

7636

2013-2014 Regular Sessions

I N A S S E M B L Y

May 29, 2013

Introduced by M. of A. GOTTFRIED -- read once and referred to the
Committee on Health

AN ACT to amend the public health law, in relation to managed long term
care plans operated by health maintenance organizations

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

1 Section 1. Section 4403-f of the public health law is amended by
2 adding a new subdivision 11-a to read as follows:
3 11-A. IN TRANSITIONING INDIVIDUALS TO MANAGED LONG TERM CARE, THE
4 DEPARTMENT SHALL PROVIDE OVERSIGHT OF LONG TERM MANAGED CARE BY ENSUR-
5 ING:
6 (A) PARTICIPANTS ARE APPROPRIATELY NOTIFIED OF THE UPCOMING CHANGES TO
7 THEIR HEALTH CARE, AND THEIR RIGHTS AND OPTIONS;
8 (B) ACCESS TO APPROPRIATE ENROLLMENT ASSISTANCE, CONSUMER ASSISTANCE
9 AND COMPLAINT MECHANISMS;
10 (C) ACCESS TO QUALITY CARE BY REQUIRING NETWORK TRANSPARENCY AND
11 CHOICE OF LONG TERM CARE PLANS, ALLOWING PATIENTS TO CHOOSE THE PLAN
12 THAT BEST FITS THEIR NEEDS;
13 (D) TRANSPARENCY AND ACCOUNTABILITY FROM PROVIDERS, WHICH SHALL
14 INCLUDE A MECHANISM BY WHICH STAFF, PARTICIPANTS AND FAMILY MEMBERS CAN
15 CONFIDENTIALLY REPORT CONCERNS RELATING TO QUALITY TO THE PLAN AND THE
16 STATE;
17 (E) PLANS AND PROVIDERS ARE ASSESSED PERIODICALLY AND DATA IS
18 PUBLISHED REGARDING ENROLLMENT IN INTEGRATED CARE DESIGNS, NETWORK
19 ADEQUACY, NEW SERVICE DESIGNS, OUTCOME MEASURES, INCLUDING THE EXTENT TO
20 WHICH CARE PLANS ARE CONTINUED OR ALTERED BASED UPON NEW COMPREHENSIVE
21 ASSESSMENTS, AND THE TYPES AND AMOUNTS OF SERVICES HEALTH PLANS HAVE
22 AUTHORIZED;
23 (F) MECHANISMS ARE IN PLACE TO STATE OVERSIGHT OF ENROLLMENT AND
24 SERVICES TO PREVENT WASTE AND ABUSE IN THE MANAGED LONG TERM CARE
25 SYSTEM; AND

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

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1 (G) INCENTIVES ARE PROVIDED FOR A VARIETY OF INDICATORS, INCLUDING BUT
2 NOT LIMITED TO, SMOOTH PATIENT TRANSITIONS, APPROPRIATE ENROLLMENT,
3 QUALITY CARE, HIGH STAFF RETENTION AND POSITIVE HEALTH CARE OUTCOMES
4 ACHIEVED AT A LOW COST.

5 S 2. This act shall take effect immediately; provided that the amend-
6 ments to section 4403-f of the public health law made by section one of
7 this act shall not affect the expiration and repeal of such section, and
8 shall expire and be deemed repealed therewith.