

1 **2006 Fall Seminar**
2 **Standing Committee on Children with Special Needs**
3 **Resolution #04**

4
5 **RESOLUTION CALLING FOR AN AMENDMENT TO STATE LAW TO**
6 **MANDATE THE PAYMENT OF CLAIMS BY HEALTH INSURERS FOR**
7 **SERVICES PROVIDED UNDER THE EARLY INTERVENTION PROGRAM**

8
9 **WHEREAS**, Title II-A of Article 25 of the Public Health Law mandates that
10 counties pursue revenue streams including third party reimbursement prior to seeking
11 state aid for Early Intervention Program services; and

12
13 **WHEREAS**, in spite of amendments to the statute in 2002 designed to assure
14 municipalities facilitated access to such funding, reimbursement from private health
15 insurance for costly Early Intervention services remains difficult, labor intensive and is a
16 counter-productive process which has proven to cost more than anticipated benefits to
17 municipalities; and

18
19 **WHEREAS**, to date, municipalities have met with overwhelming resistance from
20 private health insurance companies when presented with claims for reimbursement from
21 counties for their expenditures related to the delivery of services to eligible infants and
22 toddlers with disabilities; and

23
24 **WHEREAS**, counties with a high saturation of health maintenance organizations
25 are routinely met with rejection of reimbursement due to the incompatibility of the Early
26 Intervention Program's inclusive list of therapies and services covered under the law and
27 the philosophy governing managed health care; and

28
29 **WHEREAS**, since July 1993, when services under New York State's Early
30 Intervention Program began, the cost per child, the number of recipients and the
31 administrative duties required of counties have risen dramatically; and

32
33 **WHEREAS**, many counties report that the costs related to the Early Intervention
34 Program have grown far more rapidly and have outpaced growth in the preschool Special
35 Education Program (section 4410 of the state education law); and

36
37 **WHEREAS**, it is in the best interest of state and local taxpayers to administer
38 this program in the most cost effective manner possible, as required in statute; and

39
40 **WHEREAS**, municipalities must have appropriate access to all available funding
41 streams and reimbursement mechanisms, including private health insurance, in order to
42 relieve the current burden on taxpayers:

43
44 **NOW, THEREFORE, BE IT RESOLVED**, that the New York State
45 Association of Counties (NYSAC) calls for an amendment to state law to mandate the

1 payment of claims by health insurers for services provided under the Early Intervention
2 Program; and

3

4 **BE IT FURTHER RESOLVED**, that NYSAC shall forward copies of this
5 Resolution to the Governor, the New York State Legislature and all others deemed
6 necessary and proper.