

2556

2011-2012 Regular Sessions

I N   S E N A T E

January 25, 2011

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

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:

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

3     6-A. MEDICAID ASSISTANCE SHALL ALSO INCLUDE, FOR MOTHER AND NEWBORN,  
4 COVERAGE OF HOSPITAL CONFINEMENT OF AT LEAST FORTY-EIGHT HOURS FOLLOWING  
5 A VAGINAL DELIVERY AND AT LEAST NINETY-SIX HOURS FOLLOWING A CAESAREAN  
6 SECTION. NOTWITHSTANDING THE ABOVE, A SOCIAL SERVICES DISTRICT MAY  
7 PROVIDE COVERAGE FOR A SHORTER PERIOD OF HOSPITAL CONFINEMENT PROVIDED  
8 THAT:

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

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

15     (C) POST-DISCHARGE FOLLOW-UP INCLUDES AT LEAST ONE HOME VISIT PROVIDED  
16 WITHIN TWENTY-FOUR HOURS OF DISCHARGE BY A LICENSED HEALTH CARE PROVIDER  
17 WHOSE SCOPE OF PRACTICE INCLUDES PROVIDING POSTPARTUM CARE AND SUCH  
18 OTHER HOME VISITS AS ARE DEEMED APPROPRIATE. COVERAGE OF SUCH HOME  
19 VISITS SHALL INCLUDE, AT A MINIMUM, PARENT EDUCATION, ASSISTANCE AND  
20 TRAINING IN BREAST OR BOTTLE FEEDING AND THE PERFORMANCE OF ANY NECES-  
21 SARY MATERNAL AND NEWBORN PHYSICAL ASSESSMENTS AND SHALL BE IN ADDITION  
22 TO, RATHER THAN IN LIEU OF, ANY HOME HEALTH CARE COVERAGE OTHERWISE  
23 AVAILABLE.

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

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

LBD02344-01-1