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

1514

2009-2010 Regular Sessions

I N A S S E M B L Y

(PREFILED)

January 7, 2009

Introduced by M. of A. WRIGHT, TOBACCO -- Multi-Sponsored by -- M. of A. COOK, HOOPER, PHEFFER, REILLY, ROBINSON -- read once and referred to the Committee on Social Services

AN ACT to amend the social services law, in relation to allowing the provision of home health services by licensed providers through electronic, remote means

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

Section 1. Paragraph (d) of subdivision 2 of section 365-a of the social services law, as amended by chapter 59 of the laws of 1993, is amended to read as follows:

(d) (I) home health services provided in a recipient's home and prescribed by a physician including services of a nurse provided on a part-time or intermittent basis rendered by an approved home health agency or if no such agency is available, by a registered nurse, licensed to practice in this state, acting under the written orders of a physician and home health aide service by an individual or shared aide provided by an approved home health agency when such services are determined to be cost effective and appropriate to meet the recipient's needs for assistance subject to the provisions of [section three hundred sixty-seven-j and] section three hundred sixty-seven-o of this title;

(II) PROVIDERS LICENSED UNDER ARTICLE THIRTY-SIX OF THE PUBLIC HEALTH LAW MAY PROVIDE HOME HEALTH SERVICES TO RECIPIENTS IN THEIR PLACE OF RESIDENCE BY ELECTRONIC, REMOTE MEANS, WHEN SUCH SERVICES ARE APPROPRIATE AND COST EFFECTIVE TO MEET THE RECIPIENT'S NEEDS FOR ASSESSMENT, EDUCATION, DATA COLLECTION AND DISEASE MANAGEMENT IN ACCORDANCE WITH THE PHYSICIAN-APPROVED PLAN OF CARE. SUCH SERVICES MAY UTILIZE MONITORING AND REAL-TIME INTERACTIVE VIDEO COMMUNICATION WITH THE RECIPIENT IN ACCORDANCE WITH SUCH PLAN OF CARE. NON-VIDEO EQUIPMENT USE, INSTALLATION, MAINTENANCE AND MONITORING SERVICES SHALL BE REIMBURSED TO THE

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

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PROVIDER AT A RATE NOT LESS THAN TWO HUNDRED DOLLARS PER MONTH. VIDEO, ELECTRONIC, REMOTE PATIENT CARE SERVICES SHALL BE PROVIDED BY A REGISTERED PROFESSIONAL NURSE AND SHALL BE REIMBURSED TO THE PROVIDER AT A RATE NOT LESS THAN SEVENTY-FIVE PERCENT OF REIMBURSEMENT FOR AN IN-HOME HEALTH SERVICE VISIT BY A NURSE;

S 2. This act shall take effect January 1, 2010.