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

7947

2009-2010 Regular Sessions

I N A S S E M B L Y

April 28, 2009

Introduced by M. of A. WEISENBERG -- read once and referred to the Committee on Mental Health, Mental Retardation and Developmental Disabilities

AN ACT to amend the mental hygiene law, in relation to the implementation of a trend factor for payments to certain intermediate care facilities

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

Section 1. The opening paragraph of subdivision (a) of section 43.02 of the mental hygiene law is designated paragraph 1 and a new paragraph 2 is added to read as follows:

(2) NOTWITHSTANDING ANY OTHER PROVISION OF LAW, THE COMMISSIONER OF THE OFFICE OF MENTAL RETARDATION AND DEVELOPMENTAL DISABILITIES SHALL ADD A TREND FACTOR OF THREE PERCENT FOR THE PERIOD TWO THOUSAND EIGHT--TWO THOUSAND NINE TO TWO THOUSAND NINE--TWO THOUSAND TEN FOR RATE SETTING REGION I AND THE PERIOD TWO THOUSAND EIGHT -- TWO THOUSAND NINE FOR RATE SETTING REGIONS II AND III FOR ALL RATES OF PAYMENT FOR UNDER 31-BED INTERMEDIATE CARE FACILITIES FOR THE DEVELOPMENTALLY DISABLED AND ALL RATES OF PAYMENT FOR HOME AND COMMUNITY BASED WAIVER SERVICES.

S 2. Additional appropriations shall be necessary to effectuate the purposes of this act. Such appropriations shall be made pursuant to a chapter of the laws of 2009.

S 3. This act shall take effect immediately and shall be deemed to have been in full force and effect on and after January 1, 2009.

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

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