STATE OF NEW YORK

2238--B

2021-2022 Regular Sessions

IN SENATE

January 20, 2021

Introduced by Sens. BROOKS, ADDABBO, BIAGGI, BORRELLO, BOYLE, COMRIE, GAUGHRAN, HARCKHAM, KAMINSKY, KAPLAN, MATTERA, MAY, ORTT, PALUMBO, REICHLIN-MELNICK, RITCHIE, SALAZAR, SERRANO, STEC, THOMAS, WEIK -- read twice and ordered printed, and when printed to be committed to the Committee on Health -- recommitted to the Committee on Health in accordance with Senate Rule 6, sec. 8 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the public health law, in relation to requiring specific reserved bed days at the New York State Veterans' Homes

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

Section 1. Section 2808 of the public health law is amended by adding a new subdivision 25-a to read as follows:

25-a. Reserved bed days for state veterans' homes. (a) For purposes of this subdivision, a "reserved bed day" is a day for which the state pays New York State Veterans' Home at Oxford, the New York State Veterans' Home at St. Albans, the New York State Veterans' Home at Batavia, the New York State Veterans' Home at Montrose or the Long Island State Veterans' Home to reserve a bed for a person eligible for medical assistance pursuant to title eleven of article five of the social services law while he or she is temporarily hospitalized.

(b) (i) Payments for reserved bed days shall be made at fifty percent of the Medicaid rate otherwise payable to the facility for services provided on behalf of the person.

(ii) Payment to a facility for reserved bed days provided on behalf of the person for temporary hospitalizations may not exceed fourteen days in any twelve-month period.

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

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(iii) The person must have resided in the applicable State Veterans' home for at least thirty days since the date of his or her initial admission.

(iv) Unless medically contraindicated, the applicable State Veterans' home shall reserve the same bed and room the person occupied before being hospitalized or placed on a therapeutic leave of absence.

(v) Reserved bed days under this subdivision are in addition to reserve bed days for therapeutic leave of absence under subdivision twenty-five of this section.

(vi) This subdivision shall apply subject to the availability of federal financial participation.

§ 2. This act shall take effect on the ninetieth day after it shall have become a law. Effective immediately the commissioner of health shall make regulations and take other actions reasonably necessary to implement this act on that date.