

7161

I N S E N A T E

May 1, 2012

Introduced by Sen. HANNON -- 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 to providers of evaluations and early intervention services to children

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

1 Section 1. Paragraph (a) of subdivision 3 of section 2559 of the
2 public health law, as amended by section 11 of part A of chapter 56 of
3 the laws of 2012, is amended to read as follows:
4 (a) Providers of evaluations and early intervention services, herein-
5 after collectively referred to in this subdivision as "provider" or
6 "providers", shall [in the first instance and where applicable, seek
7 payment from all third party payors including governmental agencies
8 prior to claiming payment from a given municipality] *SUBMIT ALL CLAIMS*
9 for evaluations conducted under the program and for services rendered to
10 eligible children[, provided that, the] *THROUGH THE FISCAL AGENT. THE*
11 *FISCAL AGENT SHALL BE RESPONSIBLE FOR SEEKING PAYMENT FROM ALL THIRD*
12 *PARTY PAYORS, INCLUDING GOVERNMENTAL AGENCIES. THE obligation to seek*
13 *payment shall not apply to a payment from a third party payor who is not*
14 *prohibited from applying such payment, and will apply such payment, to*
15 *an annual or lifetime limit specified in the insured's policy.*
16 (i) Parents shall provide the municipality and service coordinator
17 information on any insurance policy, plan or contract under which an
18 eligible child has coverage.
19 (ii) Parents shall provide the municipality and the service coordina-
20 tor with a written referral from a primary care provider as documenta-
21 tion, for eligible children, of the medical necessity of early inter-
22 vention services.
23 (iii) providers shall utilize the department's fiscal agent and data
24 system for [claiming payment] *SUBMISSION OF CLAIMS FOR PAYMENT, INCLUD-*
25 *ING THIRD PARTY PAYORS, for evaluations and services rendered under the*
26 *early intervention program.*
27 S 2. This act shall take effect on the same date and in the same
28 manner as section 11 of part A of chapter 56 of the laws of 2012, takes
29 effect.

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

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