

6818

2009-2010 Regular Sessions

I N A S S E M B L Y

March 12, 2009

Introduced by M. of A. MORELLE -- read once and referred to the Committee on Health

AN ACT to amend the public health law, in relation to the residential care off-site facility demonstration project

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 2821 to read as follows:  
3 S 2821. RESIDENTIAL CARE OFF-SITE FACILITY DEMONSTRATION PROJECT. 1.  
4 NOTWITHSTANDING ANY LAW TO THE CONTRARY, THERE IS HEREBY CREATED A  
5 DEMONSTRATION PROGRAM WITHIN THE DEPARTMENT TO ASSESS REIMBURSEMENT  
6 METHODOLOGIES AND DELIVERY METHODS IN CONJUNCTION WITH THE PROVISION OF  
7 PHYSICAL, OCCUPATIONAL, AND SPEECH THERAPY AND RELATED EDUCATION  
8 SERVICES AT AN OFF-SITE FACILITY OPERATED BY A RESIDENTIAL HEALTH CARE  
9 FACILITY. AS PART OF THE DEMONSTRATION PROGRAM, A SELECTED PROVIDER  
10 SHALL BE AUTHORIZED TO PROVIDE SUCH THERAPY AND RELATED SERVICES FOR  
11 PERSONS IN NEED OF SUCH CARE.  
12 2. THE DEPARTMENT MAY APPROVE UP TO THREE PROVIDERS AS PART OF THE  
13 DEMONSTRATION PROGRAM.  
14 3. IN ORDER TO BE AN ELIGIBLE PROVIDER AN APPLICANT MUST BE ISSUED AN  
15 OPERATING CERTIFICATE FOR THE PROVISION OF RESIDENTIAL HEALTH CARE  
16 SERVICES PURSUANT TO THIS ARTICLE WHICH SHALL INCLUDE A CERTIFICATE TO  
17 PROVIDE OUTPATIENT SERVICES AT ITS MAIN LOCATION.  
18 4. ANY PROVIDER SELECTED TO PARTICIPATE IN THE DEMONSTRATION PROGRAM  
19 SHALL ANNUALLY REPORT TO THE DEPARTMENT ON THE NUMBER OF PATIENTS  
20 SERVED, THE TYPE OF SERVICES PROVIDED, THE COST OF SUCH SERVICES, THE  
21 SOURCES OF PAYMENT FOR SUCH SERVICES AND SUCH OTHER INFORMATION AS  
22 REQUIRED BY THE DEPARTMENT TO DEVELOP REIMBURSEMENT METHODOLOGIES AND  
23 FEE SCHEDULES FOR LIMITED SERVICES AND TO DETERMINE THE EFFECTIVENESS OF  
24 THE PROVISION OF THERAPY AND RELATED SERVICES AT AN OFF-SITE FACILITY  
25 OPERATED BY A RESIDENTIAL HEALTH CARE FACILITY. DURING THE DEMON-

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

LBD04869-01-9

1 STRATION PERIOD, AN ELIGIBLE PROVIDER APPROVED FOR THE PURPOSES OF THIS  
2 SECTION SHALL NOT HAVE THEIR MEDICAL ASSISTANCE RATES ADJUSTED FOR ANY  
3 ADDITIONAL COSTS RELATED TO SUCH DEMONSTRATION PROJECT.  
4 S 2. This act shall take effect immediately.