

Intro No. 47  
Date 3/16/23  
Reviewed by AGA  
Co. Attorney  
Date 2/27/23

**RESOLUTION**  
**BROOME COUNTY LEGISLATURE**  
BINGHAMTON, NEW YORK

Permanent No. 2023-142  
Date Adopted 3/16/2023  
Effective Date 3/17/2023

**Sponsored by:** County Administration Committee

**Seconded by:** Hon. Jason E. Shaw

**RESOLUTION CALLING ON THE STATE OF NEW YORK TO CONTINUE TO PASS FEDERAL AFFORDABLE CARE ACT ENHANCED FEDERAL MEDICAL ASSISTANCE PERCENTAGE FUNDS THROUGH TO COUNTIES, AS CONGRESS INTENDED**

WHEREAS, under the Affordable Care Act (ACA), the federal government provided an enhanced federal Medical matching share (eFMAP) to a handful of states, including New York, that had already provided Medicaid coverage for the "newly eligible populations" in the ACA, which was intended to reduce the number of uninsured people, and

WHEREAS, the New York State Congressional delegation intended that these additional funds be shared by the state with counties, based on their proportionate share of the nonfederal Medicaid costs, and

WHEREAS, starting in State Fiscal Year (SFY) 2014, the State of New York began sharing these federal ACA savings directly with counties and the savings for a year were provided by lowering the weekly payments each county and New York City (NYC) make to the State to support the State's Medicaid program; and through February 1, 2023, the State continues to share the federal savings from the ACA eFMAP with the 57 counties and NYC, and

WHEREAS, the SFY 2024 State Budget proposed by Governor Kathy Hochul would end the ACA enhanced Federal Medical Assistance Percentage (eFMAP) federal pass-thru to counties and NYC, and

WHEREAS, Governor Hochul's proposed budget would keep all of the enhanced federal Medical funding going forward, and use it to cover further expansions of Medicaid eligibility and benefits and to increase payments to health care providers, and

WHEREAS, the elimination of the ACA eFMAP federal pass-thru will require the 57 counties to spend at least \$280 million more in SFY 2024, and approximately \$1 billion when New York City is included, and

WHEREAS, Governor Hochul's proposed elimination of the ACA eFMAP federal pass-through will result in an increase of about \$5 million in Broome County's annual Medicaid costs during New York State's fiscal year 2024 alone which would likely have a significant impact on County taxpayers and/or services that the County provides to its residents, and

WHEREAS, Medicaid is the largest single state mandate imposed on county and New York City taxpayers and is a major contributor to New York's high local tax burden compared to other states, and

WHEREAS, Broome County understands that Congress intended these federal funds to be shared with counties proportional to the amount they contributed toward the nonfederal Medicaid match, and

WHEREAS, the eFMAP funds are not state general fund dollars, and

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WHEREAS, Broome County strongly disagrees that the State of New York needs to cut county funding so deeply when the Governor's budget proposes to fully fund its own reserves two years ahead of schedule by depositing \$5.4 billion into reserves before the end of SFY 2023, while also projecting a general fund surplus of \$35 billion by the end of SFY 2024. The State should not be building funding reserves and budget surpluses on the backs of its counties, now therefore, be it

RESOLVED, that Broome County joins the New York State Association of Counties in calling on the State of New York to continue to share the eFMAP funds with counties as has been the precedent since the passage of the Affordable Care Act, and consistent with the intention of the New York Congressional Delegation, and

FURTHER RESOLVED, that the Clerk of the Broome County Legislature shall forward copies of this Resolution to Governor Kathy Hochul, Senate Majority Leader Andrea Stewart Cousins, Senate Minority Leader Robert G. Ort, Assembly Majority Leader Crystal D. Peoples-Stokes, Assembly Minority Leader William A. Barclay, Senator Peter Oberacker, Senator Lea Webb, Assemblyman Joseph Angelino, Assemblywoman Donna Lupardo, Assemblyman Christopher Friend and the New York State Association of Counties.

COUNTY OF BROOME )  
STATE OF NEW YORK ) ss:

I, the undersigned, Deputy Clerk of the Legislature of the County of Broome, DO HEREBY CERTIFY that the above is an original resolution of such Legislature duly adopted on the 16<sup>th</sup> day of March, 2023, by a majority of the members elected to the Legislature of said County at a regular meeting of said Legislature.

I FURTHER CERTIFY that at the time said resolution was adopted said Legislature was comprised of fifteen members.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of said Legislature this 17<sup>th</sup> day of March, 2023.  
Date sent to County Executive March 17, 2023.

Approved \_\_\_\_\_  
County Executive  
Date 3/17, 2023

Carol Hall  
Deputy Clerk, County Legislature  
County of Broome