

STATE OF NEW YORK

959

2023-2024 Regular Sessions

IN SENATE

January 9, 2023

Introduced by Sens. COONEY, GALLIVAN, HELMING -- 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 coverage of air ambulance transport in the child health plus program

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

1 Section 1. Subdivision 7 of section 2510 of the public health law, as
2 amended by section 1 of part DDD of chapter 56 of the laws of 2022, is
3 amended to read as follows:

4 7. "Covered health care services" means: the services of physicians,
5 optometrists, nurses, nurse practitioners, midwives and other related
6 professional personnel which are provided on an outpatient basis,
7 including routine well-child visits; diagnosis and treatment of illness
8 and injury; inpatient health care services; laboratory tests; diagnostic
9 x-rays; prescription and non-prescription drugs, ostomy and other
10 medical supplies and durable medical equipment; radiation therapy;
11 chemotherapy; hemodialysis; outpatient blood clotting factor products
12 and other treatments and services furnished in connection with the care
13 of hemophilia and other blood clotting protein deficiencies; emergency
14 room services; air ambulance services; ambulance services; hospice
15 services; emergency, preventive and routine dental care, including
16 orthodontia but excluding cosmetic surgery; emergency, preventive and
17 routine vision care, including eyeglasses; speech and hearing services;
18 inpatient and outpatient mental health, alcohol and substance abuse
19 services, including children and family treatment and support services,
20 children's home and community based services, assertive community treat-
21 ment services and residential rehabilitation for youth services which
22 shall be reimbursed in accordance with the ambulatory patient group
23 (APG) rate-setting methodology as utilized by the department of health,
24 the office of addiction services and supports, or the office of mental
25 health for rate-setting purposes or any such other fees established

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

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1 pursuant to article forty-three of the mental hygiene law; and health-
2 related services provided by voluntary foster care agency health facili-
3 ties licensed pursuant to article twenty-nine-I of this chapter; as
4 defined by the commissioner. "Covered health care services" shall not
5 include drugs, procedures and supplies for the treatment of erectile
6 dysfunction when provided to, or prescribed for use by, a person who is
7 required to register as a sex offender pursuant to article six-C of the
8 correction law, provided that any denial of coverage of such drugs,
9 procedures or supplies shall provide the patient with the means of
10 obtaining additional information concerning both the denial and the
11 means of challenging such denial.
12 § 2. This act shall take effect immediately.