

# STATE OF NEW YORK

7866

2017-2018 Regular Sessions

## IN ASSEMBLY

May 18, 2017

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

AN ACT to amend the social services law, in relation to school-based health centers

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

1 Section 1. Subdivision 1 of section 364-j of the social services law  
2 is amended by adding two new paragraphs (w) and (w-1) to read as  
3 follows:

4 (w) "School-based health center". A clinic licensed under article  
5 twenty-eight of the public health law or sponsored by a facility  
6 licensed under article twenty-eight of the public health law which  
7 provides primary and preventative care which may include but is not  
8 limited to health maintenance, well-child care, diagnosis and treatment  
9 of injury and acute illness, diagnosis and management of chronic  
10 disease, behavioral health services, vision care, dental care, and  
11 nutritional or other enhanced services to children and adolescents, any  
12 of which may be provided by referral, within an elementary, secondary or  
13 prekindergarten public school setting.

14 (w-1) "Sponsoring organization". A facility licensed under article  
15 twenty-eight of the public health law which acts as the sponsor for a  
16 school-based health center.

17 § 2. Subparagraph (iii) of paragraph (a) of subdivision 4 of section  
18 364-j of the social services law is amended by adding a new clause (E-2)  
19 to read as follows:

20 (E-2) the service is provided by school-based health centers: any such  
21 services provided other than by a managed care provider shall be paid in  
22 accordance with applicable reimbursement methodologies, which shall  
23 mean:

24 (1) for school-based health centers that are sponsored by a federally  
25 qualified health center, rates of reimbursement and requirements in

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

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1 accordance with those mandated by 42 U.S.C. Secs. 1396a(bb),  
2 1396b(m)(2)(A)(ix) and 1936a(a)(13)(C); and

3 (2) for school-based health centers that are sponsored by an entity  
4 licensed pursuant to article twenty-eight of the public health law that  
5 is not a federally qualified health center or is a federally qualified  
6 health center that chooses not to receive reimbursement pursuant to  
7 subclause one of this clause, rates of reimbursement at the fee for  
8 service rate for such services in effect on the effective date of this  
9 clause for the ambulatory patient group rate for the applicable service  
10 and in accordance with any future adjustments made to such rates by the  
11 department of health; provided that the commissioner of health shall  
12 develop a standard memorandum of understanding to be entered into by  
13 school-based health centers or their sponsoring organizations and  
14 managed care providers to provide for the delivery of coordinated health  
15 care and participation in quality improvement initiatives; and provided  
16 further that this clause shall not preclude a school-based health center  
17 or sponsoring organization from choosing to receive payments for  
18 services through managed care providers.

19 § 3. This act shall take effect immediately, provided that the amend-  
20 ments to section 364-j of the social services law, made by sections one  
21 and two of this act, shall not affect the expiration and repeal of such  
22 section, and shall expire and be deemed repealed therewith.