counties traffic and parking violations agencies, to the county treasurer, or, in the case of the Buffalo traffic violations agency, to the city of Buffalo comptroller, for distribution in accordance with instructions by the comptroller or, in the case of the city of New York, pursuant to article two-A of the vehicle and traffic law to the city comptroller; and/or

c. monthly, rather than quarterly, distribution of funds.
The comptroller may require such reporting and record keeping as he or she deems necessary to ensure the proper distribution of moneys in accordance with applicable laws. A justice court or the Nassau and Suffolk counties traffic and parking violations agencies or the city of Buffalo traffic violations agency or the city of New York pursuant to article two-A of the vehicle and traffic law may utilize these procedures only when permitted by the comptroller, and such permission, once given, may subsequently be withdrawn by the comptroller on due notice.

§ 4. This act shall take effect immediately; and shall expire and be deemed repealed April 1, 2019.

§ 2. Severability clause. If any clause, sentence, paragraph, subdivision, section, part or subpart of this act shall be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, section, part or subpart thereof directly involved in the controversy in which such judgment shall have been rendered. It is hereby declared to be the intent of the legislature that this act would have been enacted even if such invalid provisions had not been included herein.

§ 3. This act shall take effect immediately provided, however, that the applicable effective date of Subparts A through B of this act shall be as specifically set forth in the last section of such Subparts.

PART C

Section 1. This act enacts into law major components of legislation which are necessary to implement the state transportation, economic development and environmental conservation budget for the 2017-2018 state fiscal year. Each component is wholly contained within a Subpart identified as Subparts A through E. The effective date for each particular provision contained within such Subpart is set forth in the last section of such Subpart. Any provision in any section contained within a Subpart, including the effective date of the Subpart, which makes a reference to a section "of this act", when used in connection with that particular component, shall be deemed to mean and refer to the corresponding section of the Subpart in which it is found. Section three of this act sets forth the general effective date of this act.

SUBPART A

Section 1. Section 13 of part U1 of chapter 62 of the laws of 2003 amending the vehicle and traffic law and other laws relating to increasing certain motor vehicle transaction fees, as amended by section 1 of part A of chapter 58 of the laws of 2015, is amended to read as follows:
§ 13. This act shall take effect immediately; provided however that
sections one through seven of this act, the amendments to subdivision 2 of
section 205 of the tax law made by section eight of this act, and section
nine of this act shall expire and be deemed repealed on April 1, 2020;
[provided further, however, that the amendments to subdivision 3 of section
205 of the tax law made by section eight of this act shall expire and be
deemed repealed on March 31, 2018.] provided further, however, that the
provisions of section eleven of this act shall take effect April 1, 2004 and
shall expire and be deemed repealed on April 1, 2020.

§ 2. This act shall take effect immediately and shall be deemed to have
been in full force and effect on and after April 1, 2017.

SUBPART B

Section 1. Subdivision 3 of section 16-m of section 1 of chapter 174 of
the laws of 1968 constituting the New York state urban development
 corporation act, as amended by section 1 of part F of chapter 58 of the laws
of 2016, is amended to read as follows:

3. The provisions of this section shall expire, notwithstanding any
inconsistent provision of subdivision 4 of section 469 of chapter 309 of the
laws of 1996 or of any other law, on July 1, [2017] 2018.

§ 2. This act shall take effect immediately and shall be deemed to have
been in full force and effect on and after July 1, 2017.

SUBPART C

Section 1. Section 2 of chapter 393 of the laws of 1994, amending the
New York state urban development corporation act, relating to the powers of
the New York state urban development corporation to make loans, as amended by
section 1 of part G of chapter 58 of the laws of 2016, is amended to read as
follows:

§ 2. This act shall take effect immediately provided, however, that
section one of this act shall expire on July 1, [2017] 2018, at which time
the provisions of subdivision 26 of section 5 of the New York state urban
development corporation act shall be deemed repealed; provided, however, that
neither the expiration nor the repeal of such subdivision as provided for
herein shall be deemed to affect or impair in any manner any loan made
pursuant to the authority of such subdivision prior to such expiration and
repeal.

