

STATE OF NEW YORK

1146

2019-2020 Regular Sessions

IN ASSEMBLY

January 14, 2019

Introduced by M. of A. GOTTFRIED, LAVINE, LENTOL, ENGLEBRIGHT, BARRON, WRIGHT, ORTIZ, STIRPE, ABBATE, SIMON, MAGNARELLI, CARROLL, RICHARDSON, PERRY, WALLACE, D'URSO, ABINANTI, LIFTON, RAIA, LUPARDO -- read once and referred to the Committee on Health

AN ACT to amend chapter 474 of the laws of 1996, amending the education law and other laws relating to rates for residential healthcare facilities, in relation to directing the department of health to make additional payments for inpatient services to certain public general hospitals

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

1 Section 1. Paragraph (a) of subdivision 1 of section 212 of chapter
2 474 of the laws of 1996, amending the education law and other laws
3 relating to rates for residential healthcare facilities, as amended by
4 section 1 of part D of chapter 59 of the laws of 2016, is amended to
5 read as follows:
6 (a) Notwithstanding any inconsistent provision of law or regulation to
7 the contrary, effective beginning August 1, 1996, for the period April
8 1, 1997 through March 31, 1998, April 1, 1998 for the period April 1,
9 1998 through March 31, 1999, August 1, 1999, for the period April 1,
10 1999 through March 31, 2000, April 1, 2000, for the period April 1, 2000
11 through March 31, 2001, April 1, 2001, for the period April 1, 2001
12 through March 31, 2002, April 1, 2002, for the period April 1, 2002
13 through March 31, 2003, and for the state fiscal year beginning April 1,
14 2005 through March 31, 2006, and for the state fiscal year beginning
15 April 1, 2006 through March 31, 2007, and for the state fiscal year
16 beginning April 1, 2007 through March 31, 2008, and for the state fiscal
17 year beginning April 1, 2008 through March 31, 2009, and for the state
18 fiscal year beginning April 1, 2009 through March 31, 2010, and for the
19 state fiscal year beginning April 1, 2010 through March 31, 2016, and
20 for the state fiscal year beginning April 1, 2016 through March 31,

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

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1 2019, the department of health is [~~authorized~~ **required** to pay public
2 general hospitals, as defined in subdivision 10 of section 2801 of the
3 public health law, operated by the state of New York or by the state
4 university of New York or by a county, which shall not include a city
5 with a population of over one million, of the state of New York, and
6 those public general hospitals located in the county of Westchester, the
7 county of Erie or the county of Nassau, additional payments for inpa-
8 tient hospital services as medical assistance payments pursuant to title
9 11 of article 5 of the social services law for patients eligible for
10 federal financial participation under title XIX of the federal social
11 security act in medical assistance pursuant to the federal laws and
12 regulations governing disproportionate share payments to hospitals [~~up~~
13 ~~to~~] **of** one hundred percent of each such public general hospital's
14 medical assistance and uninsured patient losses after all other medical
15 assistance, including disproportionate share payments to such public
16 general hospital for 1996, 1997, 1998, and 1999, based initially for
17 1996 on reported 1994 reconciled data as further reconciled to actual
18 reported 1996 reconciled data, and for 1997 based initially on reported
19 1995 reconciled data as further reconciled to actual reported 1997
20 reconciled data, for 1998 based initially on reported 1995 reconciled
21 data as further reconciled to actual reported 1998 reconciled data, for
22 1999 based initially on reported 1995 reconciled data as further recon-
23 ciled to actual reported 1999 reconciled data, for 2000 based initially
24 on reported 1995 reconciled data as further reconciled to actual
25 reported 2000 data, for 2001 based initially on reported 1995 reconciled
26 data as further reconciled to actual reported 2001 data, for 2002 based
27 initially on reported 2000 reconciled data as further reconciled to
28 actual reported 2002 data, and for state fiscal years beginning on April
29 1, 2005, based initially on reported 2000 reconciled data as further
30 reconciled to actual reported data for 2005, and for state fiscal years
31 beginning on April 1, 2006, based initially on reported 2000 reconciled
32 data as further reconciled to actual reported data for 2006, for state
33 fiscal years beginning on and after April 1, 2007 through March 31,
34 2009, based initially on reported 2000 reconciled data as further recon-
35 ciled to actual reported data for 2007 and 2008, respectively, for state
36 fiscal years beginning on and after April 1, 2009, based initially on
37 reported 2007 reconciled data, adjusted for authorized Medicaid rate
38 changes applicable to the state fiscal year, and as further reconciled
39 to actual reported data for 2009, for state fiscal years beginning on
40 and after April 1, 2010, based initially on reported reconciled data
41 from the base year two years prior to the payment year, adjusted for
42 authorized Medicaid rate changes applicable to the state fiscal year,
43 and further reconciled to actual reported data from such payment year,
44 and to actual reported data for each respective succeeding year. The
45 payments may be added to rates of payment or made as aggregate payments
46 to an eligible public general hospital.

47 § 2. This act shall take effect immediately.