STATE OF NEW YORK

470

2019-2020 Regular Sessions

IN SENATE

(Prefiled)

January 9, 2019

Introduced by Sen. RIVERA -- 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 diagnostic and treatment centers providing care to the indigent which are eligible for the allocation of state funds

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

Section 1. Paragraph (a) of subdivision 2 of section 2807-p of the public health law, as amended by section 55 of part A of chapter 58 of the laws of 2007, is amended to read as follows:

(a) "Eligible diagnostic and treatment centers", for purposes of this section, shall mean voluntary non-profit and publicly sponsored diagnostic and treatment centers providing a comprehensive range of primary health care services, or is a freestanding diagnostic and treatment center receiving a comprehensive family planning reproductive health services grant from the department, which can demonstrate losses from disproportionate share of uncompensated care during a base period two years prior to the grant period; provided that for periods on and after January first, two thousand four an eligible diagnostic and treatment center shall not include any voluntary non-profit diagnostic and treatment center controlling, controlled by or under common control with a health maintenance organization, as defined by subdivision one of section forty-four hundred one of this chapter; provided further that for purposes of this section, a health maintenance organization shall not include a prepaid health services plan licensed pursuant to section forty-four hundred three-a of this chapter. For periods on and after July first, two thousand three, the base period and the grant period shall be the calendar year.

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

LBD05008-01-9

§ 2. Paragraph (c) of subdivision 3 of section 2807-p of the public health law, as amended by section 55 of part A of chapter 58 of the laws of 2007, is amended to read as follows:

(c) To be eligible for an allocation of funds or a rate adjustment pursuant to this section, a diagnostic and treatment center must provide a comprehensive range of primary health care services**, or is a free-standing diagnostic and treatment center receiving a comprehensive family planning reproductive health services grant from the department,** and must demonstrate that a minimum of five percent of total clinic visits reported during the applicable base year period were to uninsured individuals. The commissioner may retrospectively reduce the allocations of funds or the rate adjustments to a diagnostic and treatment center if it is determined that provider management actions or decisions have caused a significant reduction for the grant period in the delivery of comprehensive primary health care services to uncompensated care residents of the community.

§ 3. This act shall take effect April 1, 2020.