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

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I N S E N A T E

May 21, 2010

Introduced by Sens. VALESKY, AUBERTINE, BONACIC, FOLEY, STACHOWSKI -- read twice and ordered printed, and when printed to be committed to the Committee on Health -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the public health law, in relation to state reimbursement for public health services provided by municipalities and to the incorporation of home health and hospices services within municipal public health services plans

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

Section 1. Paragraph (b) of subdivision 3 of section 602 of the public health law is amended by adding two new subparagraphs 6 and 7 to read as follows:

(6) HOME HEALTH SERVICES, WHICH SHALL MEAN SERVICES PROVIDED BY A MUNICIPALITY THAT IS A CERTIFIED HOME HEALTH AGENCY OR A LONG TERM HOME HEALTH CARE PROGRAM AUTHORIZED UNDER ARTICLE THIRTY-SIX OF THIS CHAPTER TO PROVIDE SERVICES TO THE RESIDENTS OF THAT MUNICIPALITY.

(7) HOSPICE SERVICES, WHICH SHALL MEAN SERVICES PROVIDED BY A MUNICIPALITY THAT IS A CERTIFIED HOSPICE AUTHORIZED UNDER ARTICLE FORTY OF THIS CHAPTER TO PROVIDE SERVICES TO THE RESIDENTS OF THAT MUNICIPALITY.

S 2. Any rules and regulations adopted by the commissioner of health pursuant to article 6 of the public health law which are inconsistent with the provisions of this act, including any such rules and regulations which limit state reimbursement to municipalities for services provided pursuant to section one of this act on the basis that a provider other than the municipality is also approved to operate within the municipality, shall be deemed null, void and unenforceable upon the effective date of this act.

S 3. This act shall take effect immediately and shall be deemed to have been in full force and effect on and after July 1, 2010.

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

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