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

4108--A

2009-2010 Regular Sessions

I N S E N A T E

April 9, 2009

Introduced by Sen. AUBERTINE -- read twice and ordered printed, and when printed to be committed to the Committee on Health -- recommitted to the Committee on Health in accordance with Senate Rule 6, sec. 8 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the public health law, in relation to reimbursements to rural health care facilities

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

Section 1. Subdivision 4 of section 2807-c of the public health law is amended by adding a new paragraph (m) to read as follows:

(M) WHERE A GENERAL HOSPITAL IS DESIGNATED AS A PRIMARY CARE HOSPITAL PURSUANT TO SECTION TWENTY-NINE HUNDRED FIFTY-SEVEN OF THIS CHAPTER, FOR PERIODS BEGINNING ON OR AFTER JANUARY FIRST, TWO THOUSAND ELEVEN, SUCH GENERAL HOSPITAL'S ACUTE CARE INPATIENT RATE SHALL BE EQUAL TO ONE HUNDRED AND ONE PERCENT OF THE REASONABLE COSTS OF THE PRIMARY CARE HOSPITAL IN PROVIDING SUCH SERVICES. REASONABLE COSTS SHALL BE DETERMINED IN A MANNER CONSISTENT WITH THAT USED TO DETERMINE PAYMENT FOR INPATIENT CRITICAL ACCESS SERVICES PROVIDED TO BENEFICIARIES OF TITLE XVIII OF THE FEDERAL SOCIAL SECURITY ACT (MEDICARE).

S 2. Section 2807 of the public health law is amended by adding a new subdivision 20 to read as follows:

20. NOTWITHSTANDING ANY INCONSISTENT PROVISION OF LAW OR REGULATION, FOR PERIODS BEGINNING ON OR AFTER JANUARY FIRST, TWO THOUSAND ELEVEN, RATES OF PAYMENT BY GOVERNMENTAL AGENCIES FOR TREATMENT OR DIAGNOSTIC CENTER, EMERGENCY, GENERAL HOSPITAL OUTPATIENT, AMBULATORY SURGERY AND REFERRED AMBULATORY SERVICES PROVIDED BY AN UPGRADED DIAGNOSTIC AND TREATMENT CENTER, AS DEFINED IN SECTION TWENTY-NINE HUNDRED FIFTY-SIX OF THIS CHAPTER, OR A PRIMARY CARE HOSPITAL, AS DEFINED IN SECTION TWENTY-NINE HUNDRED FIFTY-SEVEN OF THIS CHAPTER, SHALL BE EQUAL TO ONE HUNDRED AND ONE PERCENT OF THE REASONABLE COSTS OF SUCH FACILITY IN PROVIDING

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

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SUCH SERVICES. NO MAXIMUM PAYMENT AMOUNT SHALL APPLY TO THE RATES OF PAYMENT CALCULATED PURSUANT TO THIS SECTION. REASONABLE COSTS SHALL BE DETERMINED IN A MANNER CONSISTENT WITH THAT USED TO DETERMINE PAYMENT FOR OUTPATIENT CRITICAL ACCESS HOSPITAL SERVICES PROVIDED TO BENEFICIARIES OF TITLE XVIII OF THE FEDERAL SOCIAL SECURITY ACT (MEDICARE). FOR FACILITIES WITHOUT ADEQUATE COST EXPERIENCE, SUCH RATES SHALL BE BASED ON BUDGETED COSTS SUBSEQUENTLY ADJUSTED TO ACTUAL COSTS.

S 3. This act shall take effect immediately.