

4108

2009-2010 Regular Sessions

I N S E N A T E

April 9, 2009

Introduced by Sen. AUBERTINE -- 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 reimbursements to rural health care facilities

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

1 Section 1. Subdivision 4 of section 2807-c of the public health law is
2 amended by adding a new paragraph (m) to read as follows:
3 (M) WHERE A GENERAL HOSPITAL IS DESIGNATED AS A PRIMARY CARE HOSPITAL
4 PURSUANT TO SECTION TWENTY-NINE HUNDRED FIFTY-SEVEN OF THIS CHAPTER, FOR
5 PERIODS BEGINNING ON OR AFTER JANUARY FIRST, TWO THOUSAND TEN, SUCH
6 GENERAL HOSPITAL'S ACUTE CARE INPATIENT RATE SHALL BE EQUAL TO ONE
7 HUNDRED AND ONE PERCENT OF THE REASONABLE COSTS OF THE PRIMARY CARE
8 HOSPITAL IN PROVIDING SUCH SERVICES. REASONABLE COSTS SHALL BE DETER-
9 MINED IN A MANNER CONSISTENT WITH THAT USED TO DETERMINE PAYMENT FOR
10 INPATIENT CRITICAL ACCESS SERVICES PROVIDED TO BENEFICIARIES OF TITLE
11 XVIII OF THE FEDERAL SOCIAL SECURITY ACT (MEDICARE).
12 S 2. Section 2807 of the public health law is amended by adding a new
13 subdivision 20 to read as follows:
14 20. NOTWITHSTANDING ANY INCONSISTENT PROVISION OF LAW OR REGULATION,
15 FOR PERIODS BEGINNING ON OR AFTER JANUARY FIRST, TWO THOUSAND TEN, RATES
16 OF PAYMENT BY GOVERNMENTAL AGENCIES FOR TREATMENT OR DIAGNOSTIC CENTER,
17 EMERGENCY, GENERAL HOSPITAL OUTPATIENT, AMBULATORY SURGERY AND REFERRED
18 AMBULATORY SERVICES PROVIDED BY AN UPGRADED DIAGNOSTIC AND TREATMENT
19 CENTER, AS DEFINED IN SECTION TWENTY-NINE HUNDRED FIFTY-SIX OF THIS
20 CHAPTER, OR A PRIMARY CARE HOSPITAL, AS DEFINED IN SECTION TWENTY-NINE
21 HUNDRED FIFTY-SEVEN OF THIS CHAPTER, SHALL BE EQUAL TO ONE HUNDRED AND
22 ONE PERCENT OF THE REASONABLE COSTS OF SUCH FACILITY IN PROVIDING SUCH
23 SERVICES. NO MAXIMUM PAYMENT AMOUNT SHALL APPLY TO THE RATES OF PAYMENT
24 CALCULATED PURSUANT TO THIS SECTION. REASONABLE COSTS SHALL BE DETER-
25 MINED IN A MANNER CONSISTENT WITH THAT USED TO DETERMINE PAYMENT FOR

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

LBD02505-01-9

1 OUTPATIENT CRITICAL ACCESS HOSPITAL SERVICES PROVIDED TO BENEFICIARIES
2 OF TITLE XVIII OF THE FEDERAL SOCIAL SECURITY ACT (MEDICARE). FOR FACIL-
3 ITIES WITHOUT ADEQUATE COST EXPERIENCE, SUCH RATES SHALL BE BASED ON
4 BUDGETED COSTS SUBSEQUENTLY ADJUSTED TO ACTUAL COSTS.
5 S 3. This act shall take effect immediately.