STATE OF NEW YORK

2797

2019-2020 Regular Sessions

IN ASSEMBLY

January 25, 2019

Introduced by M. of A. GOTTFRIED, L. ROSENTHAL, JAFFEE, STECK, D'URSO -- Multi-Sponsored by -- M. of A. ABINANTI, CARROLL, COOK, GUNTHER -- read once and referred to the Committee on Health

AN ACT to amend the public health law, in relation to managed long term care plans not being controlled or owned by for-profit health maintenance organizations or insurers

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

Section 1. Paragraph (b) of subdivision 1 of section 4403-f of the public health law, as added by chapter 659 of the laws of 1997, is amended to read as follows:

(b) "Eligible applicant" means an entity controlled or wholly owned by one or more of the following: a hospital as defined in subdivision one of section twenty-eight hundred one of this chapter; a home care agency licensed or certified pursuant to article thirty-six of this chapter; [~~an~~] **a not-for-profit** entity that has received a certificate of authority pursuant to sections forty-four hundred three, forty-four hundred three-a or **an integrated delivery system that has received a certificate of authority pursuant to section** forty-four hundred eight-a of this article (as added by chapter six hundred thirty-nine of the laws of nineteen hundred ninety-six), or a **not-for-profit** health maintenance organization authorized under article forty-three of the insurance law; or a not-for-profit organization which has a history of providing or coordinating health care services and long term care services to the elderly and disabled. **However, an entity owned or controlled by an entity that has received a certificate of authority pursuant to section forty-four hundred three or forty-four hundred three-a of this article and has received a certificate of authority under this section prior to the effective date of a chapter of the laws of two thousand nineteen which enacted this sentence shall be deemed to be an eligible applicant.**

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

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§ 2. This act shall take effect immediately; provided, however, that the amendments to section 4403-f of the public health law made by section one of this act shall not affect the repeal of such section and shall be deemed repealed therewith.