## 2053

## 2009-2010 Regular Sessions

IN ASSEMBLY

January 15, 2009

- Introduced by M. of A. O'MARA, QUINN, BACALLES, CONTE, MILLER, RAIA --Multi-Sponsored by -- M. of A. ALFANO, BALL, BARCLAY, BURLING, BUTLER, CROUCH, DUPREY, ERRIGO, FINCH, HAWLEY, KOLB, P. LOPEZ, MOLINARO, OAKS, REILICH, SAYWARD, SPANO, TEDISCO, THIELE, TOWNSEND, WALKER -- read once and referred to the Committee on Social Services
- AN ACT to amend the social services law, in relation to the state reimbursement of county payments for medical assistance fraud, waste and abuse detection software

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

Section 1. Subdivision 1 of section 368-a of the social services law a samended by adding a new paragraph (z) to read as follows:

3 (Z) (I) NOTWITHSTANDING ANY OTHER PROVISION OF LAW, THE FULL AMOUNT EXPENDED BY THE LOCAL SOCIAL SERVICES DISTRICT FOR MEDICAL 4 ASSISTANCE 5 FRAUD, WASTE AND ABUSE INVESTIGATIONS VIA THE USE OF DATA MINING SOFT-6 WARE SHALL BE REIMBURSED BY THE STATE IF THE COUNTY HAS PREVIOUSLY PURCHASED OR INTENDS TO PURCHASE SUCH SOFTWARE. FOR THE PURPOSES OF THIS 7 8 PARAGRAPH, "DATA MINING SOFTWARE" SHALL MEAN A DATABASE APPLICATION THAT 9 UTILIZES ADVANCED DATA SEARCHING CAPABILITIES AND STATISTICAL ANALYSES 10 TO DISCOVER PATTERNS AND CORRELATIONS IN THE USE AND ABUSE OF MEDICAL PRACTICES. ANY COUNTY THAT HAS PREVIOUSLY PURCHASED SUCH 11 ASSISTANCE SOFTWARE MUST SUPPLY ADEQUATE DOCUMENTATION, INCLUDING ANY RECEIPTS, 12 13 THAT DETAILS SUCH PURCHASE. THE STATE SHALL DISPERSE GRANTS, WHEN APPLI-14 CABLE, FROM THE GENERAL FUND FOR THIS PURPOSE.

15 (II) THE COMMISSIONER OF HEALTH MAY DEVELOP RULES AND REGULATIONS AS
16 NECESSARY TO CARRY OUT THE PROVISIONS OF THIS PARAGRAPH.
17 S 2. This act shall take effect immediately.

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

LBD03336-01-9