



STATE OF NEW YORK
EXECUTIVE CHAMBER
ALBANY 12224

VETO #271

November 20, 2015

TO THE SENATE:

I am returning herewith, without my approval, the following bill:

Senate Bill Number 5878, entitled:

“AN ACT to amend the public health law, in relation to rebasing of the episodic reimbursement methodology for certified home health agencies”

NOT APPROVED

This bill would cap the impact of updated Certified Home Health Agency (CHHA) episodic pricing rates, for the periods 2009 through 2013, to the levels estimated during the negotiation of the 2015-16 State Budget. In doing so, however, this bill would set a dangerous precedent of setting Medicaid provider reimbursement levels based on estimates, rather than levels that reflect actual data. Specifically, it would prevent the Department of Health from updating rates to fully reflect updated reimbursement and population acuity trends. It would also override the rebasing process to generate artificially higher rates of Medicaid reimbursement to providers.

Since no funds are provided in the bill to offset the difference between the estimated and actual reimbursement levels, this bill is best addressed in the context of the State budget negotiations. For these reasons, I am compelled to veto this bill.

The bill is disapproved.

A handwritten signature in black ink, appearing to read 'Andrew Cuomo', written in a cursive style.