§ 4307. Providers of services. (a) Any hospital service corporation or health service corporation may provide benefits for the rendering of hospital service to persons covered under its contracts (i) by hospitals maintained by the state or any of its political subdivisions, or maintained by a corporation organized for hospital purposes under the not-for-profit corporation law, (ii) by such other hospitals, convalescent institutions and nursing homes as shall have been approved by the commissioner of health for such purpose, (iii) with such private or public instrumentalities providing home nursing services as shall have been approved by the commissioner of health for such purpose, and/or (iv) subject to the approval of the superintendent, with similar corporations of other states and hospitals of other states subject to the supervision of such other states.

* (d) In the event a health maintenance organization which is either licensed as a health service corporation under this article or is operating pursuant to a certificate of authority granted in accordance with the provisions of article forty-four of the public health law, or any other health service corporation is deemed insolvent, as provided in subsection (c) of section four thousand three hundred ten of this article, then no individual subscriber or enrollee of, or served by, the health maintenance organization or health service corporation shall be liable to any provider of health care services for any covered services of the insolvent health maintenance organization or health service corporation. No provider of health care services or any representative of such provider shall collect or attempt to collect from the individual subscriber or enrollee sums owed by a health maintenance organization or health service corporation deemed insolvent, and no provider or representative of such provider may maintain any action at law against an individual subscriber or enrollee to collect sums owed to such provider by such health maintenance organization or health service corporation.

* NB Amended by § 112-a and Repealed by § 143 of 639/96

* § 4307. Providers of services. (a) Any hospital service corporation or health service corporation may provide benefits for the rendering of hospital service to persons covered under its contracts (i) by hospitals maintained by the state or any of its political subdivisions, or maintained by a corporation organized for hospital purposes under the

not-for-profit corporation law, (ii) by such other hospitals, convalescent institutions and nursing homes as shall have been approved by the commissioner of health for such purpose, (iii) with such private or public instrumentalities providing home nursing services as shall have been approved by the commissioner of health for such purpose, and/or (iv) subject to the approval of the superintendent, with similar corporations of other states and hospitals of other states subject to the supervision of such other states.

(b) All rates of payments to hospitals, nursing homes, convalescent institutions and instrumentalities providing home nursing services made by such corporation pursuant to the contracts provided for in subsection (a) hereof shall prior to payment, (i) in the case of institutions subject to article twenty-eight of the public health law, be certified by the commissioner of health pursuant to the provisions of such article twenty-eight of the public health law and approved by the superintendent, and, (ii) in the case of other institutions, approved as to reasonableness by the superintendent.

(c) Notwithstanding subsections (a) and (b) of this section, approval by the superintendent shall not be required for rates of payment by article forty-three corporations for in-patient hospital services provided after December thirty-first, nineteen hundred eighty-three by general hospitals subject to article twenty-eight of the public health law.

(d) After approval by the superintendent each corporation organized under this article shall notify each hospital and health related service of its approved rates of payment for out-patient services, in instances where such rates are determined on the basis of a cost based formula, at least thirty days prior to the beginning of each rate year.

* NB Expired January 1, 1986. Remains effective prior to such date. See ch 906/85 § 3