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

5867

2009-2010 Regular Sessions

I N A S S E M B L Y

February 20, 2009

Introduced by M. of A. McKEVITT, ERRIGO, ALFANO, BARRA -- Multi-Sponsored by -- M. of A. McDONOUGH, MILLER, WALKER -- read once and referred to the Committee on Health

AN ACT to amend the public health law, in relation to providing four thousand transitional care units to hospitals

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

Section 1. The public health law is amended by adding a new section 2803-s to read as follows:

S 2803-S. HOSPITAL-BASED TRANSITIONAL CARE UNITS. 1. THE DEPARTMENT SHALL PROVIDE FOUR THOUSAND TRANSITIONAL CARE UNITS TO MEDICARE PATIENTS WHO HAVE EXCEEDED THEIR DIAGNOSTIC RELATED GROUP LENGTH OF STAY BUT WHO ARE NOT READY FOR SAFE DISCHARGE TO A HOME ENVIRONMENT AND WHO ARE NOT CANDIDATES FOR SUBACUTE CARE IN OTHER HEALTH-CARE RELATED SETTINGS.

2. STAFFING FOR TRANSITIONAL CARE UNITS SHALL BE DETERMINED BY THE SPONSORING HOSPITAL. THE SPONSORING HOSPITAL SHALL RETAIN A LICENSED NURSING HOME ADMINISTRATOR TO ENSURE COMPLIANCE WITH FEDERAL REGULATIONS.

3. THE UNIT SIZE, LOCATION AND SERVICES SHALL BE DETERMINED BY THE NEEDS OF THE SPONSORING HOSPITAL IN SUCH APPLICATION FOR TRANSITIONAL CARE UNITS.

4. SUCH TRANSITIONAL CARE UNITS SHALL BE GOVERNED BY THIS ARTICLE BUT SHALL BE REIMBURSED AS A MEDICARE SKILLED NURSING FACILITY WITH A SEPARATE MEDICARE PROVIDER NUMBER.

5. ANY RENOVATIONS NECESSARY FOR THE IMPLEMENTATION OF THIS SECTION SHALL NOT BE BORNE BY THE MEDICAID PROGRAM.

S 2. This act shall take effect immediately, provided, however, applications for such transitional care units shall be accepted 30 days after it shall have become a law and shall take effect no later than 90 days after receipt of such applications; further, provided, that effective immediately, the addition, amendment and/or repeal of any rule or regulation necessary for the implementation of this act on its effective date are authorized and directed to be made or completed on or before such effective date.

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

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