

STATE OF NEW YORK

2788

2019-2020 Regular Sessions

IN ASSEMBLY

January 25, 2019

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

AN ACT to amend the public health law, in relation to payments for home and community based long term care services

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

1 Section 1. The public health law is amended by adding a new section
2 3614-f to read as follows:

3 § 3614-f. Payments for home and community based long term care
4 services. The payment of claims submitted under contracts or agreements
5 with insurers under the medical assistance program for home and communi-
6 ty based long term care services provided under this article or by
7 fiscal intermediaries operating pursuant to section three hundred
8 sixty-five-f of the social services law shall provide that any funds
9 appropriated to compensate for minimum wage pursuant to section six
10 hundred fifty-two of the labor law shall be provided by insurers in
11 amendments to existing contracts with home and community based long term
12 care services providers under this article and to fiscal intermediaries
13 operating pursuant to section three hundred sixty-five-f of the social
14 services law at least ninety days prior to the effective date of any
15 such law or regulation impacting wages. Insurers shall provide such
16 funds in an amount that supplements any current contracts or agreements
17 and shall not use such funds to supplant payments for existing services
18 under the Medicaid program. Such insurers shall include but not be
19 limited to Medicaid managed care plans and Medicaid managed long term
20 care plans.

21 § 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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