

STATE OF NEW YORK

5784

2023-2024 Regular Sessions

IN ASSEMBLY

March 23, 2023

Introduced by M. of A. E. BROWN, JENSEN -- read once and referred to the Committee on Health

AN ACT to amend the public health law, in relation to Medicaid reimbursement rates for early intervention services

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

1 Section 1. Subdivision 2 of section 2557 of the public health law, as
2 amended by chapter 820 of the laws of 2021, is amended to read as
3 follows:

4 2. The department shall reimburse the approved costs paid by a munici-
5 pality for the purposes of this title, other than those reimbursable by
6 the medical assistance program, in an amount of fifty percent of the
7 amount expended in accordance with the rules and regulations of the
8 commissioner; provided, however, that in the discretion of the depart-
9 ment and with the approval of the director of the division of the budg-
10 et, the department may reimburse municipalities in an amount greater
11 than fifty percent of the amount expended; provided, further, on and
12 after April first, two thousand twenty-three, the department shall reim-
13 burse municipalities in an amount of sixty-six percent or more. Such
14 state reimbursement to the municipality shall not be paid prior to April
15 first of the year in which the approved costs are paid by the munici-
16 pality, provided, however that, subject to the approval of the director
17 of the budget, the department may pay such state aid reimbursement to
18 the municipality prior to such date.

19 § 2. Section 2559 of the public health law is amended by adding a new
20 subdivision 6 to read as follows:

21 6. On and after April first, two thousand twenty-three, the commis-
22 sioner shall review the rates of reimbursement made through the early
23 intervention program for rate adequacy. The review shall include, but
24 not be limited to:

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

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

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

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

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

13 (b) recommendations for maintaining or changing reimbursement method-
14 ologies. The commissioner shall make such recommendations within one
15 year of the effective date of this section. Copies of such recommenda-
16 tions shall be submitted to the governor, the temporary president of the
17 senate, the speaker of the assembly, and the chairs of the senate and
18 assembly committees on health, and shall post the report on the depart-
19 ment's website.

20 § 3. This act shall take effect immediately.