

3366--A

2015-2016 Regular Sessions

I N S E N A T E

February 5, 2015

Introduced by Sen. ROBACH -- read twice and ordered printed, and when printed to be committed to the Committee on Health -- recommitted to the Committee on Health in accordance with Senate Rule 6, sec. 8 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the public health law, in relation to covered lives assessments in the Rochester region

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

1 Section 1. Subdivision 6 of section 2807-s of the public health law is
2 amended by adding a new paragraph (g) to read as follows:
3 (G) A FURTHER GROSS ANNUAL AMOUNT ALLOCATED TO THE ROCHESTER REGION
4 BEGINNING JANUARY FIRST, TWO THOUSAND SEVENTEEN SHALL BE ONE HUNDRED TEN
5 MILLION DOLLARS. SUCH AMOUNT SHALL BE EXCLUDED FROM ALL COMPUTATIONS AND
6 ADJUSTMENTS MADE PURSUANT TO PARAGRAPH (B) OF SUBDIVISION SIX OF SECTION
7 TWO THOUSAND EIGHT HUNDRED SEVEN-T OF THIS ARTICLE.
8 S 2. Subdivision 7 of section 2807-s of the public health law is
9 amended by adding a new paragraph (d) to read as follows:
10 (D)(I) FIVE MILLION DOLLARS OF THE FUNDS ALLOCATED PURSUANT TO PARA-
11 GRAPH (G) OF SUBDIVISION SIX OF THIS SECTION SHALL BE DISTRIBUTED TO A
12 REGIONAL HEALTH PLANNING ORGANIZATION FOR USE IN FUNDING REGIONAL HEALTH
13 CARE IMPROVEMENT PROJECTS. THE REGIONAL HEALTH PLANNING ORGANIZATION
14 SHALL DISBURSE THOSE FUNDS IN ACCORDANCE WITH THIS PARAGRAPH, OR PURSU-
15 ANT TO GRANTS MADE BY THE ORGANIZATION IN ACCORDANCE WITH THIS PARA-
16 GRAPH. DISTRIBUTION OF ANY GRANT FUNDS ADMINISTERED BY THE REGIONAL
17 HEALTH PLANNING ORGANIZATION SHALL BE PURSUANT TO A MULTI-STAKEHOLDER
18 PROCESS. THE REGIONAL HEALTH CARE IMPROVEMENT GRANT FUND PROJECTS SHALL
19 INCLUDE THREE MILLION DOLLARS PER YEAR FOR A SHARED COMMUNITY HEALTH
20 INFRASTRUCTURE DESIGNED ON THE BASIS OF COLLABORATIVE COMMUNITY EFFORTS,
21 INCLUDING COMMUNITY-WIDE PATIENT SAFETY AND QUALITY IMPROVEMENT
22 PROGRAMS, ELIMINATION OF HEALTH DISPARITIES, HEALTH INFORMATION TECHNOL-

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

LBD08504-02-6

1 OGY, AND TWO MILLION DOLLARS TO FUND THE REGIONAL HEALTH PLANNING ORGAN-
2 IZATION. THE HEALTH PLANNING ORGANIZATION SHALL USE REASONABLE EFFORTS
3 TO GENERATE MATCHING FUND CONTRIBUTIONS IN THE FORM OF GRANTS, DONATIONS
4 AND OTHER CONTRIBUTIONS.

