



STATE OF NEW YORK
EXECUTIVE CHAMBER
ALBANY 12224

VETO #183

December 6, 2019

TO THE SENATE:

I am returning herewith, without my approval, the following bill:

Senate Bill Number 5485-A, entitled:

“AN ACT to amend the public health law and the social services law, in relation to automatic enrollment and recertification simplification for Medicaid eligible recipients”

NOT APPROVED

This bill would require Medicaid coverage to be automatically renewed for certain individuals, prior to a definitive determination that such individuals continue to be Medicaid eligible, unless there has been a finding of lack of eligibility for Medicaid. This bill effectively creates a presumption that an individual continues to be in need of Medicaid services unless the state shows it is not the case.

While I appreciate the intent of simplifying Medicaid enrollment procedures, as drafted this bill raises serious concerns. By seeking to authorize Medicaid services without a check for eligibility, the proposed language runs contrary to federal law that requires the state to demonstrate financial eligibility prior to obtaining or renewing Medicaid coverage, and could jeopardize federal financial participation in the program. Medicaid expenditures for long-term care are increasing at a significant rate and are substantially impacting the state budget. Extension of Medicaid eligibility to individuals who have yet to be determined eligible would result in unbudgeted costs.

This bill would also require significant systems work, which would further drive costs to the state, disrupt efforts to update aging systems infrastructure, and delay the consolidation of Medicaid eligibility requirements for all Medicaid cases within NY State of Health. For these reasons, I am constrained to veto this bill.

The bill is disapproved.

A handwritten signature in black ink, appearing to read "Andrew Cuomo".