

# STATE OF NEW YORK

9568

## IN SENATE

May 16, 2024

Introduced by Sen. BRESLIN -- 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 the application of certain provisions relating to the operating component of rates of payment made by governmental agencies for certain services

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

1 Section 1. Paragraph (c) of subdivision 2-c of section 2808 of the  
2 public health law, as added by section 95 of part H of chapter 59 of the  
3 laws of 2011, is amended to read as follows:

4 (c) The non-capital component of the rates for: (i) AIDS facilities or  
5 discrete AIDS units within facilities; (ii) discrete units for residents  
6 receiving care in a long-term inpatient rehabilitation program for trau-  
7 matic brain injured persons; (iii) discrete units providing specialized  
8 programs for residents requiring behavioral interventions; (iv) discrete  
9 units for long-term ventilator dependent residents; and (v) facilities  
10 or discrete units within facilities that provide extensive nursing,  
11 medical, psychological and counseling support services solely to chil-  
12 dren shall reflect the rates in effect for such facilities on January  
13 first, two thousand nine, as adjusted for inflation and rate appeals in  
14 accordance with applicable statutes, provided, however, that such rates  
15 for facilities described in this subparagraph shall reflect the applica-  
16 tion of the provisions of subdivision twenty-four of this section, and  
17 provided, [~~however~~] further, that such rates for facilities described in  
18 subparagraph (i) of this paragraph shall reflect the application of the  
19 provisions of section twelve of part D of chapter fifty-eight of the  
20 laws of two thousand nine, and provided further, however, that insofar  
21 as such rates reflect trend adjustments for trend factors attributable  
22 to the two thousand eight and two thousand nine calendar years the  
23 aggregate amount of such trend factor adjustments shall be subject to  
24 the provisions of section two of part D of chapter fifty-eight of the  
25 laws of two thousand nine, as amended.

26 § 2. This act shall take effect immediately.

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

LBD15205-02-4