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

1051

2009-2010 Regular Sessions

I N S E N A T E

January 22, 2009

Introduced by Sens. MAZIARZ, ALESI, BONACIC, DeFRANCISCO, FLANAGAN, GOLDEN, SEWARD, VOLKER, WINNER -- read twice and ordered printed, and when printed to be committed to the Committee on Social Services

AN ACT to amend the social services law, in relation to state reimbursement for care, treatment, maintenance and nursing services in nursing homes

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

Section 1. Subdivision 1 of section 368-a of the social services law is amended by adding a new paragraph (g-1) to read as follows:

(G-1) (I) BEGINNING APRIL FIRST, TWO THOUSAND TEN, REIMBURSEMENT FOR SERVICES CALCULATED PURSUANT TO PARAGRAPH (G) OF THIS SUBDIVISION TO AN ELIGIBLE SOCIAL SERVICES DISTRICT AS DEFINED BY SUBPARAGRAPH (II) OF THIS PARAGRAPH SHALL BE ADJUSTED EACH SUBSEQUENT TWELVE MONTH PERIOD BY INCREASING THE APPLICABLE PER CENTUM AS SPECIFIED IN SUBPARAGRAPH (III) OF THIS PARAGRAPH.

(II) FOR THE PURPOSES OF THIS PARAGRAPH, AN ELIGIBLE SOCIAL SERVICES DISTRICT SHALL BE A DISTRICT WHICH: (A) MADE A TRANSFER PURSUANT TO SECTION TWO HUNDRED TWENTY-TWO OF CHAPTER FOUR HUNDRED SEVENTY-FOUR OF THE LAWS OF NINETEEN HUNDRED NINETY-SIX IN TWO THOUSAND SEVEN; (B) IN SUCH DISTRICT THERE IS A NON-STATE OPERATED PUBLIC RESIDENTIAL HEALTH CARE FACILITY OPERATING FOR THE PREVIOUS TWELVE MONTH PERIOD; AND (C) THE SUM OF COSTS FROM OPERATIONS FOR ALL SUCH FACILITIES WITHIN A DISTRICT EXCEED THE SUM OF REVENUES FROM OPERATIONS, AS REPORTED TO THE DEPARTMENT OF HEALTH FOR THE MOST RECENT RATE YEAR AVAILABLE.

(III) THE PER CENTUM SPECIFIED IN PARAGRAPH (G) OF THIS SUBDIVISION SHALL BE INCREASED BY ADDING TO IT A PER CENTUM CALCULATED BY TAKING THE AMOUNT THAT THE SUM OF COSTS FROM OPERATIONS FOR ALL SUCH FACILITIES WITHIN A DISTRICT EXCEED THE SUM OR REVENUES FROM OPERATIONS, AS REPORTED TO THE DEPARTMENT OF HEALTH FOR THE MOST RECENT RATE YEAR AVAILABLE, AND DIVIDED BY THE TOTAL AMOUNT OF REIMBURSEMENT PROVIDED TO THE DISTRICT PURSUANT TO PARAGRAPH (G) OF THIS SUBDIVISION IN THE PREVIOUS APRIL FIRST THROUGH MARCH THIRTY-FIRST PERIOD.

S 2. This act shall take effect April 1, 2010.

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

LBD01169-01-9