

# STATE OF NEW YORK

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269

2021-2022 Regular Sessions

## IN ASSEMBLY

(Prefiled)

January 6, 2021

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Introduced by M. of A. GOTTFRIED -- read once and referred 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 Assem-  
bly, 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 the date this subdivision takes  
11 effect, shall be disbursed to community-based health care providers for  
12 the exclusive purpose of supporting the programs and services defined in  
13 this subdivision. For purposes of this subdivision, community-based  
14 health care providers shall be defined as a diagnostic and treatment  
15 center licensed or granted an operating certificate under article twen-  
16 ty-eight of the public health law other than those owned, operated, or  
17 controlled by a general hospital as defined in section twenty-eight  
18 hundred one of the public health law; a mental health outpatient provid-  
19 er licensed or granted an operating certificate under article thirty-one  
20 of the mental hygiene law; a substance use disorder treatment provider  
21 licensed or granted an operating certificate under article thirty-two of  
22 the mental hygiene law; a clinic licensed or granted an operating  
23 certificate under article sixteen of the mental hygiene law; a patient-

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

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centered medical home other than those owned, operated, or controlled by a general hospital as defined in section twenty-eight hundred one of the public health law; a community-based program funded under the office of mental health, the office for people with developmental disabilities, the office of addiction services and supports or through a local government unit as defined under article forty-one of the mental hygiene law (except programs eligible for funding as part of a DSRIP social determinant of health network); a home care provider certified or licensed pursuant to article thirty-six of the public health law; a hospice provider licensed or granted an operating certificate under article forty of the public health law; or a family and child service provider licensed under article twenty-nine-I of the public health law.

§ 2. This act shall take effect immediately.