STATE OF NEW YORK

_____

4972--A

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 -- recommitted to
  the Committee on Health in accordance with Senate Rule 6, sec. 8 --
  committee discharged, bill amended, ordered reprinted as amended and
  recommitted to said committee

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. Contracts or agreements with insurers under the medical**
5 **assistance program for home and community based long term care services**
6 **provided under this article or by fiscal intermediaries operating pursu-**
7 **ant to section three hundred sixty-five-f of the social services law**
8 **shall provide terms and conditions for the pass-through of funds appro-**
9 **priated to compensate for minimum wage pursuant to section six hundred**
10 **fifty-two of the labor law. If necessary in order to comply with this**
11 **section, existing contracts with home and community based long term care**
12 **services providers under this article and to fiscal intermediaries oper-**
13 **ating pursuant to section three hundred sixty-five-f of the social**
14 **services law shall be amended at least ninety days prior to the effec-**
15 **tive date of any such law or regulation impacting wages. Insurers shall**
16 **not use such funds to supplant payments for existing services under the**
17 **Medicaid program. Such insurers shall include but not be limited to**
18 **Medicaid managed care plans and Medicaid managed long term care plans.**
19   § 2. This act shall take effect immediately and shall apply to poli-
20 cies and contracts issued, renewed, modified, altered or amended on or
21 after such date.

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

                                                              LBD03873-03-0