STATE OF NEW YORK

5784

2023-2024 Regular Sessions

IN ASSEMBLY

March 23, 2023

Introduced by M. of A. E. BROWN, JENSEN -- read once and referred to the Committee on Health

AN ACT to amend the public health law, in relation to Medicaid reimbursement rates for early intervention services

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

Section 1. Subdivision 2 of section 2557 of the public health law, as amended by chapter 820 of the laws of 2021, is amended to read as follows:

2. The department shall reimburse the approved costs paid by a municipality for the purposes of this title, other than those reimbursable by the medical assistance program, in an amount of fifty percent of the amount expended in accordance with the rules and regulations of the commissioner; provided, however, that in the discretion of the department and with the approval of the director of the division of the budget, the department may reimburse municipalities in an amount greater than fifty percent of the amount expended**; provided, further, on and after April first, two thousand twenty-three, the department shall reimburse municipalities in an amount of sixty-six percent or more**. Such state reimbursement to the municipality shall not be paid prior to April first of the year in which the approved costs are paid by the municipality, provided, however that, subject to the approval of the director of the budget, the department may pay such state aid reimbursement to the municipality prior to such date.

§ 2. Section 2559 of the public health law is amended by adding a new subdivision 6 to read as follows:

6. On and after April first, two thousand twenty-three, the commissioner shall review the rates of reimbursement made through the early intervention program for rate adequacy. The review shall include, but not be limited to:

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

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(a) a comprehensive assessment of the existing methodology used to determine payment for early intervention screenings, evaluations, services and service coordination, including but not limited to:

(i) analysis of early intervention rules, regulations, and policies, including policies, processes, and revenue sources;

(ii) analysis of costs to providers participating in the early intervention program, including time and cost of travel, service provision, and administrative activities; and

(iii) analysis by discipline and labor region of salary levels for individuals providing early intervention services compared to the salary levels for individuals in the same disciplines and labor regions providing services other than in the early intervention program; and

(b) recommendations for maintaining or changing reimbursement methodologies. The commissioner shall make such recommendations within one year of the effective date of this section. Copies of such recommendations shall be submitted to the governor, the temporary president of the senate, the speaker of the assembly, and the chairs of the senate and assembly committees on health, and shall post the report on the department's website.

§ 3. This act shall take effect immediately.