

4523

2009-2010 Regular Sessions

I N S E N A T E

April 24, 2009

Introduced by Sen. LAVALLE -- read twice and ordered printed, and when printed to be committed to the Committee on Health

AN ACT to amend the public health law, in relation to creating a certificate of need application public tracking system

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

1 Section 1. Legislative intent. Health care providers are continuously
2 evaluating the needs of their communities and adapting their services to
3 better respond to those needs and patient preferences, and to provide
4 the highest quality care in the most appropriate setting.

5 Part of the challenge is being able to plan effectively for service
6 expansions, contractions, or new partnerships in a timely manner so that
7 patients experience a seamless and well-coordinated system of care. New
8 York's certificate of need (CON) system, designed to ensure the best
9 possible allocation of health care services and resources, is an impor-
10 tant step in this process, but can also pose an obstacle due to long
11 processing times and/or communication challenges.

12 New York's health care system could benefit from a more transparent
13 CON process so that providers, consumers, and regulators have real-time
14 data on the progress of health care reform, and to ensure that the
15 system responds effectively to community health needs.

16 S 2. Section 2802 of the public health law is amended by adding a new
17 subdivision 8 to read as follows:

18 8. (A) THE COMMISSIONER SHALL CREATE A PUBLICLY ACCESSIBLE, INTERNET-
19 BASED TRACKING TOOL THAT WILL ALLOW HEALTH CARE PROVIDERS TO VIEW THE
20 STATUS OF THEIR CERTIFICATE OF NEED APPLICATION. THE OUTPUT OF THIS
21 TRACKING TOOL SHALL INCLUDE, AS A MINIMUM: (I) NATURE OF APPLICATION AND
22 TYPE OF CON REVIEW UNDER WAY; (II) ANY OUTSTANDING DOCUMENTS REQUIRED BY
23 APPLICANT; (III) STEPS COMPLETED IN THE PROCESS; (IV) STEPS STILL
24 OUTSTANDING IN THE PROCESS; (V) DATE OF APPROVAL; AND (VI) STATUS OF
25 CONDITIONS AND CONTINGENCIES.

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

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1 (B) THE COMMISSIONER SHALL DIRECT THE DEPARTMENT TO SOLICIT INPUT FROM
2 STAKEHOLDERS AS IT DESIGNS THE TRACKING TOOL TO ENSURE MAXIMUM USER
3 VALUE ON THE PART OF THE INDUSTRY, THE PUBLIC, AND HEALTH CARE REGULA-
4 TORS.

5 S 3. This act shall take effect on the one hundred eightieth day after
6 it shall have become a law.