

STATE OF NEW YORK

2126

2021-2022 Regular Sessions

IN SENATE

January 19, 2021

Introduced by Sens. RIVERA, MAY -- read twice and ordered printed, and when printed to be committed to the Committee on Health

AN ACT to amend the social services law, in relation to requirements for certain state programs to obtain federal financial supports for the implementation of a delivery system reform incentive payment program

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

1 Section 1. Section 363-a of the social services law is amended by
2 adding a new subdivision 5 to read as follows:

3 5. Notwithstanding any provision of law, regulation, rule, federal
4 waiver request, or agency guidance to the contrary, any state program
5 implemented pursuant to an agreement with the Centers for Medicare and
6 Medicaid Services to obtain federal financial supports for the implemen-
7 tation of a delivery system reform incentive payment ("DSRIP") program
8 consistent with section 1115A of the federal Social Security Act shall
9 require that a minimum of forty percent of all funds awarded pursuant to
10 a state DSRIP program on or after the date this subdivision takes
11 effect, shall be disbursed to community-based health care providers for
12 the exclusive purpose of supporting the programs and services defined in
13 this subdivision. For purposes of this subdivision, community-based
14 health care providers shall be defined as a diagnostic and treatment
15 center licensed or granted an operating certificate under article twenty-
16 eight of the public health law other than those owned, operated, or
17 controlled by a general hospital as defined in section twenty-eight
18 hundred one of the public health law; a mental health outpatient provid-
19 er licensed or granted an operating certificate under article thirty-one
20 of the mental hygiene law; a substance use disorder treatment provider
21 licensed or granted an operating certificate under article thirty-two of
22 the mental hygiene law; a clinic licensed or granted an operating
23 certificate under article sixteen of the mental hygiene law; a patient-
24 centered medical home other than those owned, operated, or controlled by

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

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1 a general hospital as defined in section twenty-eight hundred one of the
2 public health law; a community-based program funded under the office of
3 mental health, the office for people with developmental disabilities,
4 the office of addiction services and supports or through a local govern-
5 ment unit as defined under article forty-one of the mental hygiene law
6 (except programs eligible for funding as part of a DSRIP social determi-
7 nant of health network); a home care provider certified or licensed
8 pursuant to article thirty-six of the public health law; a hospice
9 provider licensed or granted an operating certificate under article
10 forty of the public health law; or a family and child service provider
11 licensed under article twenty-nine-I of the public health law.

12 § 2. This act shall take effect immediately.