5 (II) ONE HUNDRED FIVE MILLION DOLLARS OF THE FUNDS ALLOCATED PURSUANT
6 TO PARAGRAPH (G) OF SUBDIVISION SIX OF THIS SECTION SHALL BE ALLOCATED
7 TO A NOT-FOR-PROFIT ORGANIZATION OR ASSOCIATION THAT HAS BEEN DESIGNATED
8 THROUGH A MULTI-STAKEHOLDER PROCESS, WHICH SHALL DISTRIBUTE THOSE FUNDS
9 TO ALL OF THE HOSPITALS IN THE REGION ENGAGED IN GRADUATE MEDICAL EDUCA-
10 TION IN ORDER TO FUND GRADUATE MEDICAL EDUCATION. ONE HUNDRED MILLION
11 DOLLARS OF SUCH FUNDING SHALL BE DISTRIBUTED PROPORTIONALLY TO EACH OF
12 THE HOSPITALS IN AMOUNTS WHICH REFLECT EACH HOSPITAL'S CURRENT COSTS FOR
13 GRADUATE MEDICAL EDUCATION, AND FIVE MILLION DOLLARS OF UNREIMBURSED
14 ADMINISTRATIVE AND OTHER GRADUATE MEDICAL EDUCATION RELATED COSTS SHALL
15 BE ALLOCATED IN THE SAME PROPORTIONS. ONE HUNDRED MILLION DOLLARS OF THE
16 DISTRIBUTED FUNDS SHALL BE IN LIEU OF CURRENT FUNDING OF SUCH COSTS AS
17 CURRENTLY INCLUDED IN CLAIMS PAYMENTS BY SPECIFIED THIRD PARTY PAYORS IN
18 THE REGION RESULTING IN A REDUCTION IN THE AMOUNT PAID BY SUCH THIRD
19 PARTY PAYORS IN AN AMOUNT EQUAL TO THE ONE HUNDRED MILLION DOLLARS.
20 PRIOR TO THE ALLOCATION OF FUNDS PURSUANT TO THIS SUBDIVISION, THE
21 PARTICIPATING HOSPITALS AND SUCH THIRD PARTY PAYORS SHALL DEVELOP A
22 PROCESS FOR THE DISTRIBUTION OF SUCH FUNDS AND A MECHANISM TO ENSURE
23 THAT THE REQUIRED REDUCTION OF PAYMENTS BY SUCH THIRD PARTY PAYORS TO
24 THE HOSPITALS OCCURS. THE AFFECTED HOSPITALS AND THE THIRD PARTY PAYORS
25 IN THE REGION SHALL SELECT AN INDEPENDENT THIRD PARTY TO DETERMINE THE
26 REDUCTIONS WHICH SHALL OCCUR FROM PREVIOUSLY NEGOTIATED RATES FOR CLAIMS
27 PAYMENTS TO SUCH HOSPITALS BY SPECIFIED THIRD PARTY PAYORS IN ORDER TO
28 AVOID DUPLICATE FUNDING PURSUANT TO THIS PARAGRAPH. PRIOR TO THE IMPLE-
29 MENTATION OF THESE PROVISIONS, A REPORT SHALL BE PREPARED BY SUCH INDE-
30 PENDENT THIRD PARTY TO ANALYZE THE ANTICIPATED IMPACT OF THESE
31 PROVISIONS ON GRADUATE MEDICAL EDUCATION AND THE PROMOTION OF COMMUNITY
32 HEALTH IN THE ROCHESTER REGION. THE REPORT WILL CONSIDER: THE IMPACT OF
33 THE PROPOSAL ON THE DEVELOPMENT AND RETENTION OF THE PHYSICIAN WORKFORCE
34 IN ROCHESTER AND THE SURROUNDING REGION AS A RESULT OF ITS EFFECTS ON
35 THE SUPPORT OF GRADUATE MEDICAL EDUCATION; THE IMPACT OF THE PROPOSAL ON
36 THE HEALTHCARE COMMUNITY (INCLUDING HOSPITALS AND OTHER HEALTHCARE
37 PROVIDERS), THIRD PARTY PAYORS, THE BUSINESS COMMUNITY AND CONSUMERS;
38 AND THE OVERALL IMPACT OF THE PROPOSAL ON THE HEALTHCARE DELIVERY SYSTEM
39 IN THE ROCHESTER REGION, INCLUDING ITS SUPPORT FOR COMMUNITY HEALTH
40 INITIATIVES AND HEALTHCARE PLANNING. THE REPORT WILL BE SUBMITTED TO THE
41 SPEAKER OF THE ASSEMBLY, THE TEMPORARY PRESIDENT OF THE SENATE AND TO
42 THE COMMISSIONER OF HEALTH NO LATER THAN OCTOBER FIRST, TWO THOUSAND
43 SEVENTEEN.

44 S 3. This act shall take effect immediately; provided, however, that
45 the amendments to section 2807-s of the public health law made by
46 sections one and two of this act shall not affect the expiration of such
47 section and shall be deemed to expire therewith.