

8906

2009-2010 Regular Sessions

I N A S S E M B L Y

June 15, 2009

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

AN ACT to amend the public health law, the state finance law and the insurance law, in relation to the development of comprehensive care centers for autism spectrum disorders

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 article
2 27-M to read as follows:

3 ARTICLE 27-M

4 COMPREHENSIVE CARE CENTERS

5 FOR AUTISM SPECTRUM DISORDERS

6 SECTION 2799-T. LEGISLATIVE FINDINGS.

7 2799-U. DEFINITIONS.

8 2799-V. COMPREHENSIVE CARE CENTERS FOR AUTISM SPECTRUM DISOR-
9 DERS; ESTABLISHED.

10 2799-W. QUALIFYING CRITERIA.

11 2799-X. STATE IDENTIFICATION OF COMPREHENSIVE CARE CENTERS FOR
12 AUTISM SPECTRUM DISORDERS; COMMISSIONER'S WRITTEN
13 NOTICE.

14 2799-Y. RESTRICTED USE OF TITLE.

15 2799-Z. RESEARCH.

16 2799-AA. RESIDENTIAL CARE PROGRAMS PROVIDED BY COMPREHENSIVE
17 CARE CENTERS.

18 2799-BB. COMPREHENSIVE CARE CENTER DEVELOPMENT GRANTS.

19 S 2799-T. LEGISLATIVE FINDINGS. THE LEGISLATURE HEREBY FINDS THAT
20 EFFECTIVE DIAGNOSIS AND TREATMENT FOR CITIZENS STRUGGLING WITH AUTISM
21 DISORDERS, A COMPLEX AND POTENTIALLY LIFE-THREATENING CONDITION,
22 REQUIRES A CONTINUUM OF INTERDISCIPLINARY PROVIDERS AND LEVELS OF CARE.
23 SUCH EFFECTIVE DIAGNOSIS AND TREATMENT FURTHER REQUIRES THE COORDINATION

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

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1 AND COMPREHENSIVE MANAGEMENT OF AN INDIVIDUALIZED PLAN OF CARE SPECIF-
2 ICALLY ORIENTED TO THE DISTINCT NEEDS OF EACH INDIVIDUAL.

3 THE LEGISLATURE FURTHER FINDS THAT, WHILE THERE ARE NUMEROUS HEALTH
4 CARE PROVIDERS IN THE STATE WITH EXPERTISE IN AUTISM SPECTRUM DISORDERS
5 TREATMENT, THERE IS NO GENERALLY ACCESSIBLE, COMPREHENSIVE SYSTEM FOR
6 RESPONDING TO THESE DISORDERS. DUE TO THE LACK OF SUCH A SYSTEM THE
7 LEGISLATURE FINDS THAT TREATMENT, INFORMATION/REFERRAL, PREVENTION AND
8 RESEARCH ACTIVITIES ARE FRAGMENTED AND INCOMPLETE. IN ADDITION, DUE TO
9 THE BROAD, MULTIFACETED NEEDS OF INDIVIDUALS WITH AUTISM SPECTRUM DISOR-
10 DERS, INSURANCE PAYMENTS FOR THE NECESSARY PLAN OF CARE AND PROVIDERS IS
11 USUALLY FRAGMENTED AS WELL, LEAVING CITIZENS WITH INSUFFICIENT COVERAGE
12 FOR ESSENTIAL SERVICES AND, THEREFORE, AT RISK OF INCOMPLETE TREATMENT,
13 RELAPSE, DETERIORATION AND POTENTIAL DEATH.

14 THE LEGISLATURE THEREFORE DECLARES THAT THE STATE TAKE POSITIVE ACTION
15 TO FACILITATE THE DEVELOPMENT AND PUBLIC IDENTIFICATION OF PROVIDER
16 NETWORKS AND CARE CENTERS OF EXCELLENCE TO PROVIDE A COORDINATED,
17 COMPREHENSIVE SYSTEM FOR THE TREATMENT OF SUCH DISORDERS, AS WELL AS TO
18 CONDUCT COMMUNITY EDUCATION, PREVENTION, INFORMATION/REFERRAL AND
19 RESEARCH ACTIVITIES. THE LEGISLATURE FURTHER DECLARES THAT HEALTH COVER-
20 AGE BY INSURERS AND HEALTH MAINTENANCE ORGANIZATIONS SHOULD INCLUDE
21 COVERED SERVICES PROVIDED THROUGH SUCH CENTERS AND THAT, TO THE EXTENT
22 POSSIBLE AND PRACTICABLE, HEALTH PLAN REIMBURSEMENT SHOULD BE STRUCTURED
23 IN A MANNER TO FACILITATE THE INDIVIDUALIZED, COMPREHENSIVE AND INTE-
24 GRATED PLANS OF CARE WHICH SUCH CENTERS ARE REQUIRED TO PROVIDE.

