



Department of Health

KATHY HOCHUL
Governor

JAMES V. McDONALD, MD, MPH
Commissioner

JOHANNE E. MORNE, MS
Executive Deputy Commissioner

September 30, 2026

Todd McMillion
Director
Department of Health and Human Services
Centers for Medicare and Medicaid Services
233 North Michigan Ave, Suite 600
Chicago, IL 60601

RE: SPA #26-0049
Non-Institutional Services

Dear Director McMillion:

The State requests approval of the enclosed amendment #26-0049 to the Title XIX (Medicaid) State Plan for non-institutional services to be effective August 1, 2026 (Appendix I). This amendment is being submitted based on enacted legislation. A summary of the plan amendment is provided in Appendix II.

The State of New York reimburses these services through the use of rates that are consistent with efficiency, economy, and quality of care and are sufficient to enlist enough providers so that care and services are available under the plan at least to the extent that such care and services are available to the general population in the geographic area as required by § 1902(a)(30) of the Social Security Act and 42 CFR § 447.204.

A copy of pertinent sections of enacted legislation is enclosed for your information (Appendix III). A copy of the public notice of this plan amendment, which was given in the *New York State Register* on July 22, 2026, is also enclosed for your information (Appendix IV). In addition, responses to the five standard funding questions are also enclosed (Appendix V).

If you have any questions regarding this State Plan Amendment submission, please do not hesitate to contact Regina Deyette, Medicaid State Plan Coordinator, Division of Finance and Rate Setting, Office of Health Insurance Programs at (518) 473-3658.

Sincerely,

A solid black rectangular box used to redact the signature of Amir Bassiri.

Amir Bassiri
Medicaid Director
Office of Health Insurance Programs

Enclosures

**TRANSMITTAL AND NOTICE OF APPROVAL OF
STATE PLAN MATERIAL
FOR: CENTERS FOR MEDICARE & MEDICAID SERVICES**

1. TRANSMITTAL NUMBER

2 6 — 0 0 4 9

2. STATE

N Y3. PROGRAM IDENTIFICATION: TITLE OF THE SOCIAL
SECURITY ACT

XIX



XXI

TO: CENTER DIRECTOR
CENTERS FOR MEDICAID & CHIP SERVICES
DEPARTMENT OF HEALTH AND HUMAN SERVICES

4. PROPOSED EFFECTIVE DATE

August 1, 2026

5. FEDERAL STATUTE/REGULATION CITATION

§ 1905(a)(7), 1905(a)(18), 1905(a)(22)

6. FEDERAL BUDGET IMPACT (Amounts in WHOLE dollars)

a. FFY 08/01/26-09/30/26\$ 0b. FFY 10/01/26-09/30/27\$ 12,520,000

7. PAGE NUMBER OF THE PLAN SECTION OR ATTACHMENT

Attachment 4.19-B: Page A (7.12)

8. PAGE NUMBER OF THE SUPERSEDED PLAN SECTION
OR ATTACHMENT (If Applicable)

Attachment 4.19-B: Page A (7.12)

9. SUBJECT OF AMENDMENT

NH Investment-NI Components

10. GOVERNOR'S REVIEW (Check One)



GOVERNOR'S OFFICE REPORTED NO COMMENT



COMMENTS OF GOVERNOR'S OFFICE ENCLOSED



NO REPLY RECEIVED WITHIN 45 DAYS OF SUBMITTAL



OTHER, AS SPECIFIED:

11. SIGNATURE OF STATE AGENCY OFFICIAL

13. TITLE

Medicaid Director

14. DATE SUBMITTED

September 30, 2026

15. RETURN TO

New York State Department of Health
Division of Finance and Rate Setting
99 Washington Ave – One Commerce Plaza
Suite 1432
Albany, NY 12210**FOR CMS USE ONLY**

16. DATE RECEIVED

17. DATE APPROVED

PLAN APPROVED - ONE COPY ATTACHED

18. EFFECTIVE DATE OF APPROVED MATERIAL

19. SIGNATURE OF APPROVING OFFICIAL

20. TYPED NAME OF APPROVING OFFICIAL

21. TITLE OF APPROVING OFFICIAL

22. REMARKS

Appendix I
2026 Title XIX State Plan
Third Quarter Amendment
Amended SPA Pages

New York
A (7.12)

