

2007-08 Executive Budget
21-Day AMENDMENTS
February 21, 2007

**Amendments to Senate 2108; Assembly 4308
(Health and Mental Hygiene Article VII Bill)**

Part A, relating to the Health Care Reform Act (HCRA) is amended to:

- Remove an inadvertent error with respect to the placement of a bracket in the Physician's Excess Medical Malpractice Insurance language.
- Modify the Child Health Plus facilitated enrollment language to permit a five year extension of facilitated enrollment contracts based on the last Request for Proposal.
- Modify the Diagnostic and Treatment Center (D&TC) Indigent Care Pool language to retain an existing exclusion that prevents D&TCs controlled by Managed Care Organizations from participating in the Pool.
- Modify the High Need Indigent Care language to extend the program through March 31, 2008 (consistent with HCRA) and specify that distributions will be based upon a new need-based methodology.
- Amend the governance of the Public Asset Fund to authorize the Governor to select the chairperson to the Board of Directors; modify the role of the Board regarding investments, divestitures and asset management; provide for the approval of the Director of the Budget to execute financial and related transactions; and direct the Director of the Budget, in consultation with the Fund's Board and the Office of the State Comptroller, to provide investment guidelines.

Part B, relating to the Department of Health (DOH) Budget is amended to:

- Modify statutory requirements related to the posting of prescription drug prices on the DOH website. The amendment requires pharmacies to report data to DOH, consistent with current requirements under Education Law, rather than use Medicaid data which may not provide an accurate picture of retail drug costs.

Part C, relating to authorizing Medicaid cost containment measures and reforms to provide access to health insurance coverage is amended to:

- Add language to authorize the Department of Health to require Medicaid and Family Health Plus program recipients to provide documentation of residence and income at recertification.
- Add language to allow New York to continue providing Medicaid family planning services for undocumented immigrants.
- Add language to include licensed home care services agencies(LHCSA) and long term home health care programs(LTHHCP)as eligible providers for the chronic illness demonstration projects.
- Add language to extend the authority for the Program of All Inclusive Care for the Elderly until December 31, 2009.

- Amend language to ensure that IDA financing applies to continuing care retirement communities.
- Amend the New York False Claims Act to comply with Federal requirements.
- Modify the Hospital Priority Restoration Pool language to ensure that the rate adjustments are allocated proportionally based on each eligible hospital's reported Medicaid patient discharges.
- Establish various effective dates for these provisions.