25 S 2799-U. DEFINITIONS. FOR PURPOSES OF THIS ARTICLE:

26 1. "AUTISM SPECTRUM DISORDERS" MEANS A NEUROBIOLOGICAL CONDITION THAT
27 INCLUDES AUTISM, ASPERGER SYNDROME, RETT'S SYNDROME, OR PERVASIVE DEVEL-
28 OPMENTAL DISORDER.

29 2. "COMPREHENSIVE CARE CENTERS FOR AUTISM SPECTRUM DISORDERS" OR
30 "COMPREHENSIVE CARE CENTERS" MEANS A PROVIDER-SPONSORED SYSTEM OF CARE,
31 ORGANIZED BY EITHER CORPORATE AFFILIATION OR CLINICAL ASSOCIATION FOR
32 THE COMMON PURPOSE OF PROVIDING A COORDINATED, INDIVIDUALIZED PLAN OF
33 CARE FOR AN INDIVIDUAL WITH AN AUTISM SPECTRUM DISORDER, ACROSS A
34 CONTINUUM THAT INCLUDES ALL NECESSARY NON-INSTITUTIONAL, INSTITUTIONAL
35 AND PRACTITIONER SERVICES AND TREATMENTS, FROM INITIAL PATIENT SCREENING
36 AND EVALUATION, TO TREATMENT, FOLLOW-UP CARE AND SUPPORT.

37 S 2799-V. COMPREHENSIVE CARE CENTERS FOR AUTISM SPECTRUM DISORDERS;
38 ESTABLISHED. 1. THE COMMISSIONER SHALL FACILITATE THE DEVELOPMENT, AND
39 PROVIDE FOR THE PUBLIC IDENTIFICATION, OF COMPREHENSIVE CARE CENTERS FOR
40 PERSONS WITH AUTISM SPECTRUM DISORDERS. THE DEVELOPMENT AND IDENTIFICA-
41 TION OF SUCH CENTERS SHALL BE FOR THE PURPOSES OF:

42 (A) PROMOTING THE DEVELOPMENT AND OPERATION OF A CONTINUUM OF COMPRE-
43 HENSIVE, COORDINATED CARE FOR PERSONS WITH AUTISM SPECTRUM DISORDERS;

44 (B) PROMOTING READY ACCESS TO INFORMATION, REFERRAL AND TREATMENT
45 SERVICES ON AUTISM SPECTRUM DISORDERS FOR CONSUMERS, HEALTH PRACTITION-
46 ERS, PROVIDERS AND INSURERS, WITH ACCESS IN EVERY REGION OF THE STATE;

47 (C) PROMOTING COMMUNITY EDUCATION, PREVENTION AND PATIENT ENTRY INTO
48 CARE; AND

49 (D) PROMOTING AND COORDINATING REGIONAL AND STATEWIDE RESEARCH EFFORTS
50 INTO EFFECTIVE METHODS OF EDUCATION, PREVENTION AND TREATMENT, INCLUDING
51 RESEARCH ON THE VARIOUS MODELS OF CARE.

52 2. IN ORDER TO IDENTIFY SUCH COMPREHENSIVE CARE CENTERS, THE COMMIS-
53 SIONER SHALL ISSUE A REQUEST FOR APPLICATIONS (HEREINAFTER REFERRED TO
54 IN THIS SECTION AS "RFA"). THE FORM AND CONTENT OF SUCH RFA SHALL BE
55 PREPARED WITH INPUT FROM INDIVIDUALS AND ORGANIZATIONS WHO AT A MINIMUM
56 ARE REPRESENTATIVE OF HEALTH CARE PRACTITIONERS AND PROVIDERS WITH

1 EXPERTISE IN THE CARE OF PERSONS WITH AUTISM SPECTRUM DISORDERS AS WELL
2 AS FROM PERSONS AND FAMILIES WITH EXPERIENCE IN THE DIAGNOSIS AND TREAT-
3 MENT OF THESE DISORDERS. SUCH RFA SHALL BE ISSUED NOT LATER THAN ONE
4 HUNDRED TWENTY DAYS FOLLOWING THE EFFECTIVE DATE OF THIS ARTICLE.