1905(a)(7) Home Health Services, 1905(a)(18) Hospice Care, 1905(a)(22) Home or Community Care

For the period beginning July 1, 2024 and ending March 31, 2025, a one-time across-the-board (ATB) increase will be provided to non-institutional long term care providers, increasing overall Medicaid reimbursement by up to \$19.5 million. For the period beginning April 1, 2025 and ending March 31, 2026, a one-time across-the-board (ATB) increase will be provided to non-institutional long term care providers, increasing overall Medicaid reimbursement by up to \$21.7 million and for the period beginning April 1, 2026 and each year thereafter, an annual across-the-board (ATB) increase will be provided to non-institutional long term care providers, increasing overall Medicaid reimbursement by up to ~~\$20.9~~ \$46 million per year.

- a. Programs to receive funding as a part of this increase include:
 - i. Assisted Living Programs
 - ii. Adult Day Health Care Facilities
 - iii. AIDS Adult Day Health Care Facilities
 - iv. Hospice Programs
- b. In order to fully distribute the available funding, one-time lump sum payments will be made to each facility. The lump sum payment per facility will be calculated as follows:
 - i. Divide the available amount of the ATB increase by the total of all facility Medicaid patient days for the most recent reported calendar year. This will result in an ATB increase per Medicaid patient day.
 - ii. Then, take the ATB increase per patient day and multiply it by each facility's Medicaid patient days.

The State will distribute the funds upon approval of the SPA by CMS.

TN # 26-0049 Approval Date _____
 Supersedes TN #25-0036 Effective Date August 1, 2026

Appendix II
2026 Title XIX State Plan
Third Quarter Amendment
Summary

SUMMARY
SPA #26-0049

This State Plan Amendment proposes to provide an across the board funding increase for Assisted Living Programs (ALPS), Adult Day Health Care (ADHC), Adult Day Health Care - Aids (AADHC) and Hospice of up to \$25.04 million more than the prior year increase, for the period beginning August 1, 2026 and each year thereafter.

Appendix III
2026 Title XIX State Plan
Third Quarter Amendment
Authorizing Provisions

1

PART 0

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

§ 1-c. ~~[Notwithstanding any provision of law to the contrary, for the period April 1, 2025 through March 31, 2026 Medicaid payments made for clinic service provided by federally qualified health centers and diagnostic and treatment centers licensed pursuant to article 28 of the public health law shall be increased by an aggregate amount of up to \$40,000,000 in addition to any applicable increase contained in section one of this act subject to the approval of the commissioner of health and the director of the budget.]~~ Notwithstanding any provision of law to the contrary, for the [period] state fiscal years beginning April 1, 2026, and thereafter, Medicaid payments made for clinic service provided by federally qualified health centers ~~[and diagnostic and treatment centers licensed pursuant to article twenty-eight of the public health law]~~ shall be increased by an aggregate amount of up to [\$20,000,000] \$80,000,000 in addition to any applicable increase contained in section one of this act subject to the approval of the commissioner of health and the director of the budget. Such rate increases shall be subject to federal financial participation and the provisions established under section one-f of this act.

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

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

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

§ 1-f. Such increases as added by ~~[the]~~ part F of chapter 57 of the laws of 2025 [that added this section] and the chapter of the laws of 2026 that added section one-g to this act shall be contingent upon the availability of funds within the healthcare stability fund established by section 99-ss of the state finance law, as added by section 2 of part II of chapter 57 of the laws of 2024 and later renumbered and amended by section 2 of part F of chapter 57 of the laws of 2025. Upon a determination by the director of the budget that the balance of such fund is projected to be insufficient to support the continuation of such increases, the commissioner of health, subject to the approval of the director of the budget, shall take steps necessary to suspend or terminate such increases, until a determination is made that there are sufficient balances to support these increases.

§ 1-g. Notwithstanding any provision of law to the contrary, for state fiscal years beginning April 1, 2026 and thereafter, Medicaid payments

1 made for hospital services shall be increased by an aggregate amount of

2 up to \$706,000,000, nursing home services shall be increased by an
3 aggregate amount of up to \$480,000,000, and assisted living program
4 services shall be increased by an aggregate amount of up to \$20,000,000
5 in addition to the increase contained in section one, one-a, one-b and
6 one-c of this act, subject to the approval of the commissioner of health
7 and the director of the budget. Such rate increases shall be subject to
8 federal financial participation and the provisions established under
9 section one-f of this act.

