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

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1335

2013-2014 Regular Sessions

I N   S E N A T E

(PREFILED)

January 9, 2013
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Introduced by Sen. PARKER -- read twice and ordered printed, and when printed to be committed to the Committee on Health

AN ACT to amend the social services law, in relation to establishing mandatory minimum medicaid coverage for hospital confinement for childbirth

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

1   Section 1. Section 365-a of the social services law is amended by
2 adding a new subdivision 6-a to read as follows:
3   6-A. MEDICAID ASSISTANCE SHALL ALSO INCLUDE, FOR MOTHER AND NEWBORN,
4 COVERAGE OF HOSPITAL CONFINEMENT OF AT LEAST FORTY-EIGHT HOURS FOLLOWING
5 A VAGINAL DELIVERY AND AT LEAST NINETY-SIX HOURS FOLLOWING A CAESAREAN
6 SECTION. NOTWITHSTANDING THE ABOVE, A SOCIAL SERVICES DISTRICT MAY
7 PROVIDE COVERAGE FOR A SHORTER PERIOD OF HOSPITAL CONFINEMENT PROVIDED
8 THAT:
9   (A) THE MOTHER IN HER SOLE DISCRETION, EXERCISES THE OPTION TO BE
10 DISCHARGED FROM THE HOSPITAL EARLIER THAN THE TIME PERIOD STATED ABOVE;
11 AND
12   (B) THE TREATING PHYSICIAN, IN ACCORDANCE WITH GENERALLY ACCEPTED
13 MEDICAL STANDARDS, HAS DETERMINED THAT THE MOTHER AND NEWBORN ARE READY
14 FOR DISCHARGE; AND
15   (C) POST-DISCHARGE FOLLOW-UP INCLUDES AT LEAST ONE HOME VISIT PROVIDED
16 WITHIN TWENTY-FOUR HOURS OF DISCHARGE BY A LICENSED HEALTH CARE PROVIDER
17 WHOSE SCOPE OF PRACTICE INCLUDES PROVIDING POSTPARTUM CARE AND SUCH
18 OTHER HOME VISITS AS ARE DEEMED APPROPRIATE. COVERAGE OF SUCH HOME
19 VISITS SHALL INCLUDE, AT A MINIMUM, PARENT EDUCATION, ASSISTANCE AND
20 TRAINING IN BREAST OR BOTTLE FEEDING AND THE PERFORMANCE OF ANY NECES-
21 SARY MATERNAL AND NEWBORN PHYSICAL ASSESSMENTS AND SHALL BE IN ADDITION
22 TO, RATHER THAN IN LIEU OF, ANY HOME HEALTH CARE COVERAGE OTHERWISE
23 AVAILABLE.
24   S 2. This act shall take effect on the one hundred eightieth day after
25 it shall have become a law.

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