5 S 2799-W. QUALIFYING CRITERIA. 1. IN ORDER TO QUALIFY FOR STATE IDEN-
6 TIFICATION AS A COMPREHENSIVE CARE CENTER FOR AUTISM SPECTRUM DISORDERS
7 PURSUANT TO THIS ARTICLE, APPLICANTS MUST DEMONSTRATE TO THE COMMISSION-
8 ER'S SATISFACTION THAT, AT A MINIMUM:

9 (A) THE APPLICANT CAN PROVIDE A CONTINUUM OF CARE TAILORED TO THE
10 SPECIALIZED NEEDS OF INDIVIDUALS WITH AUTISM SPECTRUM DISORDERS, WITH
11 SUCH CONTINUUM INCLUDING AT LEAST THE FOLLOWING LEVELS OF CARE:

12 (I) INDIVIDUAL HEALTH, PSYCHOSOCIAL AND CASE MANAGEMENT SERVICES, IN
13 BOTH NONINSTITUTIONAL AND INSTITUTIONAL SETTINGS, FROM LICENSED AND
14 CERTIFIED PRACTITIONERS WITH DEMONSTRATED EXPERIENCE AND EXPERTISE IN
15 PROVIDING SERVICES TO INDIVIDUALS WITH AUTISM SPECTRUM DISORDERS;

16 (II) MEDICAL/SURGICAL, PSYCHIATRIC AND REHABILITATION CARE IN A GENER-
17 AL HOSPITAL OR A HOSPITAL LICENSED UNDER THE MENTAL HYGIENE LAW;
18 PROVIDED THAT, WHENEVER PRACTICABLE AND APPROPRIATE, THE SERVICE SETTING
19 FOR ANY SUCH CARE SHALL BE ORIENTED TO THE SPECIFIC NEEDS, TREATMENT AND
20 RECOVERY OF PERSONS WITH AUTISM SPECTRUM DISORDERS;

21 (III) RESIDENTIAL CARE AND SERVICES IN EITHER: (A) A RESIDENTIAL
22 HEALTH CARE FACILITY LICENSED UNDER ARTICLE TWENTY-EIGHT OF THIS CHAP-
23 TER, OR A FACILITY LICENSED UNDER ARTICLE THIRTY-ONE OF THE MENTAL
24 HYGIENE LAW WHICH WILL PROVIDE A PROGRAM OF CARE AND SERVICE SETTING
25 THAT IS SPECIFICALLY ORIENTED TO THE NEEDS OF INDIVIDUALS WITH AUTISM
26 SPECTRUM DISORDERS; OR (B) A RESIDENTIAL CARE PROGRAM PROVIDED IN A
27 RESIDENCE DEDICATED TO THE CARE OF PERSONS WITH AUTISM SPECTRUM DISOR-
28 DERS APPROVED BY THE COMMISSIONER PURSUANT TO SECTION TWENTY-SEVEN
29 HUNDRED NINETY-NINE-AA OF THIS ARTICLE AND SECTION FOUR HUNDRED
30 SIXTY-ONE-B OF THE SOCIAL SERVICES LAW;

31 (B) THE CARE OF INDIVIDUALS WILL BE MANAGED AND COORDINATED AT EACH
32 LEVEL AND THROUGHOUT THE CONTINUUM OF CARE;

33 (C) THE APPLICANT IS ABLE TO CONDUCT ACTIVITIES FOR COMMUNITY EDUCA-
34 TION, PREVENTION, INFORMATION/REFERRAL AND RESEARCH; AND

35 (D) THE APPLICANT MEETS SUCH ADDITIONAL CRITERIA AS IS SPECIFIED IN
36 THE RFA.

37 2. ELIGIBLE APPLICANTS SHALL INCLUDE BUT ARE NOT LIMITED TO PROVIDERS
38 LICENSED UNDER ARTICLE TWENTY-EIGHT OF THIS CHAPTER OR ARTICLE
39 THIRTY-ONE OF THE MENTAL HYGIENE LAW OR HEALTH OR MENTAL HEALTH PRACTI-
40 TIONERS LICENSED UNDER TITLE EIGHT OF THE EDUCATION LAW.

