STATE OF NEW YORK

7776--A

IN SENATE

February 18, 2020

Introduced by Sens. RIVERA, MAY -- read twice and ordered printed, and when printed to be committed to the Committee on Health -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the social services law, in relation to requirements for certain state programs to obtain federal financial supports for the implementation of a delivery system reform incentive payment program

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

Section 1. Section 363-a of the social services law is amended by adding a new subdivision 5 to read as follows:

5. Notwithstanding any provision of law, regulation, rule, federal waiver request, or agency guidance to the contrary, any state program implemented pursuant to an agreement with the Centers for Medicare and Medicaid Services to obtain federal financial supports for the implementation of a delivery system reform incentive payment ("DSRIP") program consistent with section 1115A of the federal Social Security Act shall require that a minimum of forty percent of all funds awarded pursuant to a state DSRIP program on or after the date this subdivision takes effect, shall be disbursed to community-based health care providers for the exclusive purpose of supporting the programs and services defined in this subdivision. For purposes of this subdivision, community-based health care providers shall be defined as a diagnostic and treatment center licensed or granted an operating certificate under article twenty-eight of the public health law other than those owned, operated, or controlled by a general hospital as defined in section twenty-eight hundred one of the public health law; a mental health outpatient provider licensed or granted an operating certificate under article thirty-one of the mental hygiene law; a substance use disorder treatment provider licensed or granted an operating certificate under article thirty-two of the mental hygiene law; a clinic licensed or granted an operating certificate under article sixteen of the mental hygiene law; a patient-centered medical home other than those owned, operated, or controlled by a general hospital as defined in section twenty-eight hundred one of the

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

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public health law; a community-based program funded under the office of mental health, the office for people with developmental disabilities, the office of addiction services and supports or through a local government unit as defined under article forty-one of the mental hygiene law (except programs eligible for funding as part of a DSRIP social determinant of health network); a home care provider certified or licensed pursuant to article thirty-six of the public health law; a hospice provider licensed or granted an operating certificate under article forty of the public health law; or a family and child service provider licensed under article twenty-nine-I of the public health law.

§ 2. This act shall take effect immediately.