STATE OF NEW YORK

7049

2023-2024 Regular Sessions

IN SENATE

May 17, 2023

Introduced by Sen. SKOUFIS -- 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 prior authorization and payments from the medical indemnity fund

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

Section 1. Paragraph (b) of subdivision 2 of section 2999-j of the public health law, as amended by section 3 of part K of chapter 57 of the laws of 2019, is amended and a new paragraph (b-1) is added to read as follows:

(b) if any prior authorization is required by such regulation, the regulation shall require that requests for prior authorization be processed within a reasonably prompt period of time and shall identify a process for prompt administrative review of any denial of a request for prior authorization; [~~and~~]

(b-1) if any prior authorization is required by such regulation, the regulation shall require establishing a mechanism for submission of requests for prior authorization by health care providers directly to the fund; and

§ 2. Paragraph (b) of subdivision 8 of section 2999-j of the public health law, as added by section 52 of part H of chapter 59 of the laws of 2011, is amended and a new paragraph (c) is added to read as follows:

(b) thereupon certify to the commissioner of taxation and finance those costs that have been determined to be qualifying health care costs to be paid from the fund[~~.~~]**; and**

(c) notify the qualified plaintiff which of such costs are qualifying health care costs to be paid from the fund along with which of such costs are not qualifying health care costs to be paid from the fund in a reasonably prompt period of time.

§ 3. This act shall take effect on the ninetieth day after it shall have become a law.

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

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