41 3. THE COMMISSIONER SHALL SEEK THE RECOMMENDATION OF THE COMMISSIONER
42 OF MENTAL HEALTH PRIOR TO IDENTIFYING AN APPLICANT AS A COMPREHENSIVE
43 CARE CENTER UNDER THIS ARTICLE.

44 S 2799-X. STATE IDENTIFICATION OF COMPREHENSIVE CARE CENTERS FOR
45 AUTISM SPECTRUM DISORDERS; COMMISSIONER'S WRITTEN NOTICE. 1. THE COMMIS-
46 SIONER SHALL IDENTIFY A SUFFICIENT NUMBER OF COMPREHENSIVE CARE CENTERS
47 TO ENSURE ADEQUATE ACCESS TO SERVICES IN ALL REGIONS OF THE STATE,
48 PROVIDED THAT, TO THE EXTENT POSSIBLE, THE COMMISSIONER SHALL IDENTIFY
49 SUCH CARE CENTERS GEOGRAPHICALLY DISPERSED THROUGHOUT THE STATE, AND
50 PROVIDED FURTHER, HOWEVER, THAT THE COMMISSIONER SHALL, TO THE EXTENT
51 POSSIBLE, INITIALLY IDENTIFY AT LEAST THREE SUCH CENTERS.

52 2. THE COMMISSIONER'S WRITTEN NOTICE TO APPLICANTS, WHICH SHALL BE
53 PROVIDED NO LATER THAN NINETY DAYS FOLLOWING THE RECEIPT OF A SATISFAC-
54 TORY APPLICATION, SHALL IDENTIFY THE APPLICANT AS A STATE-IDENTIFIED
55 COMPREHENSIVE CARE CENTER FOR AUTISM SPECTRUM DISORDERS UNDER THIS ARTI-
56 CLE, PROVIDED HOWEVER, THAT SUCH NOTICE SHALL BE VALID FOR NOT MORE THAN

1 A TWO YEAR PERIOD FROM THE DATE OF ISSUANCE. THE COMMISSIONER MAY REIS-
2 SUE SUCH WRITTEN NOTICES FOR SUBSEQUENT PERIODS OF UP TO TWO YEARS,
3 PROVIDED THAT THE COMPREHENSIVE CARE CENTER HAS NOTIFIED THE COMMISSION-
4 ER OF ANY MATERIAL CHANGES IN STRUCTURE OR OPERATION BASED ON ITS
5 ORIGINAL RFA SUBMISSION, OR SINCE ITS LAST WRITTEN NOTICE BY THE COMMIS-
6 SIONER, AND THAT THE COMMISSIONER IS SATISFIED THAT THE CENTER CONTINUES
7 TO MEET THE CRITERIA REQUIRED PURSUANT TO THIS ARTICLE.

8 3. THE COMMISSIONER MAY SUSPEND OR REVOKE HIS OR HER WRITTEN NOTICE
9 UPON A DETERMINATION THAT THE COMPREHENSIVE CARE CENTER HAS NOT MET, OR
10 WOULD NOT BE ABLE TO MEET, THE CRITERIA REQUIRED PURSUANT TO THIS ARTI-
11 CLE, PROVIDED, HOWEVER THAT THE COMMISSIONER SHALL AFFORD SUCH CENTER AN
12 OPPORTUNITY FOR A HEARING, IN ACCORDANCE WITH SECTION TWELVE-A OF THIS
13 CHAPTER, TO REVIEW THE CIRCUMSTANCES OF AND GROUNDS FOR SUCH SUSPENSION
14 OR REVOCATION AND TO APPEAL SUCH DETERMINATION.

15 S 2799-Y. RESTRICTED USE OF TITLE. NO PERSON OR ENTITY SHALL CLAIM,
16 ADVERTISE OR IMPLY TO CONSUMERS, HEALTH PLANS OR OTHER HEALTH CARE
17 PROVIDERS THAT SUCH PROVIDER OR PRACTITIONER IS A STATE-IDENTIFIED
18 COMPREHENSIVE CARE CENTER FOR AUTISM SPECTRUM DISORDERS UNLESS IT IS
19 QUALIFIED PURSUANT TO SECTION TWENTY-SEVEN HUNDRED NINETY-NINE-X OF THIS
20 ARTICLE.

