

STATE OF NEW YORK

4709

2025-2026 Regular Sessions

IN SENATE

February 12, 2025

Introduced by Sens. ASHBY, BORRELLO, OBERACKER, STEC -- 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 updating rate components for the non-capital component of rates of payment by governmental agencies for inpatient services provided by residential health care facilities

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

1 Section 1. Paragraph (a) of subdivision 2-c of section 2808 of the
2 public health law, as added by section 95 of part H of chapter 59 of the
3 laws of 2011, is amended to read as follows:

4 (a) Notwithstanding any inconsistent provision of this section or any
5 other contrary provision of law and subject to the availability of
6 federal financial participation, the non-capital component of rates of
7 payment by governmental agencies for inpatient services provided by
8 residential health care facilities on or after October first, two thou-
9 sand eleven, but no later than January first, two thousand twelve, shall
10 reflect a direct statewide price component, and indirect statewide price
11 component, and a facility specific non-comparable component, utilizing
12 allowable operating costs for a base year as determined by the commis-
13 sioner by regulation. Such rate components shall be periodically updated
14 to reflect changes in operating costs. Provided, however, that such rate
15 components shall be updated no later than January first, two thousand
16 twenty-seven and no less than every five years thereafter, using the
17 most currently available cost report data, which updates shall include
18 but not be limited to an update of rate components to reflect actual
19 base year costs.

20 § 2. This act shall take effect immediately and shall be deemed to
21 have been in full force and effect on and after April 1, 2025.

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

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