§ 2. This act shall take effect immediately and shall be deemed to have
been in full force and effect on and after April 1, 2017.

SUBPART D

Section 1. Section 2 of chapter 21 of the laws of 2003, amending the
executive law relating to permitting the secretary of state to provide
special handling for all documents filed or issued by the division of
corporations and to permit additional levels of such expedited service, as
amended by section 1 of part M of chapter 58 of the laws of 2016, is amended to read as follows:

§ 2. This act shall take effect immediately, provided however, that section one of this act shall be deemed to have been in full force and effect on and after April 1, 2003 and shall expire March 31, [2017] 2018.

§ 2. This act shall take effect immediately and shall be deemed to have been in full force and effect on and after March 31, 2017.

SUBPART E

Section 1. Paragraph (a) of subdivision 2 of section 179 of the navigation law, as amended by section 2 of part X of chapter 58 of the laws of 2015, is amended to read as follows:

(a) An account which shall be credited with all license fees and penalties collected pursuant to paragraph (b) of subdivision one and paragraph (a) of subdivision four of section one hundred seventy-four of this article except as provided in section one hundred seventy-nine-a of this article, the portion of the surcharge collected pursuant to paragraph (d) of subdivision four of section one hundred seventy-four of this article, penalties collected pursuant to paragraph (b) of subdivision four of section one hundred seventy-four-a of this article, money collected pursuant to section one hundred eighty-seven of this article, all penalties collected pursuant to section one hundred ninety-two of this article, and registration fees collected pursuant to subdivision two of section 17-1009 of the environmental conservation law.

§ 2. The navigation law is amended by adding a new section 179-a to read as follows:

§ 179-a. New York environmental protection and spill remediation account.

1. There is hereby created an account within the miscellaneous capital projects fund, the New York environmental protection and spill remediation account. The New York environmental protection and spill remediation account shall consist of license fees received by the state pursuant to section one hundred seventy-four of this article, in an amount equal to expenditures made from this account.

2. These moneys, after appropriation by the legislature, and within the amounts set forth and for the several purposes specified, shall be available to reimburse the department of environmental conservation for expenditures associated with the purposes of costs incurred under this article, including cleanup and removal of petroleum spills, and other capital, investigation, maintenance and remediation costs.

3. All payments made from the New York environmental protection and spill remediation account shall be made by the administrator upon certification by the commissioner.

4. Spending pursuant to this section shall be included in the annual report required by section one hundred ninety-six of this article.
§ 3. Subdivision 3 of section 176 of the navigation law, as added by chapter 845 of the laws of 1977, is amended to read as follows:

3. Any unexplained discharge of petroleum within state jurisdiction or discharge of petroleum occurring in waters beyond state jurisdiction that for any reason penetrates within state jurisdiction shall be removed by or under the direction of the department. Except for those expenses incurred by the party causing such discharge, any expenses incurred in the removal of discharges shall be paid promptly from the New York environmental protection and spill compensation fund pursuant to [section] sections one hundred and eighty-six and one hundred seventy-nine-a of this article and any reimbursements due such fund shall be collected in accordance with the provisions of section one hundred and eighty-seven of this article.

§ 4. This act shall take effect immediately and shall be deemed to have been in full force and effect on and after April 1, 2017.

§ 2. Severability clause. If any clause, sentence, paragraph, subdivision, section, part or subpart of this act shall be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, section, part or subpart thereof directly involved in the controversy in which such judgment shall have been rendered. It is hereby declared to be the intent of the legislature that this act would have been enacted even if such invalid provisions had not been included herein.

§ 3. This act shall take effect immediately provided, however, that the applicable effective date of Subparts A through E of this act shall be as specifically set forth in the last section of such Subparts.

