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

4901

2009-2010 Regular Sessions

I N S E N A T E

April 27, 2009

Introduced by Sen. HUNTLEY -- read twice and ordered printed, and when printed to be committed to the Committee on Mental Health and Developmental Disabilities

AN ACT to amend the mental hygiene law, in relation to the implementation of a trend factor for payments to certain intermediate care facilities

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

Section 1. The opening paragraph of subdivision (a) of section 43.02 of the mental hygiene law is designated paragraph 1 and a new paragraph 2 is added to read as follows:

(2) NOTWITHSTANDING ANY OTHER PROVISION OF LAW, THE COMMISSIONER OF THE OFFICE OF MENTAL RETARDATION AND DEVELOPMENTAL DISABILITIES SHALL ADD A TREND FACTOR OF THREE PERCENT FOR THE PERIOD TWO THOUSAND EIGHT--TWO THOUSAND NINE TO TWO THOUSAND NINE--TWO THOUSAND TEN FOR RATE SETTING REGION I AND THE PERIOD TWO THOUSAND EIGHT -- TWO THOUSAND NINE FOR RATE SETTING REGIONS II AND III FOR ALL RATES OF PAYMENT FOR UNDER 31-BED INTERMEDIATE CARE FACILITIES FOR THE DEVELOPMENTALLY DISABLED AND ALL RATES OF PAYMENT FOR HOME AND COMMUNITY BASED WAIVER SERVICES.

S 2. Additional appropriations shall be necessary to effectuate the purposes of this act. Such appropriations shall be made pursuant to a chapter of the laws of 2009.

S 3. This act shall take effect immediately and shall be deemed to have been in full force and effect on and after January 1, 2009.

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

LBD11427-01-9