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

4430

2009-2010 Regular Sessions

I N S E N A T E

April 23, 2009

Introduced by Sen. C. JOHNSON -- read twice and ordered printed, and when printed to be committed to the Committee on Health

AN ACT to amend the public health law and the public authorities law, in relation to cost allowances for strategic capital investments for technology infrastructure of certain home health care programs

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

Section 1. Section 3614 of the public health law is amended by adding a new subdivision 3-b to read as follows:

3-B. STRATEGIC CAPITAL INVESTMENT ALLOWANCES. (A) FOR ANNUAL RATE PERIODS ON AND AFTER JANUARY FIRST, TWO THOUSAND TEN, IN DETERMINING THE PROPOSED RATE SCHEDULES FOR PAYMENTS FOR CERTIFIED HOME HEALTH AGENCY SERVICES OR SERVICES PROVIDED BY LONG TERM HOME HEALTH CARE PROGRAMS OR AIDS HOME CARE PROGRAMS, THE COMMISSIONER SHALL INCLUDE IN SUCH RATES AN ALLOWANCE FOR COSTS INCURRED FOR STRATEGIC CAPITAL INVESTMENTS BY SUCH AGENCIES AND PROGRAMS IN INFORMATION TECHNOLOGY, ELECTRONIC MEDICAL RECORDS, DISEASE MANAGEMENT TECHNOLOGY, MEDICATION MANAGEMENT TECHNOLOGY AND OTHER INVESTMENTS RELATED TO THEIR TECHNOLOGY INFRASTRUCTURE. THE PURPOSE OF SUCH ALLOWANCE SHALL BE TO IMPROVE THE QUALITY OF CARE, IMPROVE THE COST-EFFECTIVE OPERATION OF SUCH AGENCIES AND PROGRAMS AND FACILITATE THE FULFILLMENT OF THE STATE'S HEALTH CARE GOALS. SUCH ALLOWANCE SHALL BE FACTORED IN AS A COMPONENT OF THE RATE SCHEDULE AFTER, AND SHALL NOT BE SUBJECT TO, THE APPLICATION OF ANY ADJUSTMENTS, CEILINGS OR LIMITATIONS ON SUCH RATE SCHEDULES.

(B) NOTWITHSTANDING ANY INCONSISTENT PROVISION OF LAW OR REGULATION, THE ALLOWANCES PROVIDED FOR IN PARAGRAPH (A) OF THIS SUBDIVISION SHALL BE SUBJECT TO AMOUNTS AS MAY BE ALLOCATED OR APPROPRIATED FOR SUCH PURPOSES.

S 2. The opening paragraph of section 1680-j of the public authorities law, as amended by section 54 of part B of chapter 58 of the laws of 2005, is amended to read as follows:

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

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Notwithstanding any other provision of law to the contrary, the dormitory authority of the state of New York is hereby authorized to issue bonds or notes in one or more series in an aggregate principal amount not to exceed seven hundred fifty million dollars excluding bonds issued to fund one or more debt service reserve funds, to pay costs of issuance of such bonds, and bonds or notes issued to refund or otherwise repay such bonds or notes previously issued, for the purposes of financing project costs authorized under section twenty-eight hundred eighteen of the public health law. Of such seven hundred fifty million dollars, ten million dollars shall be made available to the community health centers capital program established pursuant to section twenty-eight hundred seventeen of the public health law, AND FIFTY MILLION DOLLARS SHALL BE MADE AVAILABLE TO CERTIFIED HOME HEALTH AGENCIES, LONG TERM HOME HEALTH CARE PROGRAMS AND AIDS HOME CARE PROGRAMS FOR STRATEGIC CAPITAL INVESTMENTS PURSUANT TO SUBDIVISION THREE-B OF SECTION THIRTY-SIX HUNDRED FOURTEEN OF THE PUBLIC HEALTH LAW.

S 3. This act shall take effect on the first of April next succeeding that date on which it shall have become law.