PART D

Section 1. This act enacts into law major components of legislation which are necessary to implement the state fiscal plan for the 2017-2018 state fiscal year. Each component is wholly contained within a Subpart identified as Subparts A through D. The effective date for each particular provision contained within such Subpart is set forth in the last section of such Subpart. Any provision in any section contained within a Subpart, including the effective date of the Subpart, which makes a reference to a section "of this act", when used in connection with that particular component, shall be deemed to mean and refer to the corresponding section of the Subpart in which it is found. Section three of this act sets forth the general effective date of this act.
Section 1. Section 54-f of the state finance law is REPEALED.

§ 2. Subsection (ggg) of section 606 of the tax law, as added by section 1 of part E of chapter 60 of the laws of 2016, and as relettered by section 1 of part A of chapter 73 of the laws of 2016, is amended to read as follows:

(ggg) School tax reduction credit for residents of a city with a population over one million. (1) For taxable years beginning after two thousand fifteen, a school tax reduction credit shall be allowed to a resident individual of the state who is a resident of a city with a population over one million, as provided below. The credit shall be allowed against the taxes authorized by this article reduced by the credits permitted by this article. If the credit exceeds the tax as so reduced, the excess shall be treated as an overpayment of tax to be credited or refunded in accordance with the provisions of section six hundred eighty-six of this article, provided however, that no interest will be paid thereon. For purposes of this subsection, no credit shall be granted to an individual with respect to whom a deduction under subsection (c) of section one hundred fifty-one of the internal revenue code is allowable to another taxpayer for the taxable year.

(2) The amount of the credit under this subsection shall be determined based upon the taxpayer's income as defined in subparagraph (ii) of paragraph (b) of subdivision four of section four hundred twenty-five of the real property tax law.

(3) For taxable years beginning in two thousand sixteen, the credit shall be determined as provided in this paragraph, provided that for the purposes of this paragraph, any taxpayer under subparagraphs (A) and (B) of this paragraph with income of more than two hundred fifty thousand dollars shall not receive a credit.

(A) Married individuals filing joint returns and surviving spouses. In the case of married individuals who make a single return jointly and of a surviving spouse, the credit shall be one hundred twenty-five dollars.

(B) All others. In the case of an unmarried individual, a head of a household or a married individual filing a separate return, the credit shall be sixty-two dollars and fifty cents.

(4) For taxable years beginning after two thousand sixteen, the credit shall equal the "fixed" amount provided by paragraph (4-a) of this subsection plus the "rate reduction" amount provided by paragraph (4-b) of this subsection.

(4-a) The "fixed" amount of the credit shall be determined as provided in this paragraph, provided that any taxpayer with income of more than two hundred fifty thousand dollars shall not receive such amount.

(A) Married individuals filing joint returns and surviving spouses. In the case of married individuals who make a single return jointly and of a
surviving spouse, the "fixed" amount of the credit shall be one hundred twenty-five dollars.

(B) All others. In the case of an unmarried individual, a head of a household or a married individual filing a separate return, the "fixed" amount of the credit shall be sixty-two dollars and fifty cents.

(4-b) The "rate reduction" amount of the credit shall be determined as provided in this paragraph, provided that any taxpayer with income of more than five hundred thousand dollars shall not receive such amount.

(A) For married individuals who make a single return jointly and for a surviving spouse: If the city taxable income is: The "rate reduction" amount is: Not over $21,600 0.171% of the city taxable income Over $21,600 but not over $500,000 $37 plus 0.228% of excess over $21,600 Over $500,000 Not applicable

(B) For a head of household: If the city taxable income is: The "rate reduction" amount is: Not over $14,400 0.171% of the city taxable income Over $14,400 but not over $500,000 $25 plus 0.228% of excess over $14,400 Over $500,000 Not applicable

(C) For an unmarried individual or a married individual filing a separate return: If the city taxable income is: The "rate reduction" amount is: Not over $12,000 0.171% of the city taxable income Over $12,000 but not over $500,000 $21 plus 0.228% of excess over $12,000 Over $500,000 Not applicable

