

7013--B

I N S E N A T E

April 20, 2012

Introduced by Sen. LITTLE -- read twice and ordered printed, and when printed to be committed to the Committee on Health -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the public health law, in relation to eliminating the requirement to prove public need for the establishment and operation of advanced life support services or municipal ambulance services by a municipality or fire district

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1 Section 1. Paragraph (b) of subdivision 7 of section 3008 of the
2 public health law, as added by chapter 510 of the laws of 1997, is
3 amended to read as follows:
4 (b) [In the case of an application for certification pursuant to this
5 subdivision, