

DRAFT LBDC

INSERT PART P

A BUDGET BILL submitted by the Governor
in accordance with Article VII of the Constitution

AN ACT to increase Medicaid payments to providers through managed care organizations and provide equivalent fees through an ambulatory patient group methodology relating thereto

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

1 Section 1. Notwithstanding any contrary provision of law, the commis-
2 sioner of mental health is authorized, subject to the approval of the
3 director of the budget, to transfer to the commissioner of health state
4 funds to be utilized as the state share for the purpose of increasing
5 payments under the medicaid program to managed care organizations
6 licensed under article 44 of the public health law or under article 43
7 of the insurance law. Such managed care organizations shall utilize such
8 funds for the purpose of reimbursing hospital-based and free-standing
9 clinics licensed pursuant to article 28 of the public health law, pursu-
10 ant to article 31 of the mental hygiene law or pursuant to both such
11 provisions of law for outpatient mental health services, as determined
12 by the commissioner of health in consultation with the commissioner of
13 mental health, provided to medicaid eligible outpatients. Such
14 reimbursement shall be in the form of fees for such services which are
15 equivalent to the payments established for such services under the ambu-
16 latory patient group (APG) rate-setting methodology as utilized by the
17 department of health or by the office of mental health for rate-setting
18 purposes; provided, however, that the increase to such fees that shall
19 result from the provisions of this section shall not, in the aggregate
20 and as determined by the commissioner of health in consultation with the

1 commissioner of mental health, be greater than the increased funds made
2 available pursuant to this section. The commissioner of health may, in
3 consultation with the commissioner of mental health, promulgate regu-
4 lations, including emergency regulations, as are necessary to implement
5 the provisions of this section.

6 § 2. This act shall take effect April 1, 2010.