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

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2009-2010 Regular Sessions

I N A S S E M B L Y

January 15, 2009

Introduced by M. of A. O'MARA, QUINN, BACALLES, CONTE, MILLER, RAIA -- Multi-Sponsored by -- M. of A. ALFANO, BALL, BARCLAY, BURLING, BUTLER, CROUCH, DUPREY, ERRIGO, FINCH, HAWLEY, KOLB, P. LOPEZ, MOLINARO, OAKS, REILICH, SAYWARD, SPANO, TEDISCO, THIELE, TOWNSEND, WALKER -- read once and referred to the Committee on Social Services

AN ACT to amend the social services law, in relation to the state reimbursement of county payments for medical assistance fraud, waste and abuse detection software

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

Section 1. Subdivision 1 of section 368-a of the social services law is amended by adding a new paragraph (z) to read as follows:

(Z) (I) NOTWITHSTANDING ANY OTHER PROVISION OF LAW, THE FULL AMOUNT EXPENDED BY THE LOCAL SOCIAL SERVICES DISTRICT FOR MEDICAL ASSISTANCE FRAUD, WASTE AND ABUSE INVESTIGATIONS VIA THE USE OF DATA MINING SOFTWARE SHALL BE REIMBURSED BY THE STATE IF THE COUNTY HAS PREVIOUSLY PURCHASED OR INTENDS TO PURCHASE SUCH SOFTWARE. FOR THE PURPOSES OF THIS PARAGRAPH, "DATA MINING SOFTWARE" SHALL MEAN A DATABASE APPLICATION THAT UTILIZES ADVANCED DATA SEARCHING CAPABILITIES AND STATISTICAL ANALYSES TO DISCOVER PATTERNS AND CORRELATIONS IN THE USE AND ABUSE OF MEDICAL ASSISTANCE PRACTICES. ANY COUNTY THAT HAS PREVIOUSLY PURCHASED SUCH SOFTWARE MUST SUPPLY ADEQUATE DOCUMENTATION, INCLUDING ANY RECEIPTS, THAT DETAILS SUCH PURCHASE. THE STATE SHALL DISPERSE GRANTS, WHEN APPLICABLE, FROM THE GENERAL FUND FOR THIS PURPOSE.

(II) THE COMMISSIONER OF HEALTH MAY DEVELOP RULES AND REGULATIONS AS NECESSARY TO CARRY OUT THE PROVISIONS OF THIS PARAGRAPH.

S 2. This act shall take effect immediately.

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

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