S T A T E O F N E W Y O R K

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I N A S S E M B L Y

April 15, 2016

Introduced by M. of A. SOLAGES -- read once and referred to the Committee on Health

AN ACT to amend the social services law, in relation to requiring patient's health home to use the adverse childhood experience questionnaire in assessing the patient's health risks and to making Medicaid reimbursement of primary care providers contingent upon the use of the adverse childhood experience questionnaire; and to require the commissioner of health to submit reports to the senate and assembly health committees

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

Section 1. The social services law is amended by adding two new sections 365-l-1 and 365-l-2 to read as follows:

S 365-L-1. STANDARDS FOR PROVISION OF HEALTH HOME SERVICES TO MEDICAID ENROLLEES WITH CHRONIC CONDITIONS. CONSISTENT WITH FEDERAL LAW TO ENSURE FEDERAL FINANCIAL PARTICIPATION, A HEALTH CARE PROFESSIONAL PROVIDING A PATIENT'S HEALTH HOME SHALL:

1. PROVIDE COMPREHENSIVE PREVENTION AND DISEASE SCREENING FOR HIS OR HER PATIENTS AND MANAGING HIS OR HER PATIENTS' CHRONIC CONDITIONS BY COORDINATING CARE;

2. ENABLE PATIENTS TO HAVE ACCESS TO PERSONAL HEALTH INFORMATION THROUGH A SECURE MEDIUM, SUCH AS THROUGH THE INTERNET, CONSISTENT WITH FEDERAL HEALTH INFORMATION TECHNOLOGY STANDARDS;

3. COLLABORATE WITH THE COMMUNITY HEALTH TEAMS, INCLUDING BY DEVELOPING AND IMPLEMENTING A COMPREHENSIVE PLAN FOR PARTICIPATING PATIENTS;

4. UTILIZE THE ADVERSE CHILDHOOD EXPERIENCE QUESTIONNAIRE IN ASSESSING A PATENT'S HEALTH AND HEALTH RISKS;

5. ENSURE ACCESS TO A PATENT'S MEDICAL RECORDS BY THE COMMUNITY HEALTH TEAM MEMBERS IN A MANNER COMPLIANT WITH THE HEALTH INSURANCE PORTABILITY AND ACCOUNTABILITY ACT, 12 V.S.A. S 1612, AND 21 V.S.A. S 516; AND

6. MEET REGULARLY WITH THE COMMUNITY HEALTH TEAM TO ENSURE INTEGRATION OF A PARTICIPATING PATIENT'S CARE.

S 365-L-2. ADVERSE CHILDHOOD EXPERIENCE QUESTIONNAIRE. 1. REIMBURSEMENT FOR PRIMARY CARE PROVIDED TO A MEDICAID PATIENT SHALL BE CONTINGENT

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

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UPON THE PROVIDER'S USE OF THE ADVERSE CHILDHOOD EXPERIENCE QUESTIONNAIRE (ACE-IQ) FOR THE PURPOSE OF ASSESSING THE PATIENT'S HEALTH RISKS. AS USED IN THIS SECTION, "PRIMARY CARE" MEANS HEALTH SERVICES PROVIDED BY HEALTH CARE PROFESSIONALS TO IDENTIFY AND TREAT ASYMPTOMATIC INDIVIDUALS WHO HAVE RISK FACTORS OR PRECLINICAL DISEASE, BUT IN WHOM THE DISEASE IS NOT CLINICALLY APPARENT, INCLUDING IMMUNIZATIONS AND SCREENING, COUNSELING, TREATMENT, AND MEDICATION DETERMINED BY SCIENTIFIC EVIDENCE TO BE EFFECTIVE IN PREVENTING OR DETECTING A CONDITION.

S 2. On or before December 15, 2016, the commissioner of health shall submit a report to the senate and assembly health committees containing recommendations on the following:

(a) whether and how trauma-informed care could be more widely incorporated into the practice of medicine throughout New York state; and

(b) whether and how the use of the advance childhood experience questionnaire and other preventive medical services could be expanded throughout New York state.

S 3. This act shall take effect on the first of July next succeeding the date upon which it shall have become a law.