STATE OF NEW YORK

5368--A

2021-2022 Regular Sessions

IN ASSEMBLY

February 16, 2021

Introduced by M. of A. McDONALD, GOTTFRIED, BYRNES -- read once and referred to the Committee on Health -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the social services law, in relation to providing parity to durable medical equipment providers by requiring Medicaid managed care organizations to reimburse such providers at no less than one hundred percent of the medical assistance durable medical equipment and complex rehabilitation technology fee schedule for the same service or item

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

Section 1. Subdivision 4 of section 364-j of the social services law is amended by adding a new paragraph (w) to read as follows:

(w) Managed care providers shall pay, directly or indirectly, for durable medical equipment, prosthetics, orthotics, and related supplies at no less than one hundred percent of the medical assistance durable medical equipment and complex rehabilitation technology fee schedule for the same service or item.

§ 2. This act shall take effect on the ninetieth day after it shall have become a law, provided, however, that the amendments to subdivision 4 of section 364-j of the social services law made by section one of this act shall not affect the repeal of such section and shall be deemed repealed therewith.

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

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