STATE OF NEW YORK

6012

2017-2018 Regular Sessions

IN SENATE

May 10, 2017

Introduced by Sen. SEWARD -- read twice and ordered printed, and when printed to be committed 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:

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

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

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

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

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

(1) for school-based health centers that are sponsored by a federally 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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accordance with those mandated by 42 U.S.C. Secs. 1396a(bb), 1396b(m)(2)(A)(ix) and 1936a(a)(13)(C); and

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

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