

STATE OF NEW YORK

9102

IN ASSEMBLY

February 7, 2024

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

AN ACT to amend the social services law, in relation to Medicaid reimbursement for treatment in place and transportation to alternative health care settings by ambulance services

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

1 Section 1. The social services law is amended by adding a new section
2 367-y to read as follows:

3 § 367-y. Reimbursement for treatment in place and transportation to
4 alternative health care settings. 1. Notwithstanding any provision of
5 law to the contrary, any provision of this title providing for
6 reimbursement of transportation costs for an ambulance service shall
7 also apply where, instead of providing transportation to a general
8 hospital, such ambulance service:

9 (a) Administers treatment in place, including but not limited to tele-
10 health visits approved by Medicaid for reimbursement when deemed neces-
11 sary; and/or

12 (b) Transports an individual to an alternative health care setting.

13 2. For the purposes of this section, the following terms shall have
14 the following meanings:

15 (a) "Alternative health care setting" means facilities or institutions
16 approved by Medicaid for reimbursement including but not limited to:

17 (i) a crisis stabilization center or certified community behavioral
18 health clinic operating pursuant to article thirty-six of the mental
19 hygiene law;

20 (ii) a facility under section 7.17 of the mental hygiene law;

21 (iii) a facility providing addiction disorder services and/or behav-
22 ioral health services, as such terms are defined by section 1.03 of the
23 mental hygiene law;

24 (iv) a diagnostic and treatment center established pursuant to article
25 twenty-eight of the public health law, or an upgraded diagnostic and
26 treatment center designated as such pursuant to section twenty-nine
27 hundred fifty-six of the public health law;

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

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1 (v) a federally qualified health center; or
2 (vi) engaged principally in providing services by or under the super-
3 vision of a physician licensed under article one hundred thirty-one of
4 the education law.

5 (b) "Ambulance service" shall have the same meaning as defined by
6 section three thousand one of the public health law.

7 (c) "General hospital" shall have the same meaning as defined by
8 section twenty-eight hundred one of the public health law.

9 (d) "Treatment in place" means the administration of emergency medical
10 services, as defined by section three thousand one of the public health
11 law, by an employee or volunteer of an ambulance service.

12 § 2. This act shall take effect on the first of January next succeed-
13 ing the date on which it shall have become a law.