

# STATE OF NEW YORK

5676

2021-2022 Regular Sessions

## IN SENATE

March 16, 2021

Introduced by Sen. RIVERA -- read twice and ordered printed, and when printed to be committed to the Committee on Disabilities

AN ACT to amend the public health law, in relation to a review and recommendations of reimbursement adequacy and other matters relating to early intervention

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

1 Section 1. The public health law is amended by adding a new section  
2 2559-c to read as follows:

3 § 2559-c. Early intervention rate adequacy review. 1. The commissioner  
4 shall review the rates of reimbursement made through the early inter-  
5 vention program for rate adequacy. The review shall include:

6 (a) a comprehensive assessment of the existing methodology used to  
7 determine payment for early intervention screenings, evaluations,  
8 services and service coordination, including but not limited to:

9 (i) analysis of early intervention rules, regulations, and policies,  
10 including policies, processes, and revenue sources;

11 (ii) analysis of costs to providers participating in the early inter-  
12 vention program, including time and cost of travel, service provision,  
13 and administrative activities; and

14 (iii) analysis by discipline and labor region of salary levels for  
15 individuals providing early intervention services compared to the salary  
16 levels for individuals in the same disciplines and labor regions provid-  
17 ing services other than in the early intervention program;

18 (b) recommendations for maintaining or changing reimbursement method-  
19 ologies. Recommendations under this paragraph shall be consistent with  
20 federal law and shall include recommendations for appropriate changes in  
21 state law and regulations. The recommendations shall consider appropri-  
22 ate payment methodologies and rates for in-person and telehealth early  
23 intervention evaluations and services to address barriers in timely  
24 service provision as well as racial and socioeconomic disparities in

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

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1 access, with consideration of factors including, but not limited to,  
2 payment for bilingual services, travel time, geographic variability,  
3 access to and cost of technology, cost of living, and other barriers to  
4 timely service provision;

5 (c) the projected number of children who will need early intervention  
6 services in the next five years disaggregated by county;

7 (d) the workforce needed to provide services in the next five years to  
8 all children eligible for early intervention services, disaggregated by  
9 county; and

10 (e) opportunities for stakeholder input on current rate methodologies.

11 2. Within one year after the effective date of this section, the  
12 commissioner shall submit a report of the findings and recommendations  
13 under this section to the governor, the temporary president of the  
14 senate, the speaker of the assembly, and the chairs of the senate and  
15 assembly committees on health, and shall post the report on the depart-  
16 ment's website.

17 § 2. This act shall take effect immediately.