

4974

2015-2016 Regular Sessions

I N S E N A T E

April 27, 2015

Introduced by Sen. ORTT -- read twice and ordered printed, and when printed to be committed to the Committee on Health

AN ACT to amend part H of chapter 59 of the laws of 2011, amending the public health law and other laws, relating to general hospital inpatient reimbursement for annual rates, in relation to supplemental Medicaid managed care payments

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

1 Section 1. Subdivision (a) of section 90 of part H of chapter 59 of
2 the laws of 2011, amending the public health law and other laws, relat-
3 ing to general hospital inpatient reimbursement for annual rates, as
4 amended by section 38 of part C of chapter 60 of the laws of 2014, is
5 amended to read as follows:
6 (a) (1) Notwithstanding any other provision of law to the contrary,
7 for the state fiscal years beginning April 1, 2011 and ending on March
8 31, 2014, all Medicaid payments made for services provided on and after
9 April 1, 2011, shall, except as hereinafter provided, be subject to a
10 uniform two percent reduction and such reduction shall be applied, to
11 the extent practicable, in equal amounts during the fiscal year,
12 provided, however, that an alternative method may be considered at the
13 discretion of the commissioner of health and the director of the budget
14 based upon consultation with the health care industry including but not
15 limited to, a uniform reduction in Medicaid rates of payments or other
16 reductions provided that any method selected achieves up to \$345,000,000
17 in Medicaid state share savings in state fiscal year 2011-12 and up to
18 \$357,000,000 annually in state fiscal years 2012-13 and 2013-14 except
19 as hereinafter provided, for services provided on and after April 1,
20 2011 through March 31, 2014. Any alternative methods to achieve the
21 reduction must be provided in writing and shall be filed with the senate
22 finance committee and the assembly ways and means committee not less
23 than thirty days before the date on which implementation is expected to

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

LBD10556-01-5

1 begin. Nothing in this section shall be deemed to prevent all or part of
2 such alternative reduction plan from taking effect retroactively, to the
3 extent permitted by the federal centers for medicare and medicaid
4 services.
5 (2) Alternative methods of cost containment as authorized and imple-
6 mented pursuant to paragraph one of this subdivision shall continue to
7 be applied and maintained for periods on and after April 1, 2014,
8 provided, however, that the commissioner of health, in consultation with
9 the director of the budget, is authorized to terminate such alternative
10 methods upon a finding that they are no longer necessary to maintain
11 essential cost savings, PROVIDED FURTHER HOWEVER THAT ON AND AFTER APRIL
12 1, 2015 THIS PARAGRAPH SHALL NOT APPLY TO FACILITIES OPERATING PURSUANT
13 TO ARTICLE 16 OF THE MENTAL HYGIENE LAW.
14 S 2. This act shall take effect immediately.