

STATE OF NEW YORK

7049

2023-2024 Regular Sessions

IN SENATE

May 17, 2023

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

AN ACT to amend the public health law, in relation to prior authorization and payments from the medical indemnity fund

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

1 Section 1. Paragraph (b) of subdivision 2 of section 2999-j of the
2 public health law, as amended by section 3 of part K of chapter 57 of
3 the laws of 2019, is amended and a new paragraph (b-1) is added to read
4 as follows:

5 (b) if any prior authorization is required by such regulation, the
6 regulation shall require that requests for prior authorization be proc-
7 essed within a reasonably prompt period of time and shall identify a
8 process for prompt administrative review of any denial of a request for
9 prior authorization; ~~and~~

10 (b-1) if any prior authorization is required by such regulation, the
11 regulation shall require establishing a mechanism for submission of
12 requests for prior authorization by health care providers directly to
13 the fund; and

14 § 2. Paragraph (b) of subdivision 8 of section 2999-j of the public
15 health law, as added by section 52 of part H of chapter 59 of the laws
16 of 2011, is amended and a new paragraph (c) is added to read as follows:

17 (b) thereupon certify to the commissioner of taxation and finance
18 those costs that have been determined to be qualifying health care costs
19 to be paid from the fund~~[-]~~; and

20 (c) notify the qualified plaintiff which of such costs are qualifying
21 health care costs to be paid from the fund along with which of such
22 costs are not qualifying health care costs to be paid from the fund in a
23 reasonably prompt period of time.

24 § 3. This act shall take effect on the ninetieth day after it shall
25 have become a law.

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

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