

STATE OF NEW YORK

10010

IN ASSEMBLY

March 4, 2020

Introduced by M. of A. GOTTFRIED -- read once and referred to the Committee on Health

AN ACT to amend the social services law, in relation to requirements for certain state programs to obtain federal financial supports for the implementation of a delivery system reform incentive payment program

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

1 Section 1. Section 363-a of the social services law is amended by
2 adding a new subdivision 5 to read as follows:

3 5. Notwithstanding any provision of law, regulation, rule, federal
4 waiver request, or agency guidance to the contrary, any state program
5 implemented pursuant to an agreement with the Centers for Medicare and
6 Medicaid Services to obtain federal financial supports for the implemen-
7 tation of a delivery system reform incentive payment ("DSRIP") program
8 consistent with section 1115A of the federal Social Security Act shall
9 require that a minimum of forty percent of all funds awarded pursuant to
10 a state DSRIP program on or after November twenty-seventh, two thousand
11 nineteen, shall be disbursed to community-based health care providers
12 for the exclusive purpose of supporting the programs and services
13 defined in this subdivision. For purposes of this subdivision, communi-
14 ty-based health care providers shall be defined as a diagnostic and
15 treatment center licensed or granted an operating certificate under
16 article twenty-eight of the public health law other than those owned,
17 operated, or controlled by a general hospital as defined in section
18 twenty-eight hundred one of the public health law; a mental health
19 outpatient provider licensed or granted an operating certificate under
20 article thirty-one of the mental hygiene law; a substance use disorder
21 treatment provider licensed or granted an operating certificate under
22 article thirty-two of the mental hygiene law; a clinic licensed or
23 granted an operating certificate under article sixteen of the mental
24 hygiene law; a patient-centered medical home other than those owned,
25 operated, or controlled by a general hospital as defined in section
26 twenty-eight hundred one of the public health law; a community-based
27 program funded under the office of mental health, the office for people

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

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1 with developmental disabilities, the office of addiction services and
2 supports or through a local government unit as defined under article
3 forty-one of the mental hygiene law (except programs eligible for fund-
4 ing as part of a DSRIP social determinant of health network); a home
5 care provider certified or licensed pursuant to article thirty-six of
6 the public health law; a hospice provider licensed or granted an operat-
7 ing certificate under article forty of the public health law; or a fami-
8 ly and child service provider licensed under article twenty-nine-I of
9 the public health law.

10 § 2. This act shall take effect immediately and shall be deemed to
11 have been in full force and effect on and after April 1, 2020.