

7031--A

Cal. No. 819

I N S E N A T E

April 24, 2012

Introduced by Sen. HANNON -- read twice and ordered printed, and when printed to be committed to the Committee on Health -- reported favorably from said committee, ordered to first and second report, ordered to a third reading, passed by Senate and delivered to the Assembly, recalled, vote reconsidered, restored to third reading, amended and ordered reprinted, retaining its place in the order of third reading

AN ACT to amend the public health law, in relation to hospital observation services

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

- 1 Section 1. The public health law is amended by adding a new section
2 2805-u to read as follows:
3 S 2805-U. OBSERVATION SERVICES. 1. IF A GENERAL HOSPITAL PROVIDES
4 OBSERVATION SERVICES, SUCH SERVICES SHALL BE PROVIDED IN ACCORDANCE WITH
5 THIS SECTION, AND REGULATIONS ADOPTED BY THE COUNCIL AND APPROVED BY THE
6 COMMISSIONER.
7 2. OBSERVATION SERVICES MAY BE PROVIDED FOR A PERIOD OF UP TO
8 FORTY-EIGHT HOURS FROM THE TIME THE ORDER FOR OBSERVATION SERVICES IS
9 ISSUED.
10 3. BASED ON THE CLINICAL NEEDS OF THE PATIENT, THE AVAILABILITY OF
11 SERVICES TO MEET THOSE NEEDS AND PATIENT SAFETY, A GENERAL HOSPITAL
12 SHALL DETERMINE (A) THE PROPER CLINICAL LOCATION FOR THE CARE OF A
13 SPECIFIC PATIENT REQUIRING OBSERVATION SERVICES, INCLUDING WHETHER OR
14 NOT TO PROVIDE SUCH SERVICES IN A DISTINCT PHYSICAL SPACE, AND (B) THE
15 APPROPRIATE OVERSIGHT OF OBSERVATION SERVICES.
16 4. THE COMMISSIONER SHALL DEVELOP OUTPATIENT RATES FOR OBSERVATION
17 SERVICES PROVIDED IN ACCORDANCE WITH THIS SECTION TO PATIENTS ELIGIBLE
18 FOR PAYMENTS MADE BY STATE GOVERNMENTAL ENTITIES.
19 S 2. This act shall take effect immediately.

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

LBD15412-02-2