

# STATE OF NEW YORK

4070--A

2023-2024 Regular Sessions

## IN ASSEMBLY

February 9, 2023

Introduced by M. of A. GUNTHER, KELLES, BUTTENSCHON -- read once and referred to the Committee on Mental Health -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the mental hygiene law, in relation to reimbursement of certain programs and services for persons with a disability

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

1 Section 1. The mental hygiene law is amended by adding a new section  
2 43.13 to read as follows:

3 § 43.13 Reimbursement of certain programs and services for persons with  
4 a disability.

5 If a person who qualifies for and has entered into a program and/or  
6 received a service furnished by a local service provider pursuant to  
7 subdivision (a) of section 13.15 of this chapter subsequently enters  
8 into a different program and/or receives a different service not yet  
9 approved by the commissioner, provided such approval is ultimately  
10 granted, the local service provider shall be reimbursed, after such  
11 services have been rendered and approved, the cost of such program  
12 and/or service as if it had been approved prior to such person's admis-  
13 sion into such program or receipt of such service. If a service is ulti-  
14 mately not approved and reimbursement has already occurred, such  
15 reimbursement shall be returned to the office for people with develop-  
16 mental disabilities within sixty days of notice of such denial. This  
17 section shall apply to any services rendered on and after one year prior  
18 to the effective date of this section.

19 § 2. This act shall take effect immediately.

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

LBD04872-03-3