21 S 2799-Z. RESEARCH. THE DEPARTMENT SHALL COLLABORATE WITH STATE-IDEN-
22 TIFIED COMPREHENSIVE CARE CENTERS FOR AUTISM SPECTRUM DISORDERS AND THE
23 OFFICE OF MENTAL HEALTH TO FACILITATE RESEARCH RELATING TO COMMUNITY
24 EDUCATION, PREVENTION, TREATMENT AND PATIENT OUTCOMES, INCLUDING THE
25 CENTER'S ACTIVITIES IN SUCH AREAS AND THE EFFECTIVENESS OF ITS TREATMENT
26 MODELS. THE DEPARTMENT SHALL INCORPORATE REPORTS BY EACH COMPREHENSIVE
27 CARE CENTER ON THE CENTER'S RESEARCH ACTIVITIES AND FINDINGS, TOGETHER
28 WITH ANY ADDITIONAL FINDINGS AND RECOMMENDATIONS, AND REPORT TO THE
29 GOVERNOR AND LEGISLATURE ON OR BEFORE THE FIRST DAY OF SEPTEMBER, TWO
30 THOUSAND TEN, AND EACH YEAR THEREAFTER.

31 S 2799-AA. RESIDENTIAL CARE PROGRAMS PROVIDED BY COMPREHENSIVE CARE
32 CENTERS. NOTWITHSTANDING THE PROVISIONS OF SECTION FOUR HUNDRED
33 SIXTY-ONE-B OF THE SOCIAL SERVICES LAW, THE COMMISSIONER IS HEREBY
34 AUTHORIZED TO APPROVE THE ESTABLISHMENT AND OPERATION OF ADULT CARE
35 FACILITIES DEDICATED TO THE CARE OF PERSONS WITH AUTISM SPECTRUM DISOR-
36 DERS AND OPERATING IN CONJUNCTION WITH COMPREHENSIVE CARE CENTERS IDEN-
37 TIFIED PURSUANT TO THIS ARTICLE. IN APPROVING SUCH FACILITIES, THE
38 COMMISSIONER MAY WAIVE SUCH PROVISIONS OF SECTION FOUR HUNDRED
39 SIXTY-ONE-B OF THE SOCIAL SERVICES LAW, AND THE REGULATIONS OF THE
40 DEPARTMENT RELATED THERETO, AS IS NECESSARY TO FACILITATE THE PROVISION
41 OF SERVICES TAILORED TO THE SPECIAL NEEDS OF PERSONS WITH AUTISM SPEC-
42 TRUM DISORDERS, INCLUDING BUT NOT LIMITED TO PROVISIONS CONCERNING AGE
43 ELIGIBILITY AND ANTICIPATED DURATION OF CARE.

44 S 2799-BB. COMPREHENSIVE CARE CENTER DEVELOPMENT GRANTS. 1. TO THE
45 EXTENT THAT FUNDS ARE MADE AVAILABLE THEREFOR, THE COMMISSIONER IS HERE-
46 BY AUTHORIZED TO ISSUE GRANTS TO FACILITATE COMPREHENSIVE CARE CENTER
47 DEVELOPMENT, SERVICE ENHANCEMENT AND/OR RESEARCH.

48 2. FROM ALLOCATIONS PURSUANT TO PARAGRAPHS (C) AND (K) OF SUBDIVISION
49 ONE OF SECTION TWENTY-EIGHT HUNDRED SEVEN-V OF THIS CHAPTER, THE COMMIS-
50 SIONER IS AUTHORIZED AND DIRECTED TO ANNUALLY ALLOCATE FIVE HUNDRED
51 THOUSAND DOLLARS PURSUANT TO SUCH PARAGRAPH (C) AND FIVE HUNDRED THOU-
52 SAND DOLLARS PURSUANT TO SUCH PARAGRAPH (K) FOR PURPOSES OF GRANTS
53 PROVIDED PURSUANT TO THIS SECTION.

54 3. THE COMMISSIONER IS FURTHER AUTHORIZED TO APPLY FOR GRANTS AND
55 ACCEPT GIFTS FROM PRIVATE AND PUBLIC SOURCES FOR THE PURPOSES OF FUNDING
56 GRANTS PROVIDED PURSUANT TO THIS SECTION. FUNDS RECEIVED IN THE FORM OF

1 SUCH GRANTS, AND GIFTS SHALL BE DEPOSITED BY THE COMMISSIONER INTO THE
2 NEW YORK STATE COMPREHENSIVE CARE CENTER FOR AUTISM SPECTRUM DISORDERS
3 DEVELOPMENT GRANT FUND ESTABLISHED BY SECTION NINETY-FIVE-H OF THE STATE
4 FINANCE LAW.

