

5272

2013-2014 Regular Sessions

I N S E N A T E

May 15, 2013

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 and the insurance law, in relation to the right to external review of services provided pursuant to the fully integrated dual advantage program

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

- 1 Section 1. Section 4910 of the public health law is amended by adding
2 a new subdivision 5 to read as follows:
3 5. SUBJECT TO APPROVAL BY THE CENTERS FOR MEDICARE AND MEDICAID
4 SERVICES, THE PROVISIONS OF THIS TITLE ARE APPLICABLE TO ADVERSE DETER-
5 MINATIONS MADE WITH RESPECT TO HEALTH CARE SERVICES PROVIDED TO INDIVID-
6 UALS ENROLLED IN THE FULLY INTEGRATED DUAL ADVANTAGE (FIDA) PROGRAM
7 ESTABLISHED PURSUANT TO SUBDIVISION TWENTY-SEVEN OF SECTION THREE
8 HUNDRED SIXTY-FOUR-J OF THE SOCIAL SERVICES LAW, AS ADDED BY SECTION
9 SEVENTY-TWO OF PART A OF CHAPTER FIFTY-SIX OF THE LAWS OF TWO THOUSAND
10 THIRTEEN.
11 S 2. Section 4910 of the insurance law is amended by adding a new
12 subsection (e) to read as follows:
13 (E) SUBJECT TO APPROVAL BY THE CENTERS FOR MEDICARE AND MEDICAID
14 SERVICES, THE PROVISIONS OF THIS TITLE ARE APPLICABLE TO ADVERSE DETER-
15 MINATIONS MADE WITH RESPECT TO HEALTH CARE SERVICES PROVIDED TO INDIVID-
16 UALS ENROLLED IN THE FULLY INTEGRATED DUAL ADVANTAGE (FIDA) PROGRAM
17 ESTABLISHED PURSUANT TO SUBDIVISION TWENTY-SEVEN OF SECTION THREE
18 HUNDRED SIXTY-FOUR-J OF THE SOCIAL SERVICES LAW, AS ADDED BY SECTION
19 SEVENTY-TWO OF PART A OF CHAPTER FIFTY-SIX OF THE LAWS OF TWO THOUSAND
20 THIRTEEN.
21 S 3. This act shall take effect immediately.

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

LBD10991-01-3