

# STATE OF NEW YORK

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2546

2017-2018 Regular Sessions

## IN SENATE

January 13, 2017

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Introduced by Sens. HANNON, DeFRANCISCO, GOLDEN, LAVALLE -- read twice and ordered printed, and when printed to be committed to the Committee on Health

AN ACT to amend chapter 474 of the laws of 1996, amending the education law and other laws relating to rates for residential healthcare facilities, in relation to directing the department of health to make additional payments for inpatient services to certain public general hospitals

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

1 Section 1. Paragraph (a) of subdivision 1 of section 212 of chapter  
2 474 of the laws of 1996, amending the education law and other laws  
3 relating to rates for residential healthcare facilities, as amended by  
4 section 1 of part D of chapter 59 of the laws of 2016, is amended to  
5 read as follows:

6 (a) Notwithstanding any inconsistent provision of law or regulation to  
7 the contrary, effective beginning August 1, 1996, for the period April  
8 1, 1997 through March 31, 1998, April 1, 1998 for the period April 1,  
9 1998 through March 31, 1999, August 1, 1999, for the period April 1,  
10 1999 through March 31, 2000, April 1, 2000, for the period April 1, 2000  
11 through March 31, 2001, April 1, 2001, for the period April 1, 2001  
12 through March 31, 2002, April 1, 2002, for the period April 1, 2002  
13 through March 31, 2003, and for the state fiscal year beginning April 1,  
14 2005 through March 31, 2006, and for the state fiscal year beginning  
15 April 1, 2006 through March 31, 2007, and for the state fiscal year  
16 beginning April 1, 2007 through March 31, 2008, and for the state fiscal  
17 year beginning April 1, 2008 through March 31, 2009, and for the state  
18 fiscal year beginning April 1, 2009 through March 31, 2010, and for the  
19 state fiscal year beginning April 1, 2010 through March 31, 2016, and  
20 for the state fiscal year beginning April 1, 2016 through March 31,  
21 2019, the department of health is [~~authorized~~] required to pay public

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

LBD08153-01-7

1 general hospitals, as defined in subdivision 10 of section 2801 of the  
2 public health law, operated by the state of New York or by the state  
3 university of New York or by a county, which shall not include a city  
4 with a population of over one million, of the state of New York, and  
5 those public general hospitals located in the county of Westchester, the  
6 county of Erie or the county of Nassau, additional payments for inpa-  
7 tient hospital services as medical assistance payments pursuant to title  
8 11 of article 5 of the social services law for patients eligible for  
9 federal financial participation under title XIX of the federal social  
10 security act in medical assistance pursuant to the federal laws and  
11 regulations governing disproportionate share payments to hospitals [~~up~~  
12 ~~to~~] of one hundred percent of each such public general hospital's  
13 medical assistance and uninsured patient losses after all other medical  
14 assistance, including disproportionate share payments to such public  
15 general hospital for 1996, 1997, 1998, and 1999, based initially for  
16 1996 on reported 1994 reconciled data as further reconciled to actual  
17 reported 1996 reconciled data, and for 1997 based initially on reported  
18 1995 reconciled data as further reconciled to actual reported 1997  
19 reconciled data, for 1998 based initially on reported 1995 reconciled  
20 data as further reconciled to actual reported 1998 reconciled data, for  
21 1999 based initially on reported 1995 reconciled data as further recon-  
22 ciled to actual reported 1999 reconciled data, for 2000 based initially  
23 on reported 1995 reconciled data as further reconciled to actual  
24 reported 2000 data, for 2001 based initially on reported 1995 reconciled  
25 data as further reconciled to actual reported 2001 data, for 2002 based  
26 initially on reported 2000 reconciled data as further reconciled to  
27 actual reported 2002 data, and for state fiscal years beginning on April  
28 1, 2005, based initially on reported 2000 reconciled data as further  
29 reconciled to actual reported data for 2005, and for state fiscal years  
30 beginning on April 1, 2006, based initially on reported 2000 reconciled  
31 data as further reconciled to actual reported data for 2006, for state  
32 fiscal years beginning on and after April 1, 2007 through March 31,  
33 2009, based initially on reported 2000 reconciled data as further recon-  
34 ciled to actual reported data for 2007 and 2008, respectively, for state  
35 fiscal years beginning on and after April 1, 2009, based initially on  
36 reported 2007 reconciled data, adjusted for authorized Medicaid rate  
37 changes applicable to the state fiscal year, and as further reconciled  
38 to actual reported data for 2009, for state fiscal years beginning on  
39 and after April 1, 2010, based initially on reported reconciled data  
40 from the base year two years prior to the payment year, adjusted for  
41 authorized Medicaid rate changes applicable to the state fiscal year,  
42 and further reconciled to actual reported data from such payment year,  
43 and to actual reported data for each respective succeeding year. The  
44 payments may be added to rates of payment or made as aggregate payments  
45 to an eligible public general hospital.

46 § 2. This act shall take effect immediately.