

# STATE OF NEW YORK

1208

2019-2020 Regular Sessions

## IN ASSEMBLY

January 14, 2019

Introduced by M. of A. GOTTFRIED, RAIA, LUPARDO, D'URSO, WOERNER, STECK, TAGUE -- Multi-Sponsored by -- M. of A. PALMESANO -- read once and referred to the Committee on Health

AN ACT to amend the public health law, in relation to authorizing collaborative programs for community paramedicine services

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

1 Section 1. Section 2805-x of the public health law, as added by  
2 section 48 of part B of chapter 57 of the laws of 2015, is amended to  
3 read as follows:

4 § 2805-x. Hospital-home care-physician collaboration program. 1. The  
5 purpose of this section shall be to facilitate innovation in hospital,  
6 home care agency and physician collaboration in meeting the community's  
7 health care needs. It shall provide a framework to support voluntary  
8 initiatives in collaboration to improve patient care access and manage-  
9 ment, patient health outcomes, cost-effectiveness in the use of health  
10 care services and community population health. Such collaborative hospi-  
11 tal-home care-physician initiatives may also include payors, skilled  
12 nursing facilities, emergency medical services and other interdiscipli-  
13 nary providers, practitioners and service entities as part of such  
14 hospital-home care-physician collaborative provided, however, that in  
15 the case of collaborative community paramedicine as set forth in this  
16 section and article thirty of this chapter, the collaborative shall  
17 minimally comprise hospital, home care, physician, and emergency medical  
18 services partners.

19 2. For purposes of this section:

20 (a) "Hospital" shall include a general hospital as defined in this  
21 article or other inpatient facility for rehabilitation or specialty care  
22 within the definition of hospital in this article.

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

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1 (b) "Home care agency" shall mean a certified home health agency, long  
2 term home health care program or licensed home care services agency as  
3 defined in article thirty-six of this chapter.

4 (c) "Payor" shall mean a health plan approved pursuant to article  
5 forty-four of this chapter, or article thirty-two or forty-three of the  
6 insurance law.

7 (d) "Practitioner" shall mean any of the health, mental health or  
8 health related professions licensed pursuant to title eight of the  
9 education law.

10 (e) "Emergency medical services" (EMS) shall mean the services of an  
11 ambulance service or an advanced life support first response service  
12 certified under article thirty of this chapter staffed by emergency  
13 medical technicians or advanced emergency medical technicians to provide  
14 basic or advanced life support and, for the purposes of the community  
15 paramedicine collaboration model set forth in subdivision four of this  
16 section, also to provide such services pursuant to such models in  
17 circumstances other than the initial emergency medical care and trans-  
18 portation of sick and injured persons.

19 3. The commissioner is authorized to provide financing including, but  
20 not limited to, grants or positive adjustments in medical assistance  
21 rates or premium payments, to the extent of funds available and allo-  
22 cated or appropriated therefor, including funds provided to the state  
23 through federal waivers, funds made available through state appropri-  
24 ations and/or funding through section twenty-eight hundred seven-v of  
25 this article, as well as waivers of regulations under title ten of the  
26 New York codes, rules and regulations, to support the voluntary initi-  
27 atives and objectives of this section. Nothing in this section shall be  
28 construed to limit, or to imply the need for state approval of, collabo-  
29 rative initiatives enumerated in this section which are otherwise  
30 permissible under law or regulation, provided however that the approval  
31 of the commissioner shall be required for either state funding or regu-  
32 latory waivers as provided for under this section.

33 4. Hospital-home care-physician collaborative initiatives under this  
34 section may include, but shall not be limited to:

35 (a) Hospital-home care-physician integration initiatives, including  
36 but not limited to:

37 (i) transitions in care initiatives to help effectively transition  
38 patients to post-acute care at home, coordinate follow-up care and  
39 address issues critical to care plan success and readmission avoidance;

40 (ii) clinical pathways for specified conditions, guiding patients'  
41 progress and outcome goals, as well as effective health services use;

42 (iii) application of telehealth/telemedicine services in monitoring  
43 and managing patient conditions, and promoting self-care/management,  
44 improved outcomes and effective services use;

45 (iv) facilitation of physician house calls to homebound patients  
46 and/or to patients for whom such home visits are determined necessary  
47 and effective for patient care management;

48 (v) additional models for prevention of avoidable hospital readmis-  
49 sions and emergency room visits;

50 (vi) health home development;

51 (vii) development and demonstration of new models of integrated or  
52 collaborative care and care management not otherwise achievable through  
53 existing models; [~~and~~]

54 (viii) bundled payment demonstrations for hospital-to-post-acute-care  
55 for specified conditions or categories of conditions, in particular,  
56 conditions predisposed to high prevalence of readmission, including

1 those currently subject to federal/state penalty, and other discharges  
2 with extensive post-acute needs; and

3 (ix) models of community paramedicine, under which hospitals, emergen-  
4 cy medical services who utilize employed or volunteer emergency medical  
5 technicians or advanced emergency medical technicians, physicians and  
6 home care agencies, in joint partnership, may develop and implement a  
7 plan for the collaborative provision of services in community settings.  
8 In addition to emergency services provided under article thirty of this  
9 chapter, models of community paramedicine may include collaborative  
10 services to at-risk individuals living in the community to prevent emer-  
11 gencies, avoidable emergency room need, avoidable transport and poten-  
12 tially avoidable hospital admissions and readmissions; community param-  
13 edicine services to individuals with behavioral health conditions, or  
14 developmental or intellectual disabilities, shall further include the  
15 collaboration of appropriate providers of behavioral health services  
16 licensed or certified under the mental hygiene law;

17 (b) Recruitment, training and retention of hospital/home care direct  
18 care staff and physicians, in geographic or clinical areas of demon-  
19 strated need. Such initiatives may include, but are not limited to, the  
20 following activities:

21 (i) outreach and public education about the need and value of service  
22 in health occupations;

23 (ii) training/continuing education and regulatory facilitation for  
24 cross-training to maximize flexibility in the utilization of staff,  
25 including:

26 (A) training of hospital nurses in home care;

27 (B) dual certified nurse aide/home health aide certification; ~~and~~

28 (C) dual personal care aide/HHA certification; and

29 (D) orientation and/or collaborative training of EMS, hospital, home  
30 care, physician and, as necessary, other participating provider staff in  
31 community paramedicine;

32 (iii) salary/benefit enhancement;

33 (iv) career ladder development; and

34 (v) other incentives to practice in shortage areas; and

35 (c) Hospital - home care - physician collaboratives for the care and  
36 management of special needs, high-risk and high-cost patients, including  
37 but not limited to best practices, and training and education of direct  
38 care practitioners and service employees.

39 5. Hospitals and home care agencies which are provided financing or  
40 waivers pursuant to this section shall report to the commissioner on the  
41 patient, service and cost experiences pursuant to this section, includ-  
42 ing the extent to which the project goals are achieved. The commissioner  
43 shall compile and make such reports available on the department's  
44 website.

45 § 2. The public health law is amended by adding a new section 3001-a  
46 to read as follows:

47 § 3001-a. Community paramedicine services. Notwithstanding any incon-  
48 sistent provision of this article, an emergency medical technician or  
49 advanced emergency medical technician in course of his or her work as an  
50 employee or volunteer of an ambulance service or an advanced life  
51 support first response service certified under this article to provide  
52 emergency medical services may also participate in models of community  
53 paramedicine pursuant to section twenty-eight hundred five-x of this  
54 chapter.

55 § 3. This act shall take effect immediately.