

1827

2015-2016 Regular Sessions

I N A S S E M B L Y

January 13, 2015

Introduced by M. of A. GUNTHER, COOK, CLARK -- Multi-Sponsored by -- M. of A. CAMARA, ENGLEBRIGHT, PEOPLES-STOKES, RIVERA -- read once and referred to the Committee on Health

AN ACT to amend the social services law, in relation to amounts payable for medical assistance for items and services provided to eligible persons

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

1 Section 1. Subparagraph (iii) of paragraph (d) of subdivision 1 of
2 section 367-a of the social services law, as amended by section 65 of
3 part H of chapter 59 of the laws of 2011, is amended to read as follows:
4 (iii) When payment under part B of title XVIII of the federal social
5 security act for items and services provided to eligible persons who are
6 also beneficiaries under part B of title XVIII of the federal social
7 security act and for items and services provided to qualified medicare
8 beneficiaries under part B of title XVIII of the federal social security
9 act would exceed the amount that otherwise would be made under this
10 title if provided to an eligible person other than a person who is also
11 a beneficiary under part B or is a qualified medicare beneficiary, the
12 amount payable for services covered under this title shall be twenty
13 percent of the amount of any co-insurance liability of such eligible
14 persons pursuant to federal law were they not eligible for medical
15 assistance or were they not qualified medicare beneficiaries with
16 respect to such benefits under such part B; provided, however, amounts
17 payable under this title for items and services provided to eligible
18 persons who are also beneficiaries under part B or to qualified medicare
19 beneficiaries by an ambulance service under the authority of an operat-
20 ing certificate issued pursuant to article thirty of the public health
21 law, a psychologist licensed under article one hundred fifty-three of
22 the education law, A NEPHROLOGIST LICENSED UNDER ARTICLE ONE HUNDRED
23 THIRTY-ONE OF THE EDUCATION LAW, or a facility under the authority of an

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

LBD01892-01-5

1 operating certificate issued pursuant to article sixteen, thirty-one or
2 thirty-two of the mental hygiene law and with respect to outpatient
3 hospital and clinic items and services provided by a facility under the
4 authority of an operating certificate issued pursuant to article twen-
5 ty-eight of the public health law, shall not be less than the amount of
6 any co-insurance liability of such eligible persons or such qualified
7 medicare beneficiaries, or for which such eligible persons or such qual-
8 ified medicare beneficiaries would be liable under federal law were they
9 not eligible for medical assistance or were they not qualified medicare
10 beneficiaries with respect to such benefits under part B.

11 S 2. This act shall take effect immediately.