STATE OF NEW YORK

2189

2023-2024 Regular Sessions

IN SENATE

January 19, 2023

Introduced by Sen. BAILEY -- 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 expanding health care plan contract coverage for any health care provider for one hundred twenty days after the termination of such contract

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

Section 1. Subdivision 5-d of section 4406-c of the public health law, as added by chapter 451 of the laws of 2007, and as relettered by chapter 237 of the laws of 2009, is amended to read as follows:

5-d. If a contract between a plan and [~~a hospital~~] **any health care provider** is not renewed or is terminated by either party, the parties shall continue to abide by the terms of such contract, including reimbursement terms, for a period of [~~two months~~] **one hundred twenty days** from the effective date of termination or, in the case of a non-renewal, from the end of the contract period. Notice shall be provided to all enrollees potentially affected by such termination or non-renewal within fifteen days after commencement of the [~~two months~~] **one hundred twenty day** period. The commissioner shall have the authority to waive the [~~two months~~] **one hundred twenty day** period upon the request of either party to a contract that is being terminated for cause. This subdivision shall not apply where both parties mutually agree in writing to the termination or non-renewal and the plan provides notice to the enrollee at least thirty days in advance of the date of contract termination.

§ 2. This act shall take effect immediately; provided, however that the amendments to subdivision 5-d of section 4406-c of the public health law made by section one of this act shall not affect the repeal of such subdivision and shall be deemed repealed therewith.

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

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