



STATE OF NEW YORK
EXECUTIVE CHAMBER
ALBANY 12224

VETO # 157

November 25, 2019

TO THE SENATE:

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

Senate Bill Number 1803-A, entitled:

“AN ACT to amend the public health law, in relation to promoting efficient and effective oversight of continuing care retirement communities; and to repeal certain provisions of such law relating thereto”

NOT APPROVED

Senate bill number 1803-A would consolidate the oversight responsibilities of continuing care retirement communities (CCRC) from the Department of Financial Services (DFS) and CCRC Council to the Department of Health (DOH).

The DOH, DFS and CCRC Council work together to provide review and oversight of CCRC programs. Currently, DFS oversees the financial aspects of CCRCs by reviewing contracts, reserve and asset levels, and allowable fee amounts to ensure that residents, who make significant financial investments in this framework, are fully informed and sufficiently protected.

While I find the intent of the legislature laudable in desiring to ensure consolidated oversight of healthcare programs, DFS is the agency charged with oversight of insurance products and therefore has the appropriate expertise to carry out this crucial function. In addition, the transfer of the program to DOH would require the expenditure of funds that are unbudgeted which, with Medicaid facing a considerable funding gap, should be considered during budget discussions. 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', written in a cursive style.