

1 **2007 Fall Seminar**
2 **Standing Committee on Children with Special Needs**
3 **Resolution #02**

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**
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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
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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
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19 **WHEREAS**, to date, counties continue to face 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, including those services which are truly
28 “medically necessary”; and
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30 **WHEREAS**, since July 1993, when services under New York State’s Early
31 Intervention Program began, the cost per child, the number of recipients and the
32 administrative duties required of counties have risen dramatically; and
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34 **WHEREAS**, many counties report that the costs related to the Early Intervention
35 Program have grown far more rapidly and have outpaced growth in the preschool Special
36 Education Program (section 4410 of the state education law); and
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38 **WHEREAS**, it is in the best interest of State and local taxpayers to administer
39 this program in the most cost effective manner possible, as required in statute; and
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41 **WHEREAS**, municipalities must have appropriate access to all available funding
42 streams and reimbursement mechanisms, including private health insurance, in order to
43 relieve the current burden on taxpayers:
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1 **NOW THEREFORE BE IT RESOLVED**, that the New York State Association
2 of Counties (NYSAC) calls for an amendment to state law to mandate the payment of
3 claims by health insurers for services provided under the Early Intervention program; and
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5 **BE IT FURTHER RESOLVED**, that the New York State Association of
6 Counties shall forward copies of this Resolution to Governor Spitzer, the New York State
7 Legislature and all others deemed necessary and proper.