STATE OF NEW YORK

4788

2023-2024 Regular Sessions

IN SENATE

February 14, 2023

Introduced by Sen. RIVERA -- read twice and ordered printed, and when printed to be committed to the Committee on Health

AN ACT to amend the social services law, in relation to reimbursement of transportation costs for certain enrollees under Medicaid

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

Section 1. Subparagraph (vi) of paragraph (b) of subdivision 4 of section 365-h of the social services law, as added by section 2 of part LL of chapter 56 of the laws of 2020, is amended to read as follows:

(vi) [~~Responsibility~~] **The broker authorized under this paragraph shall not have responsibility** for transportation services provided or arranged for enrollees of managed long term care plans issued certificates of authority under section forty-four hundred three-f of the public health law, [~~not including~~] **nor** a program designated as a Program of All-Inclusive Care for the Elderly (PACE) as authorized by Federal Public law 1053-33, subtitle I of title IV of the Balanced Budget Act of 1997[~~, and, at the commissioner's discretion, other plans that integrate benefits for dually eligible Medicare and Medicaid beneficiaries based on a demonstration by the plan that inclusion of transportation within the benefit package will result in cost efficiencies and quality improvement, shall be transferred to a transportation management broker that has a contract with the commissioner in accordance with this paragraph~~]. Providers of adult day health care may elect to, but shall not be required to, use the services of the transportation management broker.

§ 2. This act shall take effect immediately; provided that the amendments to subdivision 4 of section 365-h of the social services law shall be subject to the expiration and reversion of such section pursuant to subdivision (a) of section 40 of part B of chapter 109 of the laws of 2010, as amended, and shall be deemed to expire therewith.

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

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