§ 3. Paragraphs 1, 2 and 3 of subsection (a) of section 1304 of the tax law, as amended by section 2 of part B of chapter 59 of the laws of 2015, are amended to read as follows:

(1) Resident married individuals filing joint returns and resident surviving spouses. The tax under this section for each taxable year on the city taxable income of every city resident married individual who makes a single return jointly with his or her spouse under subsection (b) of section thirteen hundred six of this article and on the city taxable income of every city resident surviving spouse shall be determined in accordance with the following tables:

(A) For taxable years beginning after two thousand [fourteen] sixteen: If the city taxable income is: The tax is: Not over $21,600 2.7% of the city taxable income Over $21,600 but not $583 plus 3.3% of excess over $45,000 Over $45,000 Over $90,000 $2,863 plus 3.4% of excess over $90,000

(B) For taxable year beginning after two thousand fourteen and before two thousand seventeen: If the city taxable income is: The tax is: Not over
For taxable years beginning after two thousand nine and before two thousand fifteen:

<table>
<thead>
<tr>
<th>City Taxable Income</th>
<th>Tax Rate</th>
<th>Tax Amount</th>
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<tbody>
<tr>
<td>Not over $21,600</td>
<td>2.55%</td>
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(3) Resident unmarried individuals, resident married individuals filing separate returns and resident estates and trusts. The tax under this section for each taxable year on the city taxable income of every city resident who is not a city resident married individual who makes a single return jointly with his or her spouse under subsection (b) of section thirteen hundred six of this article or a city resident head of household or a city resident surviving spouse, and on the city taxable income of every city resident estate and trust shall be determined in accordance with the following tables:

(A) For taxable years beginning after two thousand fourteen and before two thousand sixteen:

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(B) For taxable years beginning after two thousand nine and before two thousand fifteen:

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</thead>
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(2) Resident heads of households. The tax under this section for each taxable year on the city taxable income of every city resident head of a household shall be determined in accordance with the following tables:

(A) For taxable years beginning after two thousand fourteen and before two thousand sixteen:

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(B) For taxable years beginning after two thousand fourteen and before two thousand sixteen:

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<tr>
<td>Over $500,000</td>
<td>3.4%</td>
<td>Over $500,000</td>
</tr>
</tbody>
</table>

(C) For taxable years beginning after two thousand nine and before two thousand fifteen:
If the city taxable income is: The tax is:
Not over $12,000 2.7% of the city taxable income
Over $12,000 but not $25,000 2.7% of the city taxable income
Over $25,000 but not $75,000 3.35% of excess over $25,000
Over $75,000 $1,591 plus 3.4% of excess over $75,000

(B) For taxable years beginning after two thousand fourteen and before two thousand seventeen:

If the city taxable income is: The tax is:
Not over $12,000 2.55% of the city taxable income
Over $12,000 but not $25,000 2.55% of the city taxable income
Over $25,000 but not $45,000 3.1% of excess over $25,000
Over $45,000 but not $90,000 3.2% of excess over $45,000
Over $90,000 $1,497 plus 3.2% of excess over $90,000

§ 4. Paragraphs 1, 2 and 3 of subsection (a) of section 11-1701 of the administrative code of the city of New York, as amended by section 3 of part B of chapter 59 of the laws of 2015, are amended to read as follows:

(A) For taxable years beginning after two thousand [fourteen] sixteen:

If the city taxable income is: The tax is:
Not over $21,600 2.7% of the city taxable income
Over $21,600 but not $45,000 2.7% of the city taxable income
Over $45,000 but not $90,000 $1,355 plus 3.35% of excess over $45,000
Over $90,000 $2,863 plus 3.4% of excess over $90,000

(B) For taxable years beginning after two thousand fourteen and before two thousand seventeen:

If the city taxable income is: The tax is:
Not over $21,600 2.55% of the city taxable income
Over $21,600 but not $45,000 2.55% of the city taxable income
Over $45,000 but not $90,000 3.1% of excess over $45,000
Over $90,000 $2,694 plus 3.2% of excess over $90,000
Over $50,000 $16,803 plus 3.4% of excess over $50,000
If the city taxable income is: The tax is: Not over $21,600 2.55% of the city taxable income Over $21,600 but not $551 plus 3.1% of excess over $45,000 over $21,600 Over $45,000 but not $1,276 plus 3.15% of excess over $90,000 over $45,000 Over $90,000 but not $2,694 plus 3.2% of excess over $500,000 over $90,000 Over $500,000 $15,814 plus 3.4% of excess over $500,000

(2) Resident heads of households. The tax under this section for each taxable year on the city taxable income of every city resident head of a household shall be determined in accordance with the following tables:

(A) For taxable years beginning after two thousand sixteen:

If the city taxable income is: The tax is: Not over $14,400 2.7% of the city taxable income Over $14,400 but not $367 plus 3.3% of excess over $30,000 over $14,400 Over $30,000 but not $851 plus 3.15% of excess over $60,000 over $30,000 Over $60,000 but not $1,796 plus 3.2% of excess over $500,000 over $60,000 Over $500,000 $16,869 plus 3.4% of excess over $500,000

(B) For taxable years beginning after two thousand fourteen and before two thousand sixteen:

If the city taxable income is: The tax is: Not over $14,400 2.55% of the city taxable income Over $14,400 but not $389 plus 3.3% of excess over $30,000 over $14,400 Over $30,000 but not $904 plus 3.35% of excess over $60,000 over $30,000 Over $60,000 but not $1,796 plus 3.2% of excess over $500,000 over $60,000 Over $500,000 $16,869 plus 3.4% of excess over $500,000

(C) For taxable years beginning after two thousand nine and before two thousand fifteen:

If the city taxable income is: The tax is: Not over $14,400 2.55% of the city taxable income Over $14,400 but not $367 plus 3.1% of excess over $30,000 over $14,400 Over $30,000 but not $851 plus 3.15% of excess over $60,000 over $30,000 Over $60,000 but not $1,796 plus 3.2% of excess over $500,000 over $60,000 Over $500,000 $15,876 plus 3.4% of excess over $500,000

(3) Resident unmarried individuals, resident married individuals filing separate returns and resident estates and trusts. The tax under this section for each taxable year on the city taxable income of every city resident individual who is not a married individual who makes a single return jointly with his or her spouse under subdivision (b) of section 11-1751 of this chapter or a city resident head of a household or a city resident surviving spouse, and on the city taxable income of every city resident estate and trust shall be determined in accordance with the following tables:

(A) For taxable years beginning after two thousand sixteen:

If the city taxable income is: The tax is: Not over $12,000 2.7% of the city taxable income Over $12,000 but not $324 plus 3.3% of excess over $25,000 over $12,000 Over $25,000 but not $753 plus 3.35% of excess over $50,000 over $25,000 Over $50,000 $1,591 plus 3.4% of excess over $50,000

(B) For taxable years beginning after two thousand fourteen and before two thousand sixteen: If the city taxable income is: The tax is: Not over $12,000 2.55% of the city taxable income Over $12,000 but not $306 plus
[4(B)] (C) For taxable years beginning after two thousand nine and before two thousand fifteen:

If the city taxable income is: The tax is:

Not over $12,000 2.55% of the city taxable income
Over $12,000 but not $306 plus 3.1% of excess over $25,000
Over $25,000 but not $709 plus 3.15% of excess over $50,000
Over $50,000 but not $1,497 plus 3.2% of excess over $500,000
Over $500,000 $16,891 plus 3.4% of excess over $500,000