5 S 2. The opening paragraph and subparagraphs (v) and (vi) of paragraph
6 (c) and the opening paragraph and subparagraphs (v) and (vi) of para-
7 graph (k) of subdivision 1 of section 2807-v of the public health law,
8 as amended by section 5 of part B of chapter 58 of the laws of 2008, are
9 amended to read as follows:

10 Funds shall be deposited by the commissioner, within amounts appropri-
11 ated, and the state comptroller is hereby authorized and directed to
12 receive for deposit to the credit of the state special revenue funds -
13 other, HCRA transfer fund, enhanced community services account, or any
14 successor fund or account, for mental health services programs for case
15 management services for adults and children; supported housing; home and
16 community based waiver services; family based treatment; family support
17 services; mobile mental health teams; transitional housing; and communi-
18 ty oversight, established pursuant to articles seven and forty-one of
19 the mental hygiene law and subdivision nine of section three hundred
20 sixty-six of the social services law; [and] for comprehensive care
21 centers for eating disorders pursuant to section twenty-seven hundred
22 ninety-nine-1 of this chapter, provided however that, for such centers,
23 funds in the amount of five hundred thousand dollars on an annualized
24 basis shall be transferred from the enhanced community services account,
25 or any successor fund or account, and deposited into the fund estab-
26 lished by section ninety-five-e of the state finance law; AND FOR
27 COMPREHENSIVE CARE CENTERS FOR AUTISM SPECTRUM DISORDERS PURSUANT TO
28 SECTION TWENTY-SEVEN HUNDRED NINETY-NINE-BB OF THIS CHAPTER, PROVIDED
29 HOWEVER THAT, FOR SUCH CENTERS, FUNDS IN THE AMOUNT OF FIVE HUNDRED
30 THOUSAND DOLLARS ON AN ANNUAL BASIS SHALL BE TRANSFERRED FROM THE
31 ENHANCED COMMUNITY SERVICES ACCOUNT, OR ANY SUCCESSOR FUND OR ACCOUNT,
32 AND DEPOSITED INTO THE FUND ESTABLISHED BY SECTION NINETY-FIVE-H OF THE
33 STATE FINANCE LAW; from the tobacco control and insurance initiatives
34 pool established for the following periods in the following amounts:

35 (v) eighty-eight million dollars, plus [five hundred thousand] ONE
36 MILLION dollars, to be reserved, to be retained or for distribution
37 pursuant to a chapter of the laws of two thousand four, and pursuant to
38 [section] SECTIONS twenty-seven hundred ninety-nine-1 AND TWENTY-SEVEN
39 HUNDRED NINETY-NINE-BB of this chapter, for the period January first,
40 two thousand [four] NINE through December thirty-first, two thousand
41 [four] NINE;

42 (vi) eighty-eight million dollars, plus [five hundred thousand] ONE
43 MILLION dollars, to be reserved, to be retained or for distribution
44 pursuant to a chapter of the laws of two thousand five, and pursuant to
45 [section] SECTIONS twenty-seven hundred ninety-nine-1 AND TWENTY-SEVEN
46 HUNDRED NINETY-NINE-BB of this chapter, for the period January first,
47 two thousand [five] TEN through December thirty-first, two thousand
48 [five] TEN;

49 Funds shall be deposited by the commissioner, within amounts appropri-
50 ated, and the state comptroller is hereby authorized and directed to
51 receive for deposit to the credit of the state special revenue fund -
52 other, HCRA transfer fund, health care services account, or any succes-
53 sor fund or account, for purposes of services and expenses related to
54 public health programs, including comprehensive care centers for eating
55 disorders pursuant to section twenty-seven hundred ninety-nine-1 of this
56 chapter, provided however that, for such centers, funds in the amount of

