STATE OF NEW YORK

10629

IN ASSEMBLY

June 20, 2024

Introduced by COMMITTEE ON RULES -- (at request of M. of A. Rajkumar) -- read once and referred to the Committee on Health

AN ACT to amend the social services law, in relation to capitated payments under medical assistance for needy persons

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

Section 1. Section 367-a of the social services law is amended by adding a new subdivision 13 to read as follows:

13. (a) Any inconsistent provision of this chapter or other law notwithstanding, on and after the effective date of this subdivision, all payments with respect to medical assistance shall be capitated payments.

(b) The commissioner may develop and assign patients rating categories based on risk for the purposes of developing reimbursement methodologies and payments under this subdivision.

§ 2. Section 364-j of the social services law is amended by adding a new subdivision 3-a to read as follows:

3-a. Special contract provisions. Any capitation payment system for medical assistance under this article may include contract arrangements that further adjust the payment amounts, including but not limited to incentive arrangements, pass-through payments, risk corridor mechanisms, or withhold arrangements as defined by 42 CFR 438.6.

§ 3. No later than one year after the effective date of this act, the commissioner of health shall provide drafts of legislation necessary to convert all payments under the medical assistance for needy persons program from fee-for-service payments to capitated payments, to the governor, the temporary president of the senate and the speaker of the assembly.

§ 4. This act shall take effect immediately, provided that sections one and two of this act shall take effect five years after such effective date; and provided, further, that the amendments to section 364-j of the social services law, made by section two of this act, shall not affect the repeal of such section, and shall be deemed repealed therewith. Effective immediately, the commissioner of health shall make regulations and take other actions, including applying for federal waivers and submitting state Medicaid plan amendments, reasonably necessary to implement the provisions of this act.

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

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