

# STATE OF NEW YORK

7776

## IN SENATE

February 18, 2020

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 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:

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

3 5. Notwithstanding any provision of law, regulation, rule, federal  
4 waiver request, or agency guidance to the contrary, any state program  
5 implemented pursuant to an agreement with the Centers for Medicare and  
6 Medicaid Services to obtain federal financial supports for the implemen-  
7 tation of a delivery system reform incentive payment ("DSRIP") program  
8 consistent with section 1115A of the federal Social Security Act shall  
9 require that a minimum of forty percent of all funds awarded pursuant to  
10 a state DSRIP program on or after November twenty-seventh, two thousand  
11 nineteen, shall be disbursed to community-based health care providers  
12 for the exclusive purpose of supporting the programs and services  
13 defined in this subdivision. For purposes of this subdivision, communi-  
14 ty-based health care providers shall be defined as a diagnostic and  
15 treatment center licensed or granted an operating certificate under  
16 article twenty-eight of the public health law other than those owned,  
17 operated, or controlled by a general hospital as defined in section  
18 twenty-eight hundred one of the public health law; a mental health  
19 outpatient provider licensed or granted an operating certificate under  
20 article thirty-one of the mental hygiene law; a substance use disorder  
21 treatment provider licensed or granted an operating certificate under  
22 article thirty-two of the mental hygiene law; a clinic licensed or  
23 granted an operating certificate under article sixteen of the mental  
24 hygiene law; a patient-centered medical home other than those owned,  
25 operated, or controlled by a general hospital as defined in section  
26 twenty-eight hundred one of the public health law; a community-based  
27 program funded under the office of mental health, the office for people

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

LBD15406-01-0

1 with developmental disabilities, the office of addiction services and  
2 supports or through a local government unit as defined under article  
3 forty-one of the mental hygiene law (except programs eligible for fund-  
4 ing as part of a DSRIP social determinant of health network); a home  
5 care provider certified or licensed pursuant to article thirty-six of  
6 the public health law; a hospice provider licensed or granted an operat-  
7 ing certificate under article forty of the public health law; or a fami-  
8 ly and child service provider licensed under article twenty-nine-I of  
9 the public health law.

10 § 2. This act shall take effect immediately and shall be deemed to  
11 have been in full force and effect on and after April 1, 2020.