1 five hundred thousand dollars on an annualized basis shall be trans-
2 ferred from the health care services account, or any successor fund or
3 account, and deposited into the fund established by section
4 ninety-five-e of the state finance law, AND COMPREHENSIVE CARE CENTERS
5 FOR AUTISM SPECTRUM DISORDERS PURSUANT TO SECTION TWENTY-SEVEN HUNDRED
6 NINETY-NINE-BB OF THIS CHAPTER, PROVIDED HOWEVER THAT, FOR SUCH CENTERS,
7 FUNDS IN THE AMOUNT OF FIVE HUNDRED THOUSAND DOLLARS ON AN ANNUAL BASIS
8 SHALL BE TRANSFERRED FROM THE HEALTH CARE SERVICES ACCOUNT AND DEPOSITED
9 INTO THE FUND ESTABLISHED BY SECTION NINETY-FIVE-H OF THE STATE FINANCE
10 LAW, from the tobacco control and insurance initiatives pool established
11 for the following periods in the following amounts:

12 (v) one hundred eight million five hundred seventy-five thousand
13 dollars, plus an additional [five hundred thousand] ONE MILLION dollars,
14 for the period January first, two thousand [four] NINE through December
15 thirty-first, two thousand [four] NINE;

16 (vi) ninety-one million eight hundred thousand dollars, plus an addi-
17 tional [five hundred thousand] ONE MILLION dollars, for the period Janu-
18 ary first, two thousand [five] TEN through December thirty-first, two
19 thousand [five] TEN;

20 S 3. The state finance law is amended by adding a new section 95-h to
21 read as follows:

22 S 95-H. NEW YORK STATE COMPREHENSIVE CARE CENTER FOR AUTISM SPECTRUM
23 DISORDERS DEVELOPMENT GRANT FUND. 1. THERE IS HEREBY ESTABLISHED IN THE
24 JOINT CUSTODY OF THE STATE COMPTROLLER AND COMMISSIONER OF TAXATION AND
25 FINANCE A SPECIAL FUND TO BE KNOWN AS THE "COMPREHENSIVE CARE CENTER FOR
26 AUTISM SPECTRUM DISORDERS DEVELOPMENT GRANT FUND".

27 2. SUCH FUND SHALL CONSIST OF ALL MONEYS APPROPRIATED FOR THE PURPOSE
28 OF SUCH FUND AND ANY GRANT, GIFT OR BEQUEST MADE FOR PURPOSES OF DEVEL-
29 OPMENT GRANTS FOR COMPREHENSIVE CARE CENTERS FOR AUTISM SPECTRUM DISOR-
30 DERS PROVIDED PURSUANT TO SECTION TWENTY-SEVEN HUNDRED NINETY-NINE-BB OF
31 THE PUBLIC HEALTH LAW.

32 3. MONIES OF THE FUND SHALL BE AVAILABLE TO THE COMMISSIONER OF HEALTH
33 FOR THE PURPOSE OF PROVIDING DEVELOPMENT GRANTS TO COMPREHENSIVE CARE
34 CENTERS FOR AUTISM SPECTRUM DISORDERS PROVIDED PURSUANT TO SECTION TWEN-
35 TY-SEVEN HUNDRED NINETY-NINE-BB OF THE PUBLIC HEALTH LAW.

36 4. THE MONIES OF THE FUND SHALL BE PAID OUT ON THE AUDIT AND WARRANT
37 OF THE COMPTROLLER ON VOUCHERS CERTIFIED OR APPROVED BY THE COMMISSIONER
38 OF HEALTH, OR BY AN OFFICER OR EMPLOYEE OF THE DEPARTMENT OF HEALTH
39 DESIGNATED BY SUCH COMMISSIONER.

40 S 4. Subsection (b) of section 4322 of the insurance law is amended by
41 adding a new paragraph 28 to read as follows:

42 (28) SERVICES COVERED UNDER SUCH POLICY WHEN PROVIDED BY A COMPREHEN-
43 SIVE CARE CENTER FOR AUTISM SPECTRUM DISORDERS PURSUANT TO ARTICLE TWEN-
44 TY-SEVEN-M OF THE PUBLIC HEALTH LAW; PROVIDED, HOWEVER, THAT REIMBURSE-
45 MENT UNDER SUCH POLICY FOR SERVICES PROVIDED THROUGH SUCH COMPREHENSIVE
46 CARE CENTERS SHALL, TO THE EXTENT POSSIBLE AND PRACTICABLE, BE STRUC-
47 TURED IN A MANNER TO FACILITATE THE INDIVIDUALIZED, COMPREHENSIVE AND
48 INTEGRATED PLANS OF CARE WHICH SUCH CENTERS' NETWORK OF PRACTITIONERS
49 AND PROVIDERS ARE REQUIRED TO PROVIDE.

50 S 5. This act shall take effect immediately.