

3912--A

2013-2014 Regular Sessions

I N S E N A T E

February 26, 2013

Introduced by Sen. HANNON -- read twice and ordered printed, and when printed to be committed to the Committee on Health -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the public health law, in relation to managed long term care plans operated by health maintenance organizations

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

1 Section 1. Section 4403-f of the public health law is amended by
2 adding a new subdivision 11-a to read as follows:
3 11-A. IN TRANSITIONING INDIVIDUALS TO MANAGED LONG TERM CARE, THE
4 DEPARTMENT SHALL PROVIDE OVERSIGHT OF LONG TERM MANAGED CARE BY ENSUR-
5 ING:
6 (A) PARTICIPANTS ARE APPROPRIATELY NOTIFIED OF THE UPCOMING CHANGES TO
7 THEIR HEALTH CARE, AND THEIR RIGHTS AND OPTIONS;
8 (B) ACCESS TO APPROPRIATE ENROLLMENT ASSISTANCE, CONSUMER ASSISTANCE
9 AND COMPLAINT MECHANISMS;
10 (C) ACCESS TO QUALITY CARE BY REQUIRING NETWORK TRANSPARENCY AND
11 CHOICE OF LONG TERM CARE PLANS, ALLOWING PATIENTS TO CHOOSE THE PLAN
12 THAT BEST FITS THEIR NEEDS;
13 (D) TRANSPARENCY AND ACCOUNTABILITY FROM PROVIDERS, WHICH SHALL
14 INCLUDE A MECHANISM BY WHICH STAFF, PARTICIPANTS AND FAMILY MEMBERS CAN
15 CONFIDENTIALLY REPORT CONCERNS RELATING TO QUALITY TO THE PLAN AND THE
16 STATE;
17 (E) PLANS AND PROVIDERS ARE ASSESSED PERIODICALLY AND DATA IS
18 PUBLISHED REGARDING ENROLLMENT IN INTEGRATED CARE DESIGNS, NETWORK
19 ADEQUACY, NEW SERVICE DESIGNS, OUTCOME MEASURES, INCLUDING THE EXTENT TO
20 WHICH CARE PLANS ARE CONTINUED OR ALTERED BASED UPON NEW COMPREHENSIVE
21 ASSESSMENTS, AND THE TYPES AND AMOUNTS OF SERVICES HEALTH PLANS HAVE
22 AUTHORIZED;

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

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1 (F) MECHANISMS ARE IN PLACE TO STATE OVERSIGHT OF ENROLLMENT AND
2 SERVICES TO PREVENT WASTE AND ABUSE IN THE MANAGED LONG TERM CARE
3 SYSTEM; AND

4 (G) INCENTIVES ARE PROVIDED FOR A VARIETY OF INDICATORS, INCLUDING BUT
5 NOT LIMITED TO, SMOOTH PATIENT TRANSITIONS, APPROPRIATE ENROLLMENT,
6 QUALITY CARE, HIGH STAFF RETENTION AND POSITIVE HEALTH CARE OUTCOMES
7 ACHIEVED AT A LOW COST.

8 S 2. This act shall take effect immediately; provided that the amend-
9 ments to section 4403-f of the public health law made by section one of
10 this act shall not affect the expiration and repeal of such section, and
11 shall expire and be deemed repealed therewith.