

# STATE OF NEW YORK

8486--B

Cal. No. 1400

## IN SENATE

February 5, 2024

Introduced by Sens. HINCHEY, MAY, ASHBY, BORRELLO, MATTERA, OBERACKER, PALUMBO, ROLISON, WEBER, WEIK -- read twice and ordered printed, and when printed to be committed to the Committee on Health -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- 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 Medicaid reimbursement for treatment in place and transportation to alternative health care settings by ambulance services

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

1 Section 1. The social services law is amended by adding a new section  
2 367-y to read as follows:

3 § 367-y. Reimbursement for treatment in place and transportation to  
4 alternative health care settings. 1. Notwithstanding any provision of  
5 law to the contrary, any provision of this title providing for  
6 reimbursement of transportation costs for an ambulance service shall  
7 also apply where, instead of providing transportation to a general  
8 hospital, such ambulance service when responding to an emergency call:

9 (a) Administers treatment in place, including but not limited to tele-  
10 health visits approved by Medicaid for reimbursement when deemed neces-  
11 sary; and/or

12 (b) Transports an individual to an alternative health care setting.

13 2. For the purposes of this section, the following terms shall have  
14 the following meanings:

15 (a) "Alternative health care setting" means the following facilities  
16 or institutions approved by Medicaid for reimbursement and accepting  
17 Medicaid recipients:

18 (i) a crisis stabilization center or certified community behavioral  
19 health clinic operating pursuant to article thirty-six of the mental  
20 hygiene law;

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

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1 (ii) a facility under section 7.17 of the mental hygiene law;  
2 (iii) a facility providing addiction disorder services or behavioral  
3 health services, as such terms are defined by section 1.03 of the mental  
4 hygiene law;

5 (iv) a diagnostic and treatment center established pursuant to article  
6 twenty-eight of the public health law, or an upgraded diagnostic and  
7 treatment center designated as such pursuant to section twenty-nine  
8 hundred fifty-six of the public health law;

9 (v) a federally qualified health center; or

10 (vi) an urgent care center, which for the purposes of this section  
11 shall mean a facility that provides episodic care related to an acute  
12 illness or minor traumas that are not life-threatening or permanently  
13 disabling.

14 (b) "Ambulance service" shall have the same meaning as defined by  
15 section three thousand one of the public health law.

16 (c) "General hospital" shall have the same meaning as defined by  
17 section twenty-eight hundred one of the public health law.

18 (d) "Treatment in place" means the administration of emergency medical  
19 services, as defined by section three thousand one of the public health  
20 law, by an employee or volunteer of an ambulance service. Such services  
21 shall be consistent with protocols promulgated pursuant to article thir-  
22 ty of the public health law.

23 § 2. This act shall take effect on the first of October next succeed-  
24 ing the date on which it shall have become a law.