

4559

2011-2012 Regular Sessions

I N S E N A T E

April 12, 2011

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

AN ACT to amend the workers' compensation law, in relation to the rates of payment for the treatment and care of injured employees; and to amend chapter 592 of the laws of 2006 amending the workers' compensation law relating to the rates of payment for the treatment and care of injured employees, in relation to the effectiveness thereof

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

1 Section 1. Subdivision (a-1) of section 13 of the workers' compen-
2 sation law, as added by chapter 592 of the laws of 2006, is amended to
3 read as follows:
4 (a-1) Notwithstanding the provisions of subdivision four of section
5 twenty-eight hundred seven and subdivision one of section twenty-eight
6 hundred seven-c of the public health law, payments to general hospitals
7 for AP-DRGs 755-758 (spinal fusion; back and neck procedures), 806-807
8 (combined anterior and posterior spinal fusions), 836-837 (spinal proce-
9 dures), and 864-865 (cervical spinal fusion) FROM APRIL FIRST, TWO THOU-
10 SAND SIX THROUGH NOVEMBER THIRTIETH, TWO THOUSAND NINE AND FOR APR-DRGS
11 23 (SPINAL PROCEDURES), 303 (DORSAL AND LUMBAR FUSION PROCEDURES FOR
12 CURVATURE OF BACK), 304 (DORSAL AND LUMBAR FUSION PROCEDURES EXCEPT FOR
13 CURVATURE OF BACK), 310 (INTERVERTEBRAL DISC EXCISION AND DECOM-
14 PRESSION), AND 321 (CERVICAL SPINAL FUSION AND OTHER BACK/NECK PROCE-
15 DURES EXCLUDING DISC EXCISION/DECOMPRESSION) BEGINNING ON AND AFTER
16 DECEMBER FIRST, TWO THOUSAND NINE shall be at the rates of payment
17 determined pursuant to section twenty-eight hundred seven-c of the
18 public health law for state governmental agencies, excluding adjustments
19 pursuant to subdivision fourteen-f of such section twenty-eight hundred
20 seven-c, plus the provider's documented cost for any implantable hard-
21 ware [and], instrumentation, AND OTHER SURGICALLY-NECESSARY BINDING
22 AGENTS/MATERIALS which should be recorded under revenue code 278 on the

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

LBD09984-03-1

1 claim, plus an additional ten percent of such documented cost not to
2 exceed a maximum of three hundred fifty dollars.

3 S 2. Section 3 of chapter 592 of the laws of 2006 amending the work-
4 ers' compensation law relating to the rates of payment for the treatment
5 and care of injured employees, is amended to read as follows:

6 S 3. This act shall take effect on April 1, 2006 and shall expire
7 March 31, [2011] 2012 when upon such date the provisions of this act
8 shall be deemed repealed; provided, however, that if this act shall have
9 become a law after April 1, 2006, it shall take effect immediately and
10 shall be deemed to have been in full force and effect on and after April
11 1, 2006.

12 S 3. This act shall take effect immediately.