STATE OF NEW YORK

4788--A

Cal. No. 917

2023-2024 Regular Sessions

IN SENATE

February 14, 2023

Introduced by Sens. RIVERA, MAYER -- read twice and ordered printed, and when printed to be committed to the Committee on Health -- recommitted to the Committee on Health in accordance with Senate Rule 6, sec. 8 -- reported favorably from said committee and committed to the Committee on Finance -- reported favorably from said committee, ordered to first report, amended on first report, ordered to a second report and ordered reprinted, retaining its place in the order of second report

AN ACT to amend the social services law, in relation to the use of transportation management brokers

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 for transportation services provided or arranged for enrollees of~~] **Providers of adult day health care and** managed long term care plans issued certificates of authority under section forty-four hundred three-f of the public health law[~~, not including~~] **may elect to, but shall not be required to, use the services of the transportation management broker. Provided, however,** 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~~]

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

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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.