

Legislative Update

Amy Kellogg and Caiti Anderson



January tends to be synonymous with new beginnings. In the New York legislative world, that is no different. The New York State Legislature began its 2026 session on January 7, and the Governor delivered her State of the State address on January 13. This address is where the Governor lays out her vision for the year, and her executive budget proposal, which was delivered on January 21, explains how the State will pay for that vision.

The Governor proposed a \$260 billion budget, which is a \$6 billion, or 2.4%, increase over the fiscal year 2025 – 2026 budget. This year's budget proposal includes \$10.3 billion less in federal funding to New York following a vote on a federal tax bill in July 2025 and the expiration of pandemic-era healthcare funding to the State. This is a 11.4% decrease in federal funding from last year. However, the State received higher-than-anticipated tax returns thanks to Wall Street's performance in the past year, which has helped create some breathing room in the drafting of the proposed budget.

The proposed spending plan does not include any income tax increases but does include a three-year extension on the New York corporate tax. This tax was set to expire at the end of this year, and it applies to businesses that net over \$5 million in profits. The other revenue-raiser included in the Governor's proposed budget is a 75% tax on tobacco-free nicotine pouches, like ZYN. This tax is estimated to bring in around \$54 million annually to the State.

The Governor's proposed budget also included provisions that would bolster the enforcement against illegal flavored vapes. This proposal would add a distributor tax on vapor products, as well as create a registry of vapor products that are legal to sell in New York State. We are monitoring both tobacco-related provisions and working both with our allies in the Tobacco Free New York Coalition on these issues.

The Governor's proposed budget included several provisions that would impact New

York nurses. One of those proposals would further regulate temporary healthcare staffing agencies by requiring them to report on the wages and benefits of individuals providing healthcare services and disclose all entities with which the individuals contract or subcontract. The provision would also allow the Department of Health to establish maximum profits for temporary agencies. We support this proposal as it would provide more clarity as it relates to the business model of staffing agencies.

Another proposal included in the Governor's proposed budget would permit general hospitals to provide care in patient homes. This is intended to build upon the "Acute Hospital Care at Home" demonstration program developed by CMS during the height of the pandemic. The proposal would authorize general hospitals to provide care in patients' homes without obtaining a license as a home care agency. We are monitoring this proposal to ensure that nurses are properly incorporated into the model that is being contemplated.

There is also a proposal that would expand the existing community paramedicine program. It would extend the authority for the existing community paramedicine programs to continue operating for another four years. It would also set the total number of community paramedicine programs allowed to operate concurrently at 99. Further, it would authorize EMS personnel to administer immunizations prescribed or ordered by a physician or nurse practitioner. We will be sure to closely track this proposal so that nurses are appropriately utilized.

Now that the Governor has released her 2026 – 2027 proposed budget, the Senate Finance Committee and the Assembly Ways and Means Committee have begun their joint budget hearings, where they will hear from interested parties about what was in, and in some cases, what was not in the Governor's proposed budget. The hearings will last until the end of February, and in mid-March, both

houses will release their proposed one-house budget bills, which will accept or reject the Governor's proposals as well as include the priorities for each house. Once all three budgets have been released, negotiations between the Governor, Senate and Assembly will commence with the hope of having a final budget deal in place by the State Constitutionally mandated deadline of April 1.

We are also focusing on non-budgetary legislative issues. Our top legislative priority is S2278-A/A5208-A sponsored by Senator Leah Webb and Assemblymember Karines Reyes, which would require general hospitals to add a seat to their governing board for a registered professional nurse who is clinically active. The Senate passed the bill last session, and we are focused on securing co-sponsors for this legislation and building a coalition of support. For more information regarding ANA-NY's legislative priorities, please see the legislative priorities page on the ANA-NY website, which may be found anany.org/policy-and-advocacy/legislative-priorities-and-positions.

The legislative session is scheduled to conclude on June 4 of this year. Once session is wrapped, all focus will shift to the 2026 elections. All 213 members of the New York State Senate and Assembly, the Governor, Lieutenant Governor, Attorney General, Comptroller and the 26 members of the U.S. House of Representatives are up for election this year. The primary will be held on Tuesday, June 23, and the general election will be held on Tuesday, November 3. These elections are a reminder that we strongly encourage you to support ANA-NY PAC, which supports candidates that support the profession and issues of importance to our members. We urge you to visit the ANA-NY PAC web site and donate.

If you have any questions about the legislative process or the priorities of ANA-NY, please contact a member of the Legislative Committee. As always, we welcome your questions, thoughts, ideas, or comments on legislative ideas. ■