S T A T E O F N E W Y O R K

11267

I N A S S E M B L Y

May 25, 2010

Introduced by M. of A. SCHROEDER -- read once and referred to the Committee on Social Services

AN ACT to amend the social services law, in relation to payments for non-state operated public residential health care facilities

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

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

S 367-V. PAYMENT FOR NON-STATE OPERATED PUBLIC RESIDENTIAL HEALTH CARE FACILITIES INCLUDING PUBLIC HEALTH CARE FACILITIES IN NASSAU COUNTY AND ERIE COUNTY. 1. NOTWITHSTANDING ANY LAW, RULE OR REGULATION TO THE CONTRARY, NON-STATE OPERATED PUBLIC RESIDENTIAL HEALTH CARE FACILITIES INCLUDING PUBLIC RESIDENTIAL HEALTH CARE FACILITIES IN NASSAU COUNTY AND ERIE COUNTY SHALL BE REIMBURSED AT A MEDICAID RATE (LESS CAPITAL) OF FORTY PERCENT ABOVE THE RATE SET FORTH IN 10 NYCRR SECTION 86-2.10 FOR ALL CARE PROVIDED AT SUCH FACILITY.

2. THE COMMISSIONER OF HEALTH IS HEREBY AUTHORIZED AND DIRECTED TO ADOPT RULES AND REGULATIONS TO IMPLEMENT THE PROVISIONS OF THIS SECTION.

S 2. This act shall take effect immediately, provided, however, that the commissioner of health shall promulgate any rules and regulations necessary for the implementation of this act on or before such effective date.

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

LBD17428-02-0