§ 5. Notwithstanding any provision of law to the contrary, the method of determining the amount to be deducted and withheld from wages on account of taxes imposed by or pursuant to the authority of article 30 of the tax law in connection with the implementation of the provisions of this act shall be prescribed by the commissioner of taxation and finance with due consideration to the effect such withholding tables and methods would have on the receipt and amount of revenue. The commissioner of taxation and finance shall adjust such withholding tables and methods in regard to taxable years beginning in 2017 and after in such manner as to result, so far as practicable, in withholding from an employee's wages an amount substantially equivalent to the tax reasonably estimated to be due for such taxable years as a result of the provisions of this act. Provided, however, for tax year 2017 the withholding tables shall reflect as accurately as practicable the full amount of tax year 2017 liability so that such amount is withheld by December 31, 2017. In carrying out his or her duties and responsibilities under this section, the commissioner of taxation and finance may prescribe a similar procedure with respect to the taxes required to be deducted and withheld by local laws imposing taxes pursuant to the authority of articles 30, 30-A and 30-B of the tax law, the provisions of any other law in relation to such a procedure to the contrary notwithstanding.

§ 6. 1. Notwithstanding any provision of law to the contrary, no addition to tax shall be imposed for failure to pay the estimated tax in subsection (c) of section 685 of the tax law and subdivision (c) of section 11-1785 of the administrative code of the city of New York with respect to any underpayment of a required installment due prior to, or within thirty days of, the effective date of this act to the extent that such underpayment was created or increased by the amendments made by this act, provided, however, that the taxpayer remits the amount of any underpayment prior to or with his or her next quarterly estimated tax payment.

2. The commissioner of taxation and finance shall take steps to publicize the necessary adjustments to estimated tax and, to the extent reasonably possible, to inform the taxpayer of the tax liability changes made by this act.

§ 7. This act shall take effect immediately and shall apply to taxable years beginning on and after January 1, 2017.

SUBPART B
Section 1. Section 2 of part Q of chapter 59 of the laws of 2013, amending the tax law, relating to serving an income execution with respect to individual tax debtors without filing a warrant, as amended by section 1 of part DD of chapter 59 of the laws of 2015, is amended to read as follows:

§ 2. This act shall take effect immediately and shall expire and be deemed repealed on and after April 1, [2017] 2020.

§ 2. This act shall take effect immediately and shall be deemed to have been in full force and effect on and after April 1, 2017.

SUBPART C

Section 1. Section 1105-C of the tax law, as added by section 24-a of part Y of chapter 63 of the laws of 2000, and subdivision (d) as added by section 1 of part B of chapter 85 of the laws of 2002, is amended to read as follows:

§ 1105-C. Reduced tax rates with respect to certain gas service and electric service. Notwithstanding any other provisions of this article or article twenty-nine of this chapter:

(a) The rates of taxes imposed by this article and pursuant to the authority of article twenty-nine of this chapter on receipts from every sale of gas service or electric service of whatever nature (including the transportation, transmission or distribution of gas or electricity, but not including gas or electricity) shall be [reduced each year on September first, beginning in the year two thousand, and each year thereafter, at the rate per year of twenty-five percent of the rates in effect on September first, two thousand, so that the rates of such taxes on such receipts shall be] zero percent [on and after September first, two thousand three] unless the charge is by the vendor for transportation, transmission or distribution, regardless of whether such charges are separately stated in the written contract, if any, or on the bill rendered to such purchaser and regardless of whether such transportation, transmission, or distribution is provided by such vendor or a third party.

(b) [The provisions of subdivision (b) of section eleven hundred six of this article shall apply to the reduced rates described in subdivision (a) of this section, as if such section referred to this section, provided that any reference in subdivision (b) of such section eleven hundred six to the date August first, nineteen hundred sixty-five, shall be deemed to refer, respectively, to September first of the applicable years described in subdivision (a) of this section, and any reference in subdivision—(b) of such section eleven hundred six to July thirty-first, nineteen hundred sixty-five, shall be deemed to refer to the day immediately preceding each such September first, respectively.]

