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

7455

I N S E N A T E

April 12, 2010

Introduced by Sen. SAVINO -- read twice and ordered printed, and when printed to be committed to the Committee on Labor

AN ACT to amend the workers' compensation law, in relation to the rates of payment for the treatment and care of injured employees and providing for the repeal of such provisions upon expiration thereof

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

Section 1. Subdivision (a-1) of section 13 of the workers' compensation law, as added by chapter 592 of the laws of 2006, is amended to read as follows:

(a-1) Notwithstanding the provisions of subdivision four of section twenty-eight hundred seven and subdivision one of section twenty-eight hundred seven-c of the public health law, payments to general hospitals for AP-DRGs 755-758 (spinal fusion; back and neck procedures), 806-807 (combined anterior and posterior spinal fusions), 836-837 (spinal procedures), and 864-865 (cervical spinal fusion) shall be at the rates of payment determined pursuant to section twenty-eight hundred seven-c of the public health law for state governmental agencies, excluding adjustments pursuant to subdivision fourteen-f of such section twenty-eight hundred seven-c, plus the provider's documented cost for any implantable hardware and instrumentation, which should be recorded under revenue code 278 on the claim, plus an additional ten percent of such documented cost not to exceed a maximum of three hundred fifty dollars. THESE PAYMENTS WILL REMAIN IN EFFECT UNTIL SUPERSEDED BY APR-DRG 303 (DORSAL AND LUMBAR FUSION PROCEDURES FOR CURVATURE OF BACK), APR-DRG 301 (DORSAL AND LUMBAR FUSION PROCEDURES EXCEPT FOR CURVATURE OF BACK), APR-DRG 310 (INTERVERTEBRAL DISC EXCISION AND DECOMPRESSION), APR-DRG 321 (CERVICAL SPINAL FUSION AND OTHER BACK/NECK PROCEDURES EXCLUDING DISC EXCISION AND DECOMPRESSION) AND APR-DRG 23 (SPINAL PROCEDURES).

S 2. This act shall take effect immediately and shall expire March 31, 2011 when upon such date the provisions of this act shall be deemed repealed.

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

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