

# STATE OF NEW YORK

4972

2019-2020 Regular Sessions

## IN SENATE

April 3, 2019

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