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

4781

2009-2010 Regular Sessions

I N A S S E M B L Y

February 6, 2009

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

AN ACT to amend the public health law, in relation to licensed home care services agency reimbursement and reporting requirements

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

Section 1. Subdivision 6 of section 3612 of the public health law, as added by chapter 606 of the laws of 2003, is amended to read as follows:

6. The commissioner shall adopt rules and regulations for licensed home care services agencies which establishes a cap on administrative and general costs for such agencies equal to the cap on administrative and general costs applied to certified home health agencies in accordance with subdivision seven of section thirty-six hundred fourteen of this article; PROVIDED, HOWEVER, THAT: (A) ANY CAP ON ADMINISTRATIVE AND GENERAL COSTS SHALL BE APPLICABLE ONLY TO THOSE COSTS ASSOCIATED WITH PAYMENTS MADE BY GOVERNMENT AGENCIES WHICH ARE USED FOR SERVICES PROVIDED BY SUCH AGENCIES; AND (B) ANY CAP ON ADMINISTRATIVE AND GENERAL COSTS SHALL NOT INCLUDE ANY COSTS ATTRIBUTABLE TO WORKER EMPLOYMENT, TRAINING, RECRUITMENT AND RETENTION OR THE PROVISION AND MANAGEMENT OF PATIENT CARE INCLUDING, BUT NOT LIMITED TO, PATIENT OUTREACH; ASSESSMENT; COORDINATION AND MANAGEMENT OF SERVICES; TELEPHONE AND OTHER TELEHEALTH MONITORING AND COMMUNICATION; MEDICAL SUPPLIES; STAFF TRANSPORTATION AND ESCORT SERVICES; FAMILY AND/OR INFORMAL CAREGIVER SUPPORT SERVICES; PATIENT RECORDKEEPING; AND TECHNOLOGY INVESTMENTS FOR PATIENT CARE.

S 2. This act shall take effect on the one hundred eightieth day after it shall have become a law, provided that, effective immediately, the promulgation, amendment and/or repeal of any rules and regulations necessary to implement the provisions of this act on its effective date is authorized and directed to be completed on or before such date.

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

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