

SPONSORS MEMO:

**NEW YORK STATE ASSEMBLY
MEMORANDUM IN SUPPORT OF LEGISLATION
submitted in accordance with Assembly Rule III, Sec 1(e)**

BILL NUMBER: A11798

SPONSOR: Rules (Cahill)

TITLE OF BILL: An act to amend the social services law and a chapter of the laws of 2004 amending the social services law relating to author-
izing the commissioner of health to apply for a nursing facility transi-
tion and diversion medicaid waiver, in relation to authorizing the commissioner of health to apply for a nursing facility transition and diversion medicaid waiver

PURPOSE: This bill makes technical chapter amendments to S.7073/A.11350 which establishes the nursing facility transition and diversion medicaid waiver.

SUMMARY OF PROVISIONS: Section one of the bill makes clarifying technical amendments to section 366 subdivision 6-a of the social services law including the establishment of an initial number of no less than 5,000 participants to be served by the waiver over the first three years. Section two of the bill amends paragraph g of subdivision 1 of section 368-a of the Social services law to include the nursing homes transition and diversion services among those services that receive an enhanced state reimbursement. Section 3 of the bill provides that the bill shall take effect on the same day as S. 7073/ A. 11350.

JUSTIFICATION: The chapter amendments contained in this bill are technical in nature. All federally approved Medicaid Waiver programs include the number of participants to be served. This bill establishes that no less than 5,000 individuals will participate in the waiver over the first three years. The bill also ensures that local Governments received the full benefit of enhanced reimbursement by the state for long term care services. The original bill limited the local share to 20% when in fact, localities contribute 18.765% of the non-federal share toward most long term care costs.

LEGISLATIVE HISTORY: New Bill. Chapter amendment to S. 7073/A. 11350

FISCAL IMPLICATIONS: Savings to the state and local governments as individuals who are eligible for nursing facility care are provided home and community based services and care, often at far less cost. The County share of this program is limited.

EFFECTIVE DATE: To take effect on the same date as S.7303/ A.11350.