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I N S E N A T E

May 12, 2016

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 providers eligible to access funding under the health care facility transformation program

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

1 Section 1. Subdivisions 2 and 3 of section 2825-d of the public health
2 law, as added by section 2 of part F of chapter 59 of the laws of 2016,
3 are amended to read as follows:
4 2. The commissioner and the president of the authority shall enter
5 into an agreement, subject to approval by the director of the budget,
6 and subject to section sixteen hundred eighty-r of the public authori-
7 ties law, for the purposes of awarding, distributing, and administering
8 the funds made available pursuant to this section. Such funds may be
9 distributed by the commissioner and the president of the authority for
10 capital grants to general hospitals, residential health care facilities,
11 diagnostic and treatment centers [and], clinics licensed pursuant to
12 this chapter or the mental hygiene law, ASSISTED LIVING PROGRAMS AND
13 HOSPICE PROVIDERS, for capital non-operational works or purposes that
14 support the purposes set forth in this section. A copy of such agree-
15 ment, and any amendments thereto, shall be provided to the chair of the
16 senate finance committee, the chair of the assembly ways and means
17 committee, and the director of the division of budget no later than
18 thirty days prior to the release of a request for applications for fund-
19 ing under this program. Priority shall be given to projects not funded,
20 in whole or in part, under section twenty-eight hundred twenty-five or
21 twenty-eight hundred twenty-five-c of this article. Projects awarded,
22 in whole or part, under sections twenty-eight hundred twenty-five-a and
23 twenty-eight hundred twenty-five-b of this article shall not be eligible
24 for grants or awards made available under this section.
25 3. Notwithstanding section one hundred sixty-three of the state
26 finance law or any inconsistent provision of law to the contrary, up to
27 two hundred million dollars of the funds appropriated for this program

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

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1 shall be awarded without a competitive bid or request for proposal proc-
2 ess for capital grants to health care providers (hereafter "appli-
3 cants"). Provided however that a minimum of thirty million dollars of
4 total awarded funds shall be made to community-based health care provid-
5 ers, which, for purposes of this section shall be defined as a diagnos-
6 tic and treatment center licensed or granted an operating certificate
7 under this article; a mental health clinic licensed or granted an oper-
8 ating certificate under article thirty-one of the mental hygiene law; an
9 alcohol and substance abuse treatment clinic licensed or granted an
10 operating certificate under article thirty-two of the mental hygiene
11 law; primary care providers; [or a] home care [provider] PROVIDERS
12 certified or licensed pursuant to article thirty-six of this chapter; AN
13 ASSISTED LIVING PROGRAM LICENSED PURSUANT TO SECTION FOUR HUNDRED
14 SIXTY-ONE-L OF THE SOCIAL SERVICES LAW; OR A HOSPICE PROVIDER LICENSED
15 PURSUANT TO THIS ARTICLE. Eligible applicants shall be those deemed by
16 the commissioner to be a provider that fulfills or will fulfill a health
17 care need for acute inpatient, outpatient, primary, home care or resi-
18 dential health care services in a community.

19 S 2. This act shall take effect immediately.