

# STATE OF NEW YORK

6034

2021-2022 Regular Sessions

## IN ASSEMBLY

March 4, 2021

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

AN ACT to amend the public health law, in relation to managed long term care plans not being controlled or owned by for-profit health maintenance organizations or insurers

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

1 Section 1. Paragraph (b) of subdivision 1 of section 4403-f of the  
2 public health law, as added by chapter 659 of the laws of 1997, is  
3 amended to read as follows:

4 (b) "Eligible applicant" means an entity controlled or wholly owned by  
5 one or more of the following: a hospital as defined in subdivision one  
6 of section twenty-eight hundred one of this chapter; a home care agency  
7 licensed or certified pursuant to article thirty-six of this chapter;  
8 [~~an~~] a not-for-profit entity that has received a certificate of authority  
9 pursuant to sections forty-four hundred three, forty-four hundred  
10 three-a or an integrated delivery system that has received a certificate  
11 of authority pursuant to section forty-four hundred eight-a of this  
12 article (as added by chapter six hundred thirty-nine of the laws of  
13 nineteen hundred ninety-six), or a not-for-profit health maintenance  
14 organization authorized under article forty-three of the insurance law;  
15 or a not-for-profit organization which has a history of providing or  
16 coordinating health care services and long term care services to the  
17 elderly and disabled; provided, however, that an entity owned or  
18 controlled by an entity that has received a certificate of authority  
19 pursuant to section forty-four hundred three or forty-four hundred  
20 three-a of this article and has received a certificate of authority  
21 under this section prior to the effective date of the chapter of the  
22 laws of two thousand nineteen which amended this paragraph shall be  
23 deemed to be an eligible applicant.

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

LBD08247-01-1

1 § 2. This act shall take effect immediately; provided, however, that  
2 the amendments to section 4403-f of the public health law made by  
3 section one of this act shall not affect the repeal of such section and  
4 shall be deemed repealed therewith.