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I N A S S E M B L Y

March 8, 2010

Introduced by M. of A. PAULIN, SPANO, REILLY, KOON, BENEDETTO -- Multi-Sponsored by -- M. of A. BOYLAND, HIKIND, HOOPER, SKARTADOS -- read once and referred to the Committee on Higher Education

AN ACT to amend the public health law and the business corporation law, in relation to limited service medical practices

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 2823 to read as follows:
3 S 2823. LIMITED SERVICE MEDICAL PRACTICES. 1. AS USED IN THIS SECTION,
4 "LIMITED SERVICE MEDICAL PRACTICE" MEANS A LIMITED SERVICE MEDICAL PRACTICE FORMED UNDER PARAGRAPH (F) OF SECTION TWO HUNDRED ONE OF THE BUSINESS CORPORATION LAW.
5
6 2. LICENSED HEALTH PRACTITIONERS MAY ONLY TREAT A LIMITED RANGE OF
7 MEDICAL CONDITIONS AND PROVIDE DIAGNOSTIC AND PREVENTATIVE HEALTH CARE
8 SERVICES IN A SETTING THAT HAS OBTAINED AND MAINTAINS FULL ACCREDITED
9 STATUS.
10
11 3. THE COMMISSIONER MAY ADOPT AND PROMULGATE REGULATIONS TO ADDRESS
12 MATTERS THE COMMISSIONER DEEMS PERTINENT TO THE OPERATION OF LIMITED
13 SERVICE MEDICAL PRACTICES, INCLUDING, WITHOUT LIMITATION: REGISTRATION,
14 INSPECTION AND ENFORCEMENT, CREDENTIALING, QUALITY ASSURANCE, SCOPE OF
15 PRACTICE, ARCHITECTURAL SPECIFICATIONS, REFERRALS, ADVERSE EVENT REPORTING AND PAYOR CONTRACTING. LIMITED SERVICE MEDICAL PRACTICES MAY OPERATE
16 UNDER THIS SECTION PRIOR TO THE PROMULGATION OF ANY REGULATIONS BY THE
17 DEPARTMENT.
18
19 4. WHEN A LICENSED HEALTH PRACTITIONER PROVIDES TREATMENT OR DIAGNOSTIC AND PREVENTATIVE HEALTH CARE SERVICES AS PERMITTED UNDER THIS
20 SECTION, HE OR SHE SHALL:
21 (A) REPORT THE SERVICES RENDERED TO THE PATIENT TO SUCH PATIENT'S
22 ATTENDING PRIMARY HEALTH CARE PRACTITIONER OR PRACTITIONERS, IF ANY,
23 PURSUANT TO RULES AND REGULATIONS OF THE COMMISSIONER; AND
24 (B) PROVIDE INFORMATION TO THE PATIENT ON THE IMPORTANCE OF HAVING A
25 PRIMARY HEALTH CARE PRACTITIONER, DEVELOPED BY THE COMMISSIONER.
26

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

LBD15797-01-0

1 S 2. Section 201 of the business corporation law is amended by adding
2 a new paragraph (f) to read as follows:
3 (F) NOTWITHSTANDING ANY PROVISION TO THE CONTRARY CONTAINED IN PARA-
4 GRAPH (E) OF THIS SECTION, A CORPORATION MAY INCLUDE AS ITS PURPOSE OR
5 AMONG ITS PURPOSES THE ESTABLISHMENT OF A LIMITED SERVICE MEDICAL PRAC-
6 TICE THAT EMPLOYS OR OTHERWISE ENGAGES LICENSED HEALTH PRACTITIONERS TO
7 TREAT A LIMITED RANGE OF MEDICAL CONDITIONS AND PROVIDE DIAGNOSTIC OR
8 PREVENTATIVE HEALTH CARE SERVICES, PROVIDED SUCH CORPORATION STATES SUCH
9 PURPOSE IN ITS CERTIFICATE OF INCORPORATION AND ANNEXES THERETO THE
10 APPROVAL OF THE COMMISSIONER OF HEALTH.
11 S 3. This act shall take effect immediately.