§ 2807-d-1. Hospital quality contributions. 1. Notwithstanding any contrary provision of law and subject to the receipt of all necessary federal approvals or waivers, for periods on and after July first, two thousand eleven, a quality contribution shall be imposed on the inpatient revenue of each general hospital that is received for the provision of inpatient obstetrical patient care services in an amount equal to one and six-tenths percent of such revenue, as defined in accordance with paragraph (a) of subdivision three of section twenty-eight hundred seven-d of this article, provided, however, that in the event the commissioner, in consultation with the director of the budget, determines that such quality contribution shall raise less than or more than the total quality collection amount set forth in subdivision two of this section, the commissioner, in consultation with the director of the budget, may promulgate regulations, and may promulgate emergency regulations, increasing or decreasing such quality contributions by amounts sufficient to ensure the collection of such annual quality contribution amount.

2. The annual quality contribution amount referenced in subdivision one of this section shall be thirty million dollars for the state fiscal year beginning April first, two thousand eleven, and for each subsequent state fiscal year thereafter it shall be the amount of the preceding year as increased by the ten year rolling average of the medical component of the consumer price index as published by the United States department of labor, bureau of labor statistics, for the preceding ten years.

3. The quality contributions described in this section shall be administered in accordance with and subject to the provisions of subdivisions four, five, six, seven, eight and twelve of section twenty-eight hundred seven-d of this article, provided, however, that such quality contributions shall be deposited in the HCRA resources fund as established pursuant to section ninety-two-dd of the state finance law; and provided further, however, that such contributions shall not be an allowable cost in the determination of reimbursement rates of payment computed pursuant to this article.