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

6331

2009-2010 Regular Sessions

I N A S S E M B L Y

March 2, 2009

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

AN ACT to amend the public health law, in relation to establishing a block grant for hospital nursing care and making an appropriation therefor

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

Section 1. The public health law is amended by adding a new article 28-F to read as follows:

ARTICLE 28-F

BLOCK GRANT FOR HOSPITAL NURSING CARE

SECTION 2899-B. ESTABLISHMENT OF BLOCK GRANT FOR HOSPITAL NURSING CARE.
2899-C. ALLOCATION OF BLOCK GRANT FUNDS.
2899-D. USE OF FUNDS.
2899-E. REPORTING REQUIREMENTS.

S 2899-B. ESTABLISHMENT OF BLOCK GRANT FOR HOSPITAL NURSING CARE. 1. THE DEPARTMENT SHALL ESTABLISH A STATE BLOCK GRANT FOR HOSPITAL/NURSING CARE COMPRISED OF ALL STATE FUNDS APPROPRIATED FOR SUCH PURPOSE.

2. NOTWITHSTANDING ANY OTHER PROVISION OF LAW, EXPENDITURES OF FUNDS FROM THE BLOCK GRANT SHALL BE GOVERNED BY THIS ARTICLE.

S 2899-C. ALLOCATION OF BLOCK GRANT FUNDS. 1. THE BLOCK GRANT SHALL BE APPORTIONED AMONG HOSPITALS IN THIS STATE ACCORDING TO AN ALLOCATION PLAN DEVELOPED BY THE DEPARTMENT AND APPROVED BY THE DIRECTOR OF THE BUDGET. THE ALLOCATION PLAN SHALL BE BASED, AT LEAST IN PART, ON HISTORICAL COSTS AND ON THE AVAILABILITY AND COST OF, AND THE NEED FOR, HOSPITAL NURSING CARE IN EACH SUCH HOSPITAL. ANNUAL ALLOCATIONS SHALL BE MADE ON A FEDERAL FISCAL YEAR BASIS.

2. REIMBURSEMENT UNDER THE BLOCK GRANT TO A HOSPITAL FOR ITS EXPENDITURES FOR HOSPITAL NURSING CARE SHALL BE AVAILABLE FOR SEVENTY-FIVE PERCENT OF THE HOSPITAL'S EXPENDITURES FOR HOSPITAL NURSING CARE.

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

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3. ANY PORTION OF A HOSPITAL'S BLOCK GRANT ALLOCATION FOR A PARTICULAR FEDERAL FISCAL YEAR THAT IS NOT CLAIMED BY SUCH HOSPITAL DURING THAT FEDERAL FISCAL YEAR SHALL BE ADDED TO THAT HOSPITAL'S BLOCK GRANT ALLOCATION FOR THE NEXT FEDERAL FISCAL YEAR.

S 2899-D. USE OF FUNDS. A HOSPITAL SHALL EXPEND ITS ALLOCATION FROM THE BLOCK GRANT IN A MANNER THAT PROVIDES FOR ENHANCED SALARIES AND BENEFITS TO NURSES EMPLOYED BY SUCH HOSPITAL. NO HOSPITAL SHALL SPEND ANY OF ITS BLOCK GRANT ALLOCATION FOR ADMINISTRATIVE ACTIVITIES.

S 2899-E. REPORTING REQUIREMENTS. EACH HOSPITAL WHICH RECEIVES BLOCK GRANT FUNDS PURSUANT TO THIS ARTICLE SHALL COLLECT AND SUBMIT TO THE DEPARTMENT, IN SUCH FORM AND AT SUCH TIMES AS SPECIFIED BY THE DEPARTMENT, SUCH DATA AND INFORMATION REGARDING HOSPITAL NURSING CARE PROVIDED UNDER THE BLOCK GRANT AS THE DEPARTMENT MAY DEEM NECESSARY.

S 2. The sum of ten million dollars ($10,000,000), or so much thereof as may be necessary, is hereby appropriated to the department of health from any moneys in the state treasury in the general fund to the credit of the state purposes account not otherwise appropriated for services and expenses of the department for the purposes of carrying out the provisions of this act. Such sum shall be payable on the audit and warrant of the state comptroller on vouchers certified or approved by the commissioner of health, or his duly designated representative in the manner provided by law.

S 3. This act shall take effect immediately.