

5810

2015-2016 Regular Sessions

I N S E N A T E

June 4, 2015

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 authorizing office-based surgery practices to seek payment for the use of their facilities

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

- 1 Section 1. Section 230-d of the public health law is amended by adding
2 a new subdivision 6 to read as follows:
3 6. EVERY OFFICE-BASED SURGERY PRACTICE WITH FULL ACCREDITED STATUS
4 SHALL BE ELIGIBLE TO SEEK PAYMENT FROM A HEALTH PLAN FOR COSTS RELATED
5 TO THE USE OF THE SURGERY LOCATION OR SETTING OF SUCH PRACTICE. SUCH
6 FEE SHALL BE IN ADDITION TO THE FEE CHARGED BY THE LICENSEE FOR THE
7 PERFORMANCE OF THE COVERED OFFICE-BASED SURGERY INVOLVING AN INSURED OR
8 A HEALTH PLAN ENROLLEE; PROVIDED THAT THE HEALTH PLAN ALSO REIMBURSES
9 FOR COSTS RELATED TO THE USE OF A SURGERY LOCATION OR SETTING CHARGED IN
10 CONNECTION WITH THE SAME COVERED PROCEDURE PERFORMED AT A HOSPITAL OR
11 AMBULATORY SURGERY CENTER ORGANIZED PURSUANT TO ARTICLE TWENTY-EIGHT OF
12 THIS CHAPTER. WHEN CALCULATING THE APPROPRIATE RATE OF OFFICE-BASED
13 SURGERY RELATED REIMBURSEMENT, A HEALTH PLAN MAY ALSO TAKE INTO CONSID-
14 ERATION CERTAIN COMPARABLE AND NON-COMPARABLE COSTS AND OBLIGATIONS OF
15 AMBULATORY SURGERY CENTERS AND HOSPITALS AND ADJUST RATES ACCORDINGLY
16 AND IN A REASONABLE MANNER.
17 S 2. This act shall take effect immediately.

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

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