S T A T E O F N E W Y O R K

3117--A

2009-2010 Regular Sessions

I N S E N A T E

March 11, 2009

Introduced by Sens. HUNTLEY, DIAZ, ESPADA, HASSELL-THOMPSON, ONORATO, OPPENHEIMER, PERKINS, SAMPSON, STAVISKY -- read twice and ordered printed, and when printed to be committed to the Committee on Social Services -- committee discharged and said bill committed to the Committee on Health -- reported favorably from said committee and committed to the Committee on Finance -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the social services law, in relation to establishing mandatory minimum medicaid coverage for hospital confinement for childbirth

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. Section 365-a of the social services law is amended by adding a new subdivision 6-a to read as follows:

6-A. MEDICAID ASSISTANCE SHALL ALSO INCLUDE, FOR MOTHER AND NEWBORN, COVERAGE OF HOSPITAL CONFINEMENT OF AT LEAST FORTY-EIGHT HOURS FOLLOWING A VAGINAL DELIVERY AND AT LEAST NINETY-SIX HOURS FOLLOWING A CAESAREAN SECTION. NOTWITHSTANDING THE ABOVE, A SOCIAL SERVICES DISTRICT MAY PROVIDE COVERAGE FOR A SHORTER PERIOD OF HOSPITAL CONFINEMENT PROVIDED THAT:

(A) THE MOTHER IN HER SOLE DISCRETION, EXERCISES THE OPTION TO BE DISCHARGED FROM THE HOSPITAL EARLIER THAN THE TIME PERIOD STATED ABOVE; AND

(B) THE TREATING PHYSICIAN, IN ACCORDANCE WITH GENERALLY ACCEPTED MEDICAL STANDARDS, HAS DETERMINED THAT THE MOTHER AND NEWBORN ARE READY FOR DISCHARGE; AND

(C) POST-DISCHARGE FOLLOW-UP INCLUDES AT LEAST ONE HOME VISIT PROVIDED WITHIN TWENTY-FOUR HOURS OF DISCHARGE BY A LICENSED HEALTH CARE PROVIDER WHOSE SCOPE OF PRACTICE INCLUDES PROVIDING POSTPARTUM CARE AND SUCH OTHER HOME VISITS AS ARE DEEMED APPROPRIATE. COVERAGE OF SUCH HOME

EXPLANATION--Matter in ITALICS (underscored) is new; matter in brackets [ ] is old law to be omitted.

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VISITS SHALL INCLUDE, AT A MINIMUM, PARENT EDUCATION, ASSISTANCE AND TRAINING IN BREAST OR BOTTLE FEEDING AND THE PERFORMANCE OF ANY NECESSARY MATERNAL AND NEWBORN PHYSICAL ASSESSMENTS AND SHALL BE IN ADDITION TO, RATHER THAN IN LIEU OF, ANY HOME HEALTH CARE COVERAGE OTHERWISE AVAILABLE.

S 2. This act shall take effect on the one hundred eightieth day after it shall have become a law.