

7335

I N S E N A T E

April 15, 2016

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 patient notice of care under an alternate payment system

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

1 Section 1. The public health law is amended by adding a new section
2 2805-w-1 to read as follows:
3 S 2805-W-1. PATIENT NOTICE OF CARE UNDER AN ALTERNATE PAYMENT SYSTEM.
4 1. EVERY GENERAL HOSPITAL WHICH PARTICIPATES IN AN ALTERNATE BUNDLED
5 PAYMENT ARRANGEMENT SYSTEM OR MODEL WHICH INCLUDES POST ACUTE CARE SHALL
6 PROVIDE PATIENTS COVERED UNDER SUCH PAYMENT ARRANGEMENT, UPON ADMISSION
7 TO THE PARTICIPANT HOSPITAL OR IMMEDIATELY FOLLOWING THE DECISION TO
8 SCHEDULE SURGERY, WHICHEVER OCCURS LATER, WITH AN ORAL AND WRITTEN
9 NOTICE OF HIS OR HER INCLUSION IN SUCH AN ARRANGEMENT SYSTEM OR MODEL.
10 SUCH WRITTEN NOTICE SHALL BE SIGNED BY THE PATIENT OR THE PATIENT'S
11 LEGAL REPRESENTATIVE TO ACKNOWLEDGE RECEIPT AND SHALL INCLUDE, BUT NOT
12 BE LIMITED TO, THE FOLLOWING INFORMATION:
13 (A) A DETAILED EXPLANATION OF THE PAYMENT MODEL AND HOW IT MIGHT BE
14 EXPECTED TO AFFECT THE PATIENT'S CARE INCLUDING POST ACUTE CARE
15 SERVICES;
16 (B) NOTIFICATION THAT THE PATIENT RETAINS FREEDOM OF CHOICE TO CHOOSE
17 PROVIDERS AND SERVICES INCLUDING INPATIENT AND OUTPATIENT REHABILITATIVE
18 THERAPY AND SERVICES, AND THAT HE OR SHE SHOULD CONTACT HIS OR HER
19 INSURANCE PLAN TO BETTER UNDERSTAND THE IMPLICATIONS OF THE PAYMENT
20 MODEL OR CARE;
21 (C) A LIST OF THE PROVIDERS AND SUPPLIERS WITH WHOM THE PARTICIPANT
22 HOSPITAL HAS A COLLABORATOR AGREEMENT; AND
23 (D) AN EXPLANATION OF HOW PATIENTS CAN ACCESS CARE RECORDS AND CLAIMS
24 DATA AND SHARE SUCH INFORMATION WITH CAREGIVERS.
25 2. THE COMMISSIONER SHALL DEVELOP AND MAKE AVAILABLE GUIDANCE ON THE
26 NOTICE AS DESCRIBED IN THIS SECTION.
27 S 2. This act shall take effect immediately; provided that subdivision
28 1 of section 2805-w-1 of the public health law, as added by section one
29 of this act, shall take effect on the ninetieth day after it shall have
30 become a law.

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

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