

7141

I N S E N A T E

May 1, 2012

Introduced by Sen. MAZIARZ -- 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 payments under managed long term care plans for home care services

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

1 Section 1. Section 4403-f of the public health law is amended by
2 adding a new subdivision 12 to read as follows:
3 12. PAYMENTS TO THOSE AGENCIES CERTIFIED AND LICENSED PURSUANT TO
4 ARTICLE THIRTY-SIX OF THIS CHAPTER PROVIDING DIRECT CARE SERVICES TO THE
5 ENROLLED POPULATION SHALL BE REASONABLY RELATED TO THE COST OF PROVIDING
6 EFFICIENT, CONSISTENT AND HIGH QUALITY SERVICES REQUIRED BY THE PLAN OF
7 CARE AND SHALL, IN ADDITION, INCORPORATE THE AMOUNT OF ANY LABOR COSTS
8 ATTRIBUTABLE TO SECTION THIRTY-SIX HUNDRED FOURTEEN-C OF THIS CHAPTER
9 AND ANY RECRUITMENT AND RETENTION FUNDS MADE AVAILABLE PURSUANT TO
10 SECTION THIRTY-SIX HUNDRED FOURTEEN OF THIS CHAPTER; PROVIDED FURTHER,
11 SUCH AMOUNTS SHALL BE PASSED DIRECTLY THROUGH TO THE AGENCY PROVIDING
12 SUCH DIRECT CARE SERVICES IF SUCH SERVICES ARE SUBCONTRACTED. IN ADDI-
13 TION, SUCH PAYMENTS SHALL REFLECT AND ADJUST ANNUALLY FOR ANY INCREASED
14 COSTS OF THE TRANSPORTATION OF DIRECT CARE WORKERS TO AND FROM PATIENTS'
15 RESIDENCES RELATED TO INCREASED FUEL COSTS AND/OR TRANSPORTATION AS
16 REPORTED BY THE NEW YORK STATE ENERGY RESEARCH AND DEVELOPMENT AUTHORITY
17 AND THE METROPOLITAN TRANSPORTATION AUTHORITY.
18 S 2. This act shall take effect immediately; provided that the amend-
19 ments to section 4403-f of the public health law made by section one of
20 this act shall not affect the repeal of such section and shall expire
21 and be deemed repealed therewith.

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

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