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

4559--A

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 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the workers' compensation law, in relation to the rates of payment for the treatment and care of injured employees; and providing for the repeal of such provisions upon expiration thereof

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

Section 1. Section 13 of the workers' compensation law is amended by adding a new subdivision (a-1) to read as follows:

(A-1) NOTWITHSTANDING THE PROVISIONS OF SUBDIVISION FOUR OF SECTION TWENTY-EIGHT HUNDRED SEVEN AND SUBDIVISION ONE OF SECTION TWENTY-EIGHT HUNDRED SEVEN-C OF THE PUBLIC HEALTH LAW, PAYMENTS TO GENERAL HOSPITALS FOR AP-DRGS 755-758 (SPINAL FUSION; BACK AND NECK PROCEDURES), 806-807 (COMBINED ANTERIOR AND POSTERIOR SPINAL FUSIONS), 836-837 (SPINAL PROCEDURES), AND 864-865 (CERVICAL SPINAL FUSION) FROM APRIL FIRST, TWO THOUSAND SIX THROUGH NOVEMBER THIRTIETH, TWO THOUSAND NINE AND FOR APR-DRGS 23 (SPINAL PROCEDURES), 303 (DORSAL AND LUMBAR FUSION PROCEDURES FOR CURVATURE OF BACK), 304 (DORSAL AND LUMBAR FUSION PROCEDURES EXCEPT FOR CURVATURE OF BACK), 310 (INTERVERTEBRAL DISC EXCISION AND DECOMPRESSION), AND 321 (CERVICAL SPINAL FUSION AND OTHER BACK/NECK PROCEDURES EXCLUDING DISC EXCISION/DECOMPRESSION) BEGINNING ON AND AFTER DECEMBER FIRST, TWO THOUSAND NINE SHALL BE AT THE RATES OF PAYMENT DETERMINED PURSUANT TO SECTION TWENTY-EIGHT HUNDRED SEVEN-C OF THE PUBLIC HEALTH LAW FOR STATE GOVERNMENTAL AGENCIES, EXCLUDING ADJUSTMENTS PURSUANT TO SUBDIVISION FOURTEEN-F OF SUCH SECTION TWENTY-EIGHT HUNDRED SEVEN-C, PLUS THE PROVIDER'S DOCUMENTED COST FOR ANY IMPLANTABLE HARDWARE, INSTRUMENTATION, AND OTHER SURGICALLY-NECESSARY BINDING 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.

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CLAIM, PLUS AN ADDITIONAL TEN PERCENT OF SUCH DOCUMENTED COST NOT TO EXCEED A MAXIMUM OF THREE HUNDRED FIFTY DOLLARS.

S 2. This act shall take effect immediately; and shall be deemed to have been in full force and effect on and after April 1, 2006, and shall expire on April 1, 2012 when upon such date the provisions of this act shall be deemed repealed.