# STATE OF NEW YORK

3445

2023-2024 Regular Sessions

# IN SENATE

January 31, 2023

Introduced by Sen. 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 payments to rural hospitals designated as critical access hospitals

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

Section 1. Subdivision 2-a of section 2807 of the public health law is amended by adding a new paragraph (j) to read as follows:

**(j) Notwithstanding any other provision of this subdivision or any other provision of law to the contrary and, subject to an appropriation therefor, on and after April first, two thousand twenty-five, rates of payment for diagnostic and treatment center services, emergency services, general hospital inpatient and outpatient services, ambulatory surgical services and referred ambulatory services, provided by a rural hospital designated as a critical access hospital in accordance with title XVIII of the federal social security act shall be equal to one hundred one percent of the reasonable costs of a facility in providing such services to patients eligible for payments made in accordance with this subdivision. Reasonable costs shall be determined in a manner consistent with that used to determine payment for outpatient critical access hospital services provided to beneficiaries of title XVIII of the federal social security act. For facilities without adequate cost experience, such rates shall be based on budgeted costs subsequently adjusted to one hundred one percent of reasonable actual costs.**

§ 2. This act shall take effect immediately; provided, however, that the implementation of the provisions of this act shall be subject to the appropriation of moneys specifically for the purposes thereof.

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

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