

# STATE OF NEW YORK

1327

2021-2022 Regular Sessions

## IN SENATE

January 11, 2021

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

AN ACT to amend the public health law, in relation to payments to rural hospitals designated as critical access hospitals

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

1 Section 1. Subdivision 2-a of section 2807 of the public health law is  
2 amended by adding a new paragraph (j) to read as follows:

3 (j) Notwithstanding any other provision of this subdivision or any  
4 other provision of law to the contrary and, subject to an appropriation  
5 therefor, on and after April first, two thousand twenty-three, rates of  
6 payment for diagnostic and treatment center services, emergency  
7 services, general hospital inpatient and outpatient services, ambulatory  
8 surgical services and referred ambulatory services, provided by a rural  
9 hospital designated as a critical access hospital in accordance with  
10 title XVIII of the federal social security act shall be equal to one  
11 hundred one percent of the reasonable costs of a facility in providing  
12 such services to patients eligible for payments made in accordance with  
13 this subdivision. Reasonable costs shall be determined in a manner  
14 consistent with that used to determine payment for outpatient critical  
15 access hospital services provided to beneficiaries of title XVIII of the  
16 federal social security act. For facilities without adequate cost expe-  
17 rience, such rates shall be based on budgeted costs subsequently  
18 adjusted to one hundred one percent of reasonable actual costs.

19 § 2. This act shall take effect immediately; provided, however, that  
20 the implementation of the provisions of this act shall be subject to the  
21 appropriation of moneys specifically for the purposes thereof.

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

LBD01172-01-1