

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:

1 Section 1. The public health law is amended by adding a new section
2 18-b to read as follows:
3 S 18-B. HEALTH CARE PROVIDER CESSATION OF PARTICIPATION IN A HEALTH
4 MAINTENANCE ORGANIZATION; NOTICE TO BE POSTED. EACH HEALTH CARE PROVIDER
5 PARTICIPATING IN A HEALTH MAINTENANCE ORGANIZATION SHALL CONSPICUOUSLY
6 POST IN A PROMINENT AND VISIBLE AREA A SIGN MEASURING AT LEAST TWO FEET
7 BY FOUR FEET IN WRITING OF AT LEAST THIRTY-SIX POINT PRINT, WITH NOTICE
8 OF SUCH HEALTH CARE PROVIDER'S CESSATION OF PARTICIPATION IN A HEALTH
9 MAINTENANCE ORGANIZATION WITHIN FIFTEEN DAYS FROM THE DATE THAT THE
10 HEALTH CARE PROVIDER BECOMES AWARE OF SUCH CESSATION. THE NOTICE SHALL
11 REMAIN POSTED UNTIL THIRTY DAYS AFTER THE HEALTH CARE PROVIDER CEASES
12 PARTICIPATION IN THE HEALTH MAINTENANCE ORGANIZATION. THE NOTICE SHALL
13 CONSIST OF INFORMATION PERTAINING TO THE NAME OF THE HEALTH MAINTENANCE
14 ORGANIZATION, THE DATE THE HEALTH CARE PROVIDER WILL CEASE PARTICIPATION
15 IN THE HEALTH MAINTENANCE ORGANIZATION, AS WELL AS ANY OTHER INFORMATION
16 APPROPRIATE AND NECESSARY TO FULLY INFORM PATIENTS OF SUCH INFORMATION.
17 FOR THE PURPOSES OF THIS SECTION, "HEALTH CARE PROVIDER" MEANS AN INDI-
18 VIDUAL OR FACILITY LICENSED, CERTIFIED, OR OTHERWISE AUTHORIZED OR
19 PERMITTED BY LAW TO ADMINISTER HEALTH CARE IN THE ORDINARY COURSE OF
20 BUSINESS OR PROFESSIONAL PRACTICE.
21 S 2. This act shall take effect on the ninetieth day after it shall
22 have become a law.

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

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