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2022 Legislative Session: Executive Budget

On Tuesday, January 18th, Governor Hochul issued her first Budget address, which she called the "New York Dream," and subsequently released her first Executive Budget proposal. The FY 2023 Executive Budget contains \$216 Billion in total spending and does not project any current or out-year funding shortfalls. By contrast, the last budget cycle (FY 2022) projected revenue shortfall of \$39 Billion over four years.

The Governor's presentation focused on COVID response, rebuilding the healthcare workforce, social equity concerns, and infrastructure spending. Significantly, the Budget does not include tax or fee increases, and aims to accelerate a multi-year middle-class tax cut.

The Executive Budget proposal includes appropriation bills for [State Operations](#), [Legislature and Judiciary](#), [State Debt Service](#), [Aid to Localities](#), and [Capital Projects](#). Appropriation bills, which contain funding scheme for state programs, are accompanied by Article VII legislation outlining the legislation that will guide the implementation of state programs. Those proposals include [Health and Mental Hygiene \(HMH\)](#); [Public Protection and General Government \(PPGG\)](#); [Transportation, Economic Development and Environmental Conservation \(TED\)](#).

Executive Budget Highlights:

- \$10 Billion to rebuild healthcare workforce and build healthcare system
- \$31 Billion on schools and workforce development for teachers
- \$32.8 Billion Five-Year Department Of Transportation Capital Plan
- \$900 million in childcare grants
- \$1 Billion for Small Businesses & Tax Credit for COVID-related expenses
- \$1.5 Billion for SUNY & CUNY over next 5 years
- \$4 Billion Clean Water and Air, Green Jobs, Environmental Bond Act
- \$500 million Offshore Wind
- \$25 billion 5-year Housing Plan
- \$224 million Law Enforcement and Community-based Gun Violence Initiatives
- \$2 Billion for continuing COVID-19 response

Medicaid Rate Increase

The Governor's proposal includes a 1 percent across the board increase in the fee-for-service Medicaid rate (the first trend increase in more than a decade). It also includes the restoration going forward of the 1.5 percent rate cut that was enacted in 2020. While the 1 percent increase does not apply to Medicaid managed care reimbursement, the restoration of the 2020 rate cut does.

Telehealth Reimbursement Parity

Governor Hochul's proposed budget includes legislation to amend the Public Health Law and the Insurance Law to require that health care services delivered via telehealth, are reimbursed on the same basis and rate and to the same extent that such services are reimbursed when delivered in person.



From the Governor

Hochul Sends Joint Letter to Feds for Rental Assistance

Governor Hochul [announced](#) NYS is joining California, New Jersey and Illinois in asking the federal government for more funding for high tenant states after NYS exhausted more than \$1.3 billion in rental relief. Governor Hochul had earlier requested \$996 million in federal reallocation funds after the state obligated or distributed more than \$2 billion in total rental assistance less than 6 months after the program's launch.

Executive Orders

There were no new COVID-19 related Executive Orders issued this week.

Legislative News

Legislative Activity

The Legislature will hold session on the 24th, 25th, and 26th next week (the *2022 Legislative Calendar* can be accessed [here](#)). There were 120 bills passed this week. Of particular note was:

~ [A1121A \(Buttenschon\) / S7211A \(Savino\)](#) which creates the certain offenses and provisions related to the unlawful dissemination of a personal image; and creates a private right of action for such offenses. This bill now heads to the Senate Codes Committee for consideration.

Upcoming Public Hearings

The Legislature will be conducting the following budget hearings:

- ~January 25th, Public Protection.
- ~January 26th, Elementary and Secondary Education
- ~January 31st, Workforce Development / Housing
- ~February 1st, Environmental Conservation
- ~February 2nd, Human Services
- ~February 7th, Higher Education
- ~February 8th, Health
- ~February 9th, Local Government
- ~February 14th, Mental Hygiene
- ~February 15th, Transportation
- ~February 16th, Economic Development / Taxes

Details [here](#).

State Agencies

From the New York Office of Cannabis Management

Board Meeting Scheduled for January 25, 2022

The NYS Cannabis Control Board has [scheduled a meeting](#) for January 25, 2022 to consider the delegation of hiring authority; a service-level agreement for an OCM Call Center; and to discuss the proposed Social and Economic Equity Fund.

From the New York State Office of the Comptroller

Statement on Executive Budget

NYS Comptroller Tom DiNapoli [released a statement](#) on Governor Hochul's Executive Budget indicating State revenue is well ahead of projections with the addition of federal aid to support the state's financial recovery from COVID-19 pandemic. His office is expected to release a more detailed review of the Executive Budget Proposals soon.

From the New York State Department of Financial Services

NYSDOH and NYSDFS Announce Extension of Open Enrollment

NY State of Health, together with the New York State Department of Financial Services (DFS), [announced](#) that the Open Enrollment Period for 2022 Qualified Health Plans (QHPs) will remain open, consistent with the January 14th [announcement](#) that the federal government is extending the Public Health Emergency effective January 16, 2022. NY State of Health, the state's official health plan Marketplace, provides new and returning consumers low-cost health insurance options, with QHPs in each county, and continues to offer expanded tax credit savings through the [American Rescue Plan Act](#). New Yorkers who enroll by January 15 will have coverage starting February 1.

From the New York State Department of Health

New Health Commissioner Confirmed

The Governor's appointment of NYS Health Commissioner [Dr. Mary T. Bassett](#) was confirmed by the NYS Senate this week. She [issued a statement](#) thanking Governor Hochul and the NYS Senate for their support as she works to guide the state through the continuing COVID-19 response as well as other health issues.

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