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

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

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

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

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

54 (v) For rates effective on and after April first, two thousand twen-
55 ty-six, the budgeted capital-related expenses add-on as described in
56 paragraph (a) of this subdivision, based on a budget submitted in

1 accordance with paragraph (a) of this subdivision, shall be reduced by
2 ten percent relative to the rate in effect on such date; and the actual
3 capital expenses add-on as described in paragraph (a) of this subdivi-
4 sion shall be reduced by ten percent relative to the rate in effect on

5 such date. Such rate adjustments shall be subject to federal financial
6 participation.

7 (vi) For any rate year, all reconciliation add-on amounts calculated
8 for the period of April first, two thousand twenty through September
9 thirtieth, two thousand twenty-four shall be reduced by ten percent, and
10 all reconciliation recoupment amounts calculated for the period of April
11 first, two thousand twenty through September thirtieth, two thousand
12 twenty-four shall increase by ten percent.

13 (vii) For any rate year, all reconciliation add-on amounts calculated
14 ~~[on and after]~~ for the period October first, two thousand twenty-four
15 through March thirty-first, two thousand twenty-six shall be reduced by
16 twenty percent, and all reconciliation recoupment amounts calculated ~~[on~~
17 ~~or after]~~ for the period October first, two thousand twenty-four through
18 March thirty-first, two thousand twenty-six, shall increase by twenty
19 percent. Such rate adjustments shall be subject to federal financial
20 participation.

21 (viii) For any rate year, all reconciliation add-on amounts calculated
22 on and after April first, two thousand twenty-six shall be reduced by
23 ten percent, and all reconciliation recoupment amounts calculated on or
24 after April first, two thousand twenty-six shall increase by ten
25 percent. Such rate adjustments shall be subject to federal financial
26 participation.

27 (ix) Notwithstanding any inconsistent provision of subparagraph (i) of
28 paragraph (e) of subdivision nine of this section, capital related inpa-
29 tient expenses of a general hospital included in the computation of
30 rates of payment based on a budget shall not be included in the computa-
31 tion of a volume adjustment made in accordance with such subparagraph.
32 Adjustments to rates of payment for a general hospital made pursuant to
33 this paragraph shall be made in accordance with paragraph (c) of subdivi-
34 sion eleven of this section. Such adjustments shall not be carried
35 forward except for such volume adjustment as may be authorized in
36 accordance with subparagraph (i) of paragraph (e) of subdivision nine of
37 this section for such general hospital.

38 § 5. This act shall take effect immediately.

Appendix IV
2026 Title XIX State Plan
Third Quarter Amendment
Public Notice

MISCELLANEOUS NOTICES/HEARINGS

Notice of Abandoned Property Received by the State Comptroller

Pursuant to provisions of the Abandoned Property Law and related laws, the Office of the State Comptroller receives unclaimed monies and other property deemed abandoned. A list of the names and last known addresses of the entitled owners of this abandoned property is maintained by the office in accordance with Section 1401 of the Abandoned Property Law. Interested parties may inquire if they appear on the Abandoned Property Listing by contacting the Office of Unclaimed Funds, Monday through Friday from 8:00 a.m. to 4:30 p.m., at:

1-800-221-9311
or visit our web site at:
www.osc.state.ny.us

Claims for abandoned property must be filed with the New York State Comptroller's Office of Unclaimed Funds as provided in Section 1406 of the Abandoned Property Law. For further information contact: Office of the State Comptroller, Office of Unclaimed Funds, 110 State St., Albany, NY 12236.

PUBLIC NOTICE Department of Health

Pursuant to 42 CFR Section 447.205, the Department of Health hereby gives public notice of the following:

The Department of Health proposes to amend the Title XIX (Medicaid) State Plan for non-institutional services to comply with Part O of Chapter 57 of the Laws of 2026. The following changes are proposed:

Non-Institutional Services

Effective on or after August 1, 2026, and each year thereafter, the State will invest up to \$480 million in residential health care facility services when combined with investments in Adult Day Health Care, AIDS Adult Day Health Care, and Hospice programs. Additionally, effective on or after August 1, 2026, and each year thereafter, the State will invest up to \$20 million in Assisted Living Programs. There is no change in the methods or standards.