(c) Nothing in this section shall be deemed to exempt from the taxes imposed under this article or pursuant to the authority of article twenty-nine of this chapter any transaction which may not be subject to the reduced rates of such taxes, each year, as set forth in subdivision (a) of this section in effect on the respective September first.
For purposes of the reduced rate of tax provided by subdivision (a) of this section, the following shall apply to a sale, other than a sale for resale, of the transportation, transmission or distribution of gas or electricity by a vendor not subject to the supervision of the public service commission where such transportation, transmission or distribution service being sold wholly within a service area of the state wherein the public service commission has approved by formal order a single retailer model for the regulated utility which has the responsibility to serve that area; where such a vendor makes a sale, other than a sale for resale, of gas or electricity to be delivered to a customer within such service area and, for the purpose of transporting, transmitting or distributing such gas or electricity, also makes a sale of transportation, transmission or distribution service to such customer, the charge for the such transportation, transmission or distribution of gas or electricity wholly within such service area made by such vendor, notwithstanding paragraph three of subdivision (b) of section eleven hundred one of this article, shall not be included in the receipt for such gas or electricity, and, therefore, when made by the provider who also sells, other than as a sale for resale, the gas or electricity, shall qualify for such reduced rate. § 2. This act shall take effect immediately.

SUBPART D

Section 1. The opening paragraph of paragraph (a) of subdivision 5 of section 210-A of the tax law, as amended by section 4 of part P of chapter 60 of the laws of 2016, is amended to read as follows:

A financial instrument is a "nonqualified financial instrument" if it is not a qualified financial instrument. A qualified financial instrument means a financial instrument that is of a type described in any of clauses (A), (B), (C), (D), (G), (H) or (I) of subparagraph two of this paragraph and that has been marked to market in the taxable year by the taxpayer under section 475 or section 1256 of the internal revenue code. Further, if the taxpayer has in the taxable year marked to market a financial instrument of the type described in any of the clauses (A), (B), (C), (D), (G), (H) or (I) of subparagraph two of this paragraph, then any financial instrument within that type described in the above specified clause or clauses that has not been marked to market by the taxpayer under section 475 or section 1256 of the internal revenue code is a qualified financial instrument in the taxable year. Notwithstanding the two preceding sentences, (i) a loan secured by real property shall not be a qualified financial instrument, (ii) if the only loans that are marked to market by the taxpayer under section 475 or section 1256 of the internal revenue code are loans secured by real property, then no loans shall be qualified financial instruments, (iii) stock that is investment capital as defined in paragraph (a) of subdivision five of section two hundred eight of this article shall not be a qualified financial instrument, and (iv) stock that generates other exempt income as defined in subdivision six-a of section two hundred eight of this article and that is not marked to market under section 475 or section 1256 of the internal revenue code shall not constitute a qualified financial instrument with respect to the income from that stock that is described in such subdivision six-a. If a corporation is included in a combined report, the definition of qualified financial instrument shall be determined on a combined basis. In the case of a RIC or a REIT that is not a captive RIC or a captive REIT, a
qualified financial instrument means a financial instrument that is of a type described in any of clauses (A), (B), (C), (D), (G), (H) or (I) of subparagraph two of this paragraph, other than (i) a loan secured by real property, (ii) stock that is investment capital as defined in paragraph (a) of subdivision five of section two hundred eight of this article, and (iii) stock that generates other exempt income as defined in subdivision six-a of section two hundred eight of this article with respect to the income from that stock that is described in such subdivision six-a.

§ 2. Clause (D) of subparagraph 1 of paragraph (d) of subdivision 1 of section 210 of the tax law, as amended by section 19 of part T of chapter 59 of the laws of 2015, is amended to read as follows:

(D) Otherwise, for all other taxpayers not covered by clauses (A), (B) [and], (C) and (D-1) of this subparagraph, the amount prescribed by this paragraph will be determined in accordance with the following table: If New York receipts are: The fixed dollar minimum tax is:

- not more than $100,000 $25
- more than $100,000 but not over $250,000 $75
- more than $250,000 but not over $500,000 $175
- more than $500,000 but not over $1,000,000 $500
- more than $1,000,000 but not over $5,000,000 $1,500
- more than $5,000,000 but not over $25,000,000 $3,500
- more than $25,000,000 but not over $50,000,000 $5,000
- more than $50,000,000 but not over $100,000,000 $10,000
- more than $100,000,000 but not over $250,000,000 $20,000
- more than $250,000,000 but not over $500,000,000 $50,000
- more than $500,000,000 but not over $1,000,000,000 $100,000
- Over $1,000,000,000 $200,000

