STATE OF NEW YORK

6570

2023-2024 Regular Sessions

IN SENATE

April 27, 2023

Introduced by Sen. ASHBY -- 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 updating rate components for the non-capital component of rates of payment by governmental agencies for inpatient services provided by residential health care facilities

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

Section 1. Paragraph (a) of subdivision 2-c of section 2808 of the public health law, as added by section 95 of part H of chapter 59 of the laws of 2011, is amended to read as follows:

(a) Notwithstanding any inconsistent provision of this section or any other contrary provision of law and subject to the availability of federal financial participation, the non-capital component of rates of payment by governmental agencies for inpatient services provided by residential health care facilities on or after October first, two thousand eleven, but no later than January first, two thousand twelve, shall reflect a direct statewide price component, and indirect statewide price component, and a facility specific non-comparable component, utilizing allowable operating costs for a base year as determined by the commissioner by regulation. Such rate components shall be periodically updated to reflect changes in operating costs. **Provided, however, that such rate components shall be updated no later than January first, two thousand twenty-five and no less than every five years thereafter, using the most currently available cost report data, which updates shall include but not be limited to an update of rate components to reflect actual base year costs.**

§ 2. This act shall take effect immediately and shall be deemed to have been in full force and effect on and after April 1, 2023.

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

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