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I N   A S S E M B L Y

March 10, 2016

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Introduced by M. of A. GOTTFRIED, COLTON, COOK, DAVILA, DINOWITZ, LIFTON, RIVERA, STECK, SEAWRIGHT, MOSLEY, LINARES, PERRY, BARRON, ROSENTHAL -- Multi-Sponsored by -- M. of A. BENEDETTO, DILAN, ENGLE-BRIGHT, FARRELL, GLICK, LENTOL, LOPEZ, MAGEE, McDONOUGH, ROBINSON, RODRIGUEZ, SEPULVEDA -- read once and referred to the Committee on Health -- reported and referred to the Committee on Ways and Means -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the public health law, in relation to establishing a hospital supplemental reimbursement rate adjustment for enhanced safety net hospitals

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

1     Section 1. Section 2807-c of the public health law is amended by  
2     adding a new subdivision 36 to read as follows:  
3     36. ENHANCED SAFETY NET HOSPITAL SUPPLEMENTAL RATE ADJUSTMENT. (A)  
4     FOR THE PURPOSES OF THIS SUBDIVISION, "ENHANCED SAFETY NET HOSPITAL"  
5     MEANS A HOSPITAL WHICH:  
6     (I)(A) NOT LESS THAN FIFTY PERCENT OF THE PATIENTS IT TREATS RECEIVE  
7     MEDICAID OR ARE MEDICALLY UNINSURED;  
8     (B) NOT LESS THAN FORTY PERCENT OF ITS INPATIENT DISCHARGES ARE  
9     COVERED BY MEDICAID;  
10    (C) TWENTY-FIVE PERCENT OR LESS OF ITS DISCHARGED PATIENTS ARE COMMER-  
11    CIALY INSURED;  
12    (D) NOT LESS THAN THREE PERCENT OF THE PATIENTS IT PROVIDES SERVICES  
13    TO ARE ATTRIBUTED TO THE CARE OF UNINSURED PATIENTS; AND  
14    (E) PROVIDES CARE TO UNINSURED PATIENTS IN ITS EMERGENCY ROOM, HOSPI-  
15    TAL BASED CLINICS AND COMMUNITY BASED CLINICS, INCLUDING THE PROVISION  
16    OF IMPORTANT COMMUNITY SERVICES, SUCH AS DENTAL CARE AND PRENATAL CARE;  
17    (II) IS A PUBLIC HOSPITAL OPERATED BY A COUNTY, MUNICIPALITY OR PUBLIC  
18    BENEFIT CORPORATION; OR  
19    (III) IS FEDERALLY DESIGNATED AS A CRITICAL ACCESS OR SOLE COMMUNITY  
20    HOSPITAL.

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

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1 (B) THE COMMISSIONER SHALL ADJUST MEDICAL ASSISTANCE RATES TO ENHANCED  
2 SAFETY NET HOSPITALS FOR THE PURPOSES OF SUPPORTING CRITICALLY NEEDED  
3 HEALTH CARE SERVICES AND TO ENSURE THE CONTINUED MAINTENANCE AND OPERA-  
4 TION OF SUCH HOSPITALS.

5 (C) PAYMENT OF THE NON-FEDERAL SHARE OF THE MEDICAL ASSISTANCE  
6 PAYMENTS MADE PURSUANT TO THIS SUBDIVISION SHALL BE THE RESPONSIBILITY  
7 OF THE STATE AND SHALL NOT INCLUDE A LOCAL SHARE. PAYMENTS MADE PURSU-  
8 ANT TO THIS SUBDIVISION MAY BE ADDED TO RATES OF PAYMENT OR MADE AS  
9 AGGREGATE PAYMENTS TO ELIGIBLE GENERAL HOSPITALS.

10 S 2. This act shall take effect on the first of April next succeeding  
11 the date on which it shall have become a law.