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

878

2009-2010 Regular Sessions

I N A S S E M B L Y

(PREFILED)

January 7, 2009

Introduced by M. of A. GUNTHER, FIELDS -- Multi-Sponsored by -- M. of A. PHEFFER -- read once and referred to the Committee on Health

AN ACT to amend the public health law, in relation to rates for telehealth services provided by certified home health agencies, long term home health care programs and AIDS home care services

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

Section 1. Paragraph (a) of subdivision 3-c of section 3614 of the public health law, as added by section 63-b of part C of chapter 58 of the laws of 2007, is amended to read as follows:

(a) Demonstration rates of payment or fees shall be established for telehealth services provided by a certified home health agency, a long term home health care program or AIDS home care program, or for telehealth services by a licensed home care services agency under contract with such an agency or program OR WITH A LOCAL SOCIAL SERVICES DISTRICT, in order to ensure the availability of technology-based patient monitoring, communication and health management. Reimbursement for telehealth services provided pursuant to this section shall be provided only in connection with Federal Food and Drug Administration-approved and interoperable devices, and incorporated as part of the patient's plan of care. SUCH DEMONSTRATION RATES OF PAYMENT OR FEES SHALL BE MADE AVAILABLE IN AN EQUITABLE AND DIRECT MANNER TO PARTICIPATING PROVIDERS LICENSED UNDER THIS ARTICLE, INCLUDING THOSE THAT ARE SUBJECT TO THIS ARTICLE AND ARE UNABLE TO ACCESS DIRECT REIMBURSEMENT FROM STATE AND/OR FEDERAL HEALTH PROGRAMS. The commissioner shall seek federal financial participation with regard to this demonstration initiative.

S 2. This act shall take effect immediately.

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

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