

January 30, 2002

Dear Administrator/Comptroller:

**Re: Public Goods Pool Reporting Forms - Freestanding Clinical Laboratories**

The provisions of Public Health Law (PHL) Sections 2807-j (1-a)(a)(iii) and 2807-j(3)(c) exempt freestanding clinical laboratory services provided **on or after October 1, 2000** from the surcharges established under the Health Care Reform Acts of 1996 and 2000. Although this exemption has been effectuated, laboratories must continue to file monthly reports through December 31, 2001. Thereafter, laboratories are only required to file reports for those months during which they receive patient services revenues for affected services rendered during the January 1, 1997 through September 30, 2000, service period. Upon adjudication of all affected claims, the laboratory must submit a final monthly report (clearly marked "FINAL" in red ink) along with a completed "Change of Designated Provider Status" form which is available on the WEB under the menu selection entitled "Designated Provider Change of Status Form" at:

[www.health.state.ny.us/nysdoh/hcra/hcrahome.htm](http://www.health.state.ny.us/nysdoh/hcra/hcrahome.htm)

Enclosed is a schedule of monthly report and payment due dates for the January 1, 2002 through December 31, 2002 reporting period. The freestanding clinical laboratory Public Goods Pool reporting forms are available on the WEB under the menu selection entitled "Public Goods Pool Reporting Forms and Instructions."

Failure to comply with the reporting provisions provided in PHL Sections 2807-j and 2807-s may result in recoupment of the facility's estimated monthly assessment liability, along with interest and/or penalty, from various third party payments pursuant to PHL Section 2807-j(6). Additionally, PHL Section 2807-j(7)(c) authorizes the Commissioner to assess civil penalties for certain reporting delinquencies.

Should you have any questions concerning the foregoing, please contact a HCRA representative at (518) 474-1673.

Sincerely,

Mark H. Van Guysling  
Assistant Director  
Division of Health Care Financing

Enclosure