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

2981

2009-2010 Regular Sessions

I N S E N A T E

March 9, 2009

Introduced by Sens. SCHNEIDERMAN, ADAMS, BRESLIN, DIAZ, DUANE, KRUEGER, MONTGOMERY, PARKER, SAMPSON, STAVISKY -- 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 requiring health care providers to post notice of cessation of participation in a health maintenance organization

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 section 18-b to read as follows:

S 18-B. HEALTH CARE PROVIDER CESSATION OF PARTICIPATION IN A HEALTH MAINTENANCE ORGANIZATION; NOTICE TO BE POSTED. EACH HEALTH CARE PROVIDER PARTICIPATING IN A HEALTH MAINTENANCE ORGANIZATION SHALL CONSPICUOUSLY POST IN A PROMINENT AND VISIBLE AREA A SIGN MEASURING AT LEAST TWO FEET BY FOUR FEET IN WRITING OF AT LEAST THIRTY-SIX POINT PRINT, WITH NOTICE OF SUCH HEALTH CARE PROVIDER'S CESSATION OF PARTICIPATION IN A HEALTH MAINTENANCE ORGANIZATION WITHIN FIFTEEN DAYS FROM THE DATE THAT THE HEALTH CARE PROVIDER BECOMES AWARE OF SUCH CESSATION. THE NOTICE SHALL REMAIN POSTED UNTIL THIRTY DAYS AFTER THE HEALTH CARE PROVIDER CEASES PARTICIPATION IN THE HEALTH MAINTENANCE ORGANIZATION. THE NOTICE SHALL CONSIST OF INFORMATION PERTAINING TO THE NAME OF THE HEALTH MAINTENANCE ORGANIZATION, THE DATE THE HEALTH CARE PROVIDER WILL CEASE PARTICIPATION IN THE HEALTH MAINTENANCE ORGANIZATION, AS WELL AS ANY OTHER INFORMATION APPROPRIATE AND NECESSARY TO FULLY INFORM PATIENTS OF SUCH INFORMATION. FOR THE PURPOSES OF THIS SECTION, "HEALTH CARE PROVIDER" MEANS AN INDIVIDUAL OR FACILITY LICENSED, CERTIFIED, OR OTHERWISE AUTHORIZED OR PERMITTED BY LAW TO ADMINISTER HEALTH CARE IN THE ORDINARY COURSE OF BUSINESS OR PROFESSIONAL PRACTICE.

S 2. This act shall take effect on the ninetieth day after it shall have become a law.

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

LBD02826-01-9