

# STATE OF NEW YORK

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4097

2023-2024 Regular Sessions

## IN SENATE

February 3, 2023

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Introduced by Sen. GOUNARDES -- read twice and ordered printed, and when printed to be committed to the Committee on Civil Service and Pensions

AN ACT to amend the civil service law, in relation to certain reports relating to health benefits for state and retired state employees

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

1 Section 1. Subdivision 9 of section 162 of the civil service law, as  
2 added by chapter 147 of the laws of 2014, is amended to read as follows:

3 9. (a) (i) As soon as is practicable, but no later than the first of  
4 September, two thousand fourteen, the department shall, upon request,  
5 but no more frequently than semi-annually, provide to any participating  
6 employer a standard report which contains data relating to the use of  
7 benefits by persons covered under the plan by such employer. Such report  
8 shall include: premiums paid by month for each month covered in the  
9 report and paid claims by month for the following categories of  
10 services: inpatient hospital, outpatient hospital, in network medical,  
11 out of network medical, prescription drugs, and treatment of behavioral  
12 conditions, each reported separately. To the extent allowed by state and  
13 federal privacy laws, such report shall also contain claims information  
14 for individual claimants for claims in excess of fifty thousand dollars  
15 that were paid in any of the months covered by the report.

16 (ii) The department shall provide such reports to any participating  
17 employer, upon request submitted on or after the first of April for data  
18 from the first of January through the thirty-first of December of the  
19 prior year, and on or after the first of September for data from the  
20 first of June of the prior year through the thirty-first of May of the  
21 current year, within thirty days of receipt of said request. However,  
22 requests submitted in the two thousand fourteen calendar year shall be  
23 provided as soon as practicable, but no later than the first of September,  
24 two thousand fourteen, or within thirty days after said request if

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

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1 request is submitted on or after the first of August, two thousand four-  
2 teen.

3 (b) As soon as practicable, but not later than December first of each  
4 year, the department shall collect and analyze healthcare claims data to  
5 develop, and make publicly available, a New York state health benefit  
6 plan hospital pricing report. The president must collect healthcare  
7 claims data relating to the price and utilization of hospital benefits  
8 by active employees, retired employees, and their dependents receiving  
9 benefits from the prior state fiscal year, in accordance with provisions  
10 under this article. The report shall include, but not be limited to, a  
11 comparative analysis of hospital prices paid by the plan based on the  
12 following service categories: (i) inpatient hospital, (ii) outpatient  
13 hospital, and (iii) emergency room services; and within each service  
14 category the report shall include the price per service and gross amount  
15 spent on the top inpatient, outpatient and emergency room services with-  
16 in each service category. The report shall compare the prices to the  
17 process for similar services reimbursed under title eighteen of the  
18 social security act. Such report shall also include a comprehensive  
19 analysis of the prior five years of hospital prices and expenditures to  
20 establish trends in hospital prices and total expenditures for the plan.  
21 Such report shall be delivered to the senate finance committee, the  
22 assembly ways and means committee, the chairs of the health committees  
23 in each house, the chair of the senate civil service and pensions  
24 committee, and the chair of the assembly committee on government employ-  
25 ees, on or before December thirty-first of each year, and such report  
26 shall be posted on the department's website no later than January first  
27 of the following calendar year. For purposes of this paragraph, "health-  
28 care claims data" means any claims for inpatient, outpatient, or ambula-  
29 tory surgical services or other services normally submitted to the  
30 third-party payer on form UB-04 or successor forms, with UB-04 being the  
31 billing form identified by the federal Centers for Medicare and Medicaid  
32 Services.

33 § 2. This act shall take effect immediately.