

# STATE OF NEW YORK

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339

2019-2020 Regular Sessions

## IN SENATE

(Prefiled)

January 9, 2019

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Introduced by Sen. AKSHAR -- 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 exemptions from assessments on residential health care facilities

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

1 Section 1. Subparagraph (vi) of paragraph (b) of subdivision 2 of  
2 section 2807-d of the public health law, as amended by section 3 of part  
3 I of chapter 57 of the laws of 2017, is amended to read as follows:  
4 (vi) Notwithstanding any contrary provision of this paragraph or any  
5 other provision of law or regulation to the contrary, for residential  
6 health care facilities the assessment shall be six percent of each resi-  
7 dential health care facility's gross receipts received from all patient  
8 care services (except receipts attributable to services paid for by the  
9 patient, a natural person or custodian of the assets of the patient or  
10 other natural person on behalf of the patient, or an estate or trust on  
11 behalf of the patient; provided that such trust or the settlor thereof  
12 is not subject to regulation under the insurance law or this chapter)  
13 and other operating income on a cash basis for the period April first,  
14 two thousand two through March thirty-first, two thousand three for  
15 hospital or health-related services, including adult day services;  
16 provided, however, that residential health care facilities' gross  
17 receipts attributable to payments received pursuant to title XVIII of  
18 the federal social security act (medicare) shall be excluded from the  
19 assessment; provided, however, that for all such gross receipts received  
20 on or after April first, two thousand three through March thirty-first,  
21 two thousand five, such assessment shall be five percent, and further  
22 provided that for all such gross receipts received on or after April  
23 first, two thousand five through March thirty-first, two thousand nine,  
24 and on or after April first, two thousand nine through March thirty-

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

LBD05376-01-9

1 first, two thousand eleven such assessment shall be six percent, and  
2 further provided that for all such gross receipts received on or after  
3 April first, two thousand eleven through March thirty-first, two thou-  
4 sand thirteen such assessment shall be six percent, and further provided  
5 that for all such gross receipts received on or after April first, two  
6 thousand thirteen through March thirty-first, two thousand fifteen such  
7 assessment shall be six percent, and further provided that for all such  
8 gross receipts received on or after April first, two thousand fifteen  
9 through March thirty-first, two thousand seventeen such assessment shall  
10 be six percent, and further provided that for all such gross receipts  
11 received on or after April first, two thousand seventeen through March  
12 thirty-first, two thousand nineteen such assessment shall be six  
13 percent.

14 § 2. This act shall take effect on the ninetieth day after it shall  
15 have become a law.