

STATE OF NEW YORK

161

2021-2022 Regular Sessions

IN ASSEMBLY

(Prefiled)

January 6, 2021

Introduced by M. of A. GOTTFRIED -- read once and referred to the
Committee on Health

AN ACT to amend the public health law, in relation to payments for home
and community based long term care services

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

1 Section 1. The public health law is amended by adding a new section
2 3614-f to read as follows:

3 § 3614-f. Payments for home and community based long term care
4 services. Contracts or agreements with insurers under the medical
5 assistance program for home and community based long term care services
6 provided under this article or by fiscal intermediaries operating pursu-
7 ant to section three hundred sixty-five-f of the social services law
8 shall provide terms and conditions for the pass-through of funds appro-
9 priated to compensate for minimum wage pursuant to section six hundred
10 fifty-two of the labor law. If necessary in order to comply with this
11 section, existing contracts with home and community based long term care
12 services providers under this article and to fiscal intermediaries oper-
13 ating pursuant to section three hundred sixty-five-f of the social
14 services law shall be amended at least ninety days prior to the effec-
15 tive date of any such law or regulation impacting wages. Insurers shall
16 not use such funds to supplant payments for existing services under the
17 Medicaid program. Such insurers shall include but not be limited to
18 Medicaid managed care plans and Medicaid managed long term care plans.

19 § 2. This act shall take effect immediately and shall apply to poli-
20 cies and contracts issued, renewed, modified, altered or amended on or
21 after such date.

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

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