STATE OF NEW YORK

4070--A

2023-2024 Regular Sessions

IN ASSEMBLY

February 9, 2023

Introduced by M. of A. GUNTHER, KELLES, BUTTENSCHON -- read once and referred to the Committee on Mental Health -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the mental hygiene law, in relation to reimbursement of certain programs and services for persons with a disability

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

Section 1. The mental hygiene law is amended by adding a new section 43.13 to read as follows:

§ 43.13 Reimbursement of certain programs and services for persons with a disability.

If a person who qualifies for and has entered into a program and/or received a service furnished by a local service provider pursuant to subdivision (a) of section 13.15 of this chapter subsequently enters into a different program and/or receives a different service not yet approved by the commissioner, provided such approval is ultimately granted, the local service provider shall be reimbursed, after such services have been rendered and approved, the cost of such program and/or service as if it had been approved prior to such person's admission into such program or receipt of such service. If a service is ultimately not approved and reimbursement has already occurred, such reimbursement shall be returned to the office for people with developmental disabilities within sixty days of notice of such denial. This section shall apply to any services rendered on and after one year prior to the effective date of this section.

§ 2. This act shall take effect immediately.

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

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