§ 3. Subparagraph 1 of paragraph (d) of subdivision 1 of section 210 of the tax law is amended by adding a new clause (D-1) to read as follows:

(D-1) In the case of a REIT or a RIC that is not a captive REIT or captive RIC, the amount prescribed by this paragraph will be determined in accordance with the following table: If New York receipts are: The fixed dollar minimum tax is:

- not more than $100,000 $25
more than $100,000 but not over $250,000 $ 75

more than $250,000 but not over $500,000 $ 175

more than $500,000 $ 500

§ 4. The opening paragraph of paragraph (a) of subdivision 5 of section 11-654.2 of the administrative code of the city of New York, as amended by section 16 of part P of chapter 60 of the laws of 2016, is amended to read as follows:

A financial instrument is a "nonqualified financial instrument" if it is not a qualified financial instrument. A qualified financial instrument means a financial instrument that is of a type described in any of clauses (i), (ii), (iii), (iv), (vii), (viii) or (ix) of subparagraph two of this paragraph and that has been marked to market in the taxable year by the taxpayer under section 475 or section 1256 of the internal revenue code. Further, if the taxpayer has in the taxable year marked to market a financial instrument of the type described in any of clauses (i), (ii), (iii), (iv), (vii), (viii) or (ix) of subparagraph two of this paragraph, then any financial instrument within that type described in the above specified clause or clauses that has not been marked to market by the taxpayer under section 475 or section 1256 of the internal revenue code is a qualified financial instrument in the taxable year. Notwithstanding the two preceding sentences, (i) a loan secured by real property shall not be a qualified financial instrument, (ii) if the only loans that are marked to market by the taxpayer under section 475 or section 1256 of the internal revenue code are loans secured by real property, then no loans shall be qualified financial instruments, (iii) stock that is investment capital as defined in paragraph (a) of subdivision four of section 11-652 of this subchapter shall not be a qualified financial instrument, and (iv) stock that generates other exempt income as defined in subdivision five-a of section 11-652 of this subchapter with respect to the income from that stock that is described in such subdivision five-a. If a corporation is included in a combined report, the definition of qualified financial instrument shall be determined on a combined basis.

In the case of a RIC or a REIT that is not a captive RIC or a captive REIT, a qualified financial instrument means a financial instrument that is of a type described in any of clauses (i), (ii), (iii), (iv), (vii), (viii) or (ix) of subparagraph two of this paragraph, other than (i) a loan secured by real property, (ii) stock that is investment capital as defined in paragraph (a) of subdivision four of section 11-652 of this subchapter, and (iii) stock that generates other exempt income as defined in subdivision five-a of section 11-652 of this subchapter with respect to the income from that stock that is described in such subdivision five-a.

§ 5. This act shall take effect immediately and shall apply to taxable years beginning on or after January 1, 2016.
§ 2. Severability clause. If any clause, sentence, paragraph, subdivision, section, part or subpart of this act shall be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, section, part or subpart thereof directly involved in the controversy in which such judgment shall have been rendered. It is hereby declared to be the intent of the legislature that this act would have been enacted even if such invalid provisions had not been included herein.

§ 3. This act shall take effect immediately provided, however, that the applicable effective date of Subparts A through D of this act shall be as specifically set forth in the last section of such Subparts.

§ 2. Severability clause. If any clause, sentence, paragraph, subdivision, section or part of this act shall be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, section or part thereof directly involved in the controversy in which such judgment shall have been rendered. It is hereby declared to be the intent of the legislature that this act would have been enacted even if such invalid provisions had not been included herein.

§ 3. This act shall take effect immediately provided, however, that the applicable effective date of Parts A through D of this act shall be as specifically set forth in the last section of such Parts.