STATE OF NEW YORK

8205--A

2023-2024 Regular Sessions

IN ASSEMBLY

October 27, 2023

Introduced by M. of A. McDONALD, BURDICK, FAHY, SHIMSKY, BUTTENSCHON, CUNNINGHAM, O'DONNELL, THIELE, SANTABARBARA, STIRPE, LEVENBERG, LUNSFORD, BENDETT, McDONOUGH, BRABENEC, SLATER, WOERNER, LAVINE, SEAWRIGHT, ARDILA, PAULIN, DAVILA -- read once and referred to the Committee on Health -- recommitted to the Committee on Health in accordance with Assembly Rule 3, sec. 2 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the public health law, in relation to review of projects affecting the availability of maternity services

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

Section 1. Subparagraph (v) of paragraph (a) of subdivision 2 of section 2803 of the public health law, as added by chapter 807 of the laws of 1985, is amended to read as follows:

(v) standards and procedures relating to hospital operating certificates, provided however, that the council shall establish minimum acceptable standards and procedures equal to the standards and procedures which federal law and regulation require for hospitals to qualify as providers pursuant to titles XVIII and XIX of the federal social security act. The existing state standards and procedures in effect on the date that this subdivision becomes effective shall be deemed to constitute maximum standards and procedures for purposes of limiting medical assistance reimbursement pursuant to the social services law. Such standards and procedures may thereafter be changed or added to by the council only upon the recommendation of the commissioner. For the purposes of ensuring that the health and safety of the residents of hospitals are not endangered, the council may promulgate changes in the minimum acceptable standards and procedures referred to herein upon recommendation of the commissioner**. Provided, however, the commissioner shall promulgate regulations requiring that the addition of, decertif-**

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

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ication of, or changes in the method of delivery of perinatal services by a general hospital shall be subject to an application under this article that requires review and approval by the council, and

§ 2. This act shall take effect immediately.