

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

4559--B

2011-2012 Regular Sessions

I N S E N A T E

April 12, 2011

Introduced by Sen. ROBACH -- 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 -- reported favorably from said committee and committed to the Committee on Rules -- 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 providing for the repeal of such provisions upon expiration thereof

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

1 Section 1. Section 13 of the workers' compensation law is amended by
2 adding a new subdivision (a-1) to read as follows:
3 (A-1) NOTWITHSTANDING ANY INCONSISTENT PROVISION OF SUBDIVISION FOUR
4 OF SECTION TWENTY-EIGHT HUNDRED SEVEN OR SUBDIVISION ONE OF SECTION
5 TWENTY-EIGHT HUNDRED SEVEN-C OF THE PUBLIC HEALTH LAW, PAYMENTS TO
6 GENERAL HOSPITALS FOR APR-DRGS 23 (SPINAL PROCEDURES), 303 (DORSAL AND
7 LUMBAR FUSION PROCEDURES FOR CURVATURE OF BACK), 304 (DORSAL AND LUMBAR
8 FUSION PROCEDURES EXCEPT FOR CURVATURE OF BACK), 310 (INTERVERTEBRAL
9 DISC EXCISION AND DECOMPRESSION), AND 321 (CERVICAL SPINAL FUSION AND
10 OTHER BACK/NECK PROCEDURES EXCLUDING DISC EXCISION/DECOMPRESSION) SHALL
11 BE AT THE RATES OF PAYMENT DETERMINED PURSUANT TO SUBPARAGRAPH (I) OF
12 PARAGRAPH (B-1) OF SUBDIVISION 1 OF SECTION TWENTY-EIGHT HUNDRED SEVEN-C
13 OF THE PUBLIC HEALTH LAW PLUS THE PROVIDER'S DOCUMENTED COST FOR ANY
14 IMPLANTABLE HARDWARE AND INSTRUMENTATION, WHICH SHOULD BE RECORDED UNDER
15 REVENUE CODE 278 ON THE CLAIM, PLUS AN ADDITIONAL TEN PERCENT OF SUCH
16 DOCUMENTED COST NOT TO EXCEED A MAXIMUM OF THREE HUNDRED FIFTY DOLLARS.
17 S 2. This act shall take effect immediately; and shall be deemed to
18 have been in full force and effect on and after April 1, 2011, and shall
19 expire on April 1, 2012 when upon such date the provisions of this act
20 shall be deemed repealed.

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

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