



STATE OF NEW YORK
EXECUTIVE CHAMBER
ALBANY 12224

VETO # 44

November 22, 2024

TO THE ASSEMBLY:

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

Assembly Bill Number 9204, entitled:

“AN ACT to amend the public health law, in relation to the hospital-home care-physician collaboration program”

NOT APPROVED

This bill would prevent the use of regulatory waivers under the hospital-home care-physician collaboration program to circumvent applicable certificate of need requirements and ensure public notice consistent with the State Administrative Procedure Act.

The hospital-home care-physician collaboration program was established over a decade ago and is a valuable mechanism for innovation. It allows providers to develop new models of coordinating care and identify efficiencies. To support the voluntary initiatives and objections of the program, the Department of Health is permitted to waive regulations. Certificate of need requirements cannot be waived under the existing law because they are contained in statute, not regulation. If signed into law, this bill will eliminate the valuable flexibilities of the program, undermining its very intent.

Therefore, I am constrained to veto this bill.

The bill is disapproved.

Ruth Hochul