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

7455--A

I N S E N A T E

April 12, 2010

Introduced by Sen. SAVINO -- read twice and ordered printed, and when printed to be committed to the Committee on Labor -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the workers' compensation law, in relation to the rates of payment for the treatment and care of injured employees; and to amend chapter 592 of the laws of 2006 amending the workers' compensation law relating to the rates of payment for the treatment and care of injured employees, in relation to the effectiveness thereof

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

Section 1. Subdivision (a-1) of section 13 of the workers' compensation law, as added by chapter 592 of the laws of 2006, is amended to read as follows:

(a-1) Notwithstanding the provisions of subdivision four of section twenty-eight hundred seven and subdivision one of section twenty-eight hundred seven-c of the public health law, payments to general hospitals for AP-DRGs 755-758 (spinal fusion; back and neck procedures), 806-807 (combined anterior and posterior spinal fusions), 836-837 (spinal procedures), and 864-865 (cervical spinal fusion) shall be at the rates of payment determined pursuant to section twenty-eight hundred seven-c of the public health law for state governmental agencies, excluding adjustments pursuant to subdivision fourteen-f of such section twenty-eight hundred seven-c, plus the provider's documented cost for any implantable hardware and instrumentation, which should be recorded under revenue code 278 on the claim, plus an additional ten percent of such documented cost not to exceed a maximum of three hundred fifty dollars. THESE PAYMENTS WILL REMAIN IN EFFECT UNTIL SUPERSEDED BY APR-DRG 303 (DORSAL AND LUMBAR FUSION PROCEDURES FOR CURVATURE OF BACK), APR-DRG 304 (DORSAL AND LUMBAR FUSION PROCEDURES EXCEPT FOR CURVATURE OF BACK), APR-DRG 310 (INTERVERTEBRAL DISC EXCISION & DECOMPRESSION), APR-DRG 321 (CERVICAL SPINAL FUSION & OTHER BACK/NECK PROCEDURE EXCLUDING DISC EXCISION AND DECOMPRESSION), AND APR-DRG 23 (SPINAL PROCEDURES).

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

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S 2. Section 3 of chapter 592 of the laws of 2006 amending the workers' compensation law relating to the rates of payment for the treatment and care of injured employees, is amended to read as follows:

S 3. This act shall take effect on April 1, 2006 [and shall expire March 31, 2011 when upon such date the provisions of this act shall be deemed repealed]; provided, however, that if this act shall have become a law after April 1, 2006, it shall take effect immediately and shall be deemed to have been in full force and effect on and after April 1, 2006.

S 3. This act shall take effect immediately.