STATE OF NEW YORK

5473

2023-2024 Regular Sessions

IN SENATE

March 6, 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 public health law, in relation to payments for home and community based long term care services

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

Section 1. The public health law is amended by adding a new section 3614-g to read as follows:

§ 3614-g. Payments for home and community based long term care services. Contracts or agreements with insurers under the medical assistance program for home and community based long term care services provided under this article or by fiscal intermediaries operating pursuant to section three hundred sixty-five-f of the social services law shall provide terms and conditions for the pass-through of funds appropriated to compensate for minimum wage pursuant to section six hundred fifty-two of the labor law. If necessary in order to comply with this section, existing contracts with home and community based long term care services providers under this article and to fiscal intermediaries operating pursuant to section three hundred sixty-five-f of the social services law shall be amended at least ninety days prior to the effective date of any such law or regulation impacting wages. Insurers shall not use such funds to supplant payments for existing services under the Medicaid program. Such insurers shall include but not be limited to Medicaid managed care plans and Medicaid managed long term care plans.

§ 2. This act shall take effect immediately and shall apply to policies and contracts issued, renewed, modified, altered or amended on or after such date.

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

LBD08064-01-3