The estimated annual net aggregate increase in gross Medicaid expenditures attributable to this initiative is up to \$500 million.

The public is invited to review and comment on this proposed State Plan Amendment, a copy of which will be available for public review on the Department's website at http://www.health.ny.gov/regulations/state_plans/status. Individuals without Internet access may view the State Plan Amendments at any local (county) social services district.

For the New York City district, copies will be available at the following places:

New York County
250 Church Street
New York, New York 10018

Queens County, Queens Center
3220 Northern Boulevard
Long Island City, New York 11101

Kings County, Fulton Center
114 Willoughby Street
Brooklyn, New York 11201

Bronx County, Tremont Center
1916 Monterey Avenue
Bronx, New York 10457

Richmond County, Richmond Center
95 Central Avenue, St. George
Staten Island, New York 10301

For further information and to review and comment, please contact:
Department of Health, Division of Finance and Rate Setting, 99
Washington Ave., One Commerce Plaza, Suite 1432, Albany, NY
12210, spa-inquiries@health.ny.gov

PUBLIC NOTICE

New York State and Local Retirement System Unclaimed Amounts Payable to Beneficiaries

Pursuant to the Retirement and Social Security Law, the New York State and Local Retirement System hereby gives public notice of the amounts payable to beneficiaries.

The State Comptroller, pursuant to Sections 109(a) and 409(a) of the Retirement and Social Security Law has received, from the New York State and Local Retirement System, a listing of beneficiaries or estates having unclaimed amounts in the Retirement System. A list of names contained in this notice is on file and open to public inspection at the office of the New York State and Local Retirement System located at 110 State St., in the City of Albany, New York.

Set forth below are the names and last known city of record of the beneficiaries and estate appearing from the records of the New York State and Local Retirement System, entitled to the unclaimed benefits.

At the expiration of six months from the date of publication of this list of beneficiaries and estates, unless previously paid to the claimant, the amounts shall be deemed abandoned and place in the pension accumulation fund to be used for the purposes of said fund.

Any amounts so deemed abandoned and transferred to the pension accumulation fund, may be claimed by the executor or administrator of the estates or beneficiaries so designated to receive such amounts, by filing a claim with the State Comptroller. In the event such claim is properly made, the State Comptroller shall pay over to the estates or the person or persons making such claim, the amount without interest.

Beneficiary Name Beneficiary City

Adair, Richard A SCOTTSVILLE

Adams, Estate of Jean M BINGHAMTON

Alker, Estate of June Lakeville

Allen, Shannon C LIVERPOOL

Althea J Brooks, Estate of ROCHESTER

Anderson, Todd ORANGE CITY

ANNE AHEARN, ESTATE OF POUGHKEEPSIE

Anselmini, Estate of Eleanor A STONY BROOK

Araujo, Laura I NORTH MERRICK

Araujo, Lauraliette NORTH MERRICK
Arnold, Barbara Ann PORT ST LUCIE
Ash, Karen PLAINS
Atwood, Estate of Judith H POUGHKEEPSIE
Austin, Brian J BUFFALO
Austin, Timothy C ROCHESTER
Banach, Bonnie MYRTLE BEACH
Banach, Estate of John PENN YAN
Barton, Robert W PALM COAST
Belardo, Catherine M NORWALK
Bell Jr, James S ENDICOTT
Bell, Estate of Genevieve LODI
Bell, Kathy A CLEARWATER
Bertha, Joseph BAYONNE
Bertha, William J. EAST HAMPTON
Bifulco, David G NEW SMYRNA
Bifulco, James C BAYONNE
Bifulco, Sarah L BOYNTON BEACH
Binnert, Laura ROCHESTER
Bloodworth Jr, Dale G ALEX CITY
Boccacino, Michael PHILADELPHIA
Bouffard III, Edmund J CANASERAGA
Bowman, Jill NEW YORK
Brennan-Barry, Colleen ROCHESTER
Bridge, Christopher M JENSEN BEACH
Bridge, Russell D ALBANY
Broskin, Amy L HAMLIN
Brown, Trisha M LITTLE MDWS
Bunal, Sheila ROME
Butler, Mary M BINGHAMTON
Button, Edwin SHORTSVILLE
Button, Edwin William WEST SENECA
Button, Kari Louise CHESHIRE
Cabibi, Anthony Michael PALM CITY
Cabibi, Phil Bradenton
Capozzi, James A PORTLAND
Carol Churchill, Estate of MONTAUR FALLS
Carson Jr, Shaun SINCLAIRVILLE
Carson, Christopher James JAMESTOWN
Carson, Loren Allen JAMESTOWN
Cashman, James T ROUND LAKE
Cashman, Michael BALLSTON LAKE
Chamberlin, Estate of Dorothy Lord ONEIDA
Champlin, Rebecca B FIRESTONE
Chanona, Leslie Anne E STROUDSBURG
Charles Jacobs, Estate of HOGANSBURG
Chilluffo, Esther ROME
Chilluffo, Michele ROME
CHRISTENSEN, EDWARD W. SCHENECTADY
Christian, Estate of Mary K ST PETERSBURG
Christo, Mary PLEASANTVILLE
Church, Estate of Norma J OSWEGO
Cicero, Stanley E PERRY
Claar, Estate of Janet T BRENTWOOD
Clark, Estate of Harriett E PORT JERVIS
Clark, Estate of Phyllis J ASHVILLE
Clark, Selma L SLEEPY HOLLOW
Colby, Keith Michael ALBANY
Coleman Jr, Frank E YONKERS

Coleman, Estate of Pauline BLYTHEWOOD
Coleman, Leroy EASTCHESTER
Colleton, Estate of Warren PRATTVILLE
Collins, Richard L WEST WINFIELD
Conte, Estate of Louis J DURHAM
Corey, Estate of Dolores NEWTON U F
Crohn, Jeffrey Cole MOUNT KISCO
Culver, Estate of Patricia A NEW HAMPTON
Cummins, Estate of Beverly CENTRAL SQ
Danielson, Estate of Marcella E HOUSTON
Davis Jr, Estate of Kenneth E NEWARK
Davis, Estate of John P MANNSVILLE
DeFrancesco, Estate of Julia J N TONAWANDA
Demetras, Estate of Valarie SARATOGA SPGS
Dickstein, Susan PROVIDENCE
Doebler, David R KENNESAW
Doepper, Estate of Helen A SIMPSONVILLE
Dolan, Estate of Josephine
Domenica Pignone, Estate of STATEN ISLAND
Dougherty, Estate of Patricia L BUFFALO
Douglas, Brenda WALLKILL
Doyle, Jared M MARYVILLE
Duesler, Estate of Barbara J CHERRY VALLEY
Dunn, Estate of Rita A PLEASANT VLY
Elsie H Anderson, Estate Of NOVI
Fabrizio, Estate of Rudolph V RIDGE
Ferris, Michael R WILBRAHAM
Fitzmorris, Estate of Mary FRIENDSWOOD
Foreman, Estate of Valeria TOMS RIVER
Fortune, Kazembe ST PETERSBURG
Fortune, Kwamina F BROOKLYN
Fravel, Sandra Lee WAVERLY
Gallagher, Timothy WEST ISLIP
Galt, Frederick B W SAND LAKE
Galt, John F CONWAY
Giordano, Rachel WEST HARRISON
Goldenberg, Estate of Juliette LAKEVILLE
Gonzalez, Alice BRONX
Gonzalez, Gilberto STROUDSBURG
Gonzalez, Jose Luis WINCHESTER
Gonzalez, Patricia E STROUDSBURG
Gonzalez, Roberto STROUDSBURG
Goodine, Lue Ann GREENEVILLE
Graham, Estate of David W N TONAWANDA
Granger, Maurice BRONX
Grant, Kenneth J ROCHESTER
Grasso, Thomas G COCOA
Gray, Karen V TONAWANDA
Greenidge, Arthur ISLAND PARK
Griffin, Estate of James DANBURY
Griffis, Samuel DUMMERSTON
Groner, David Carl CASHMERE
Gu, Danian SWARTHMORE
Hall, Lindsay L JOHNSTOWN
Happ, Ruth SCHENECTADY
Harrington, Jeanne M DAYTONA BEACH
Harris III, William FAYETTEVILLE
Harris, Patricia Camilla FAYETTEVILLE
Hart Jr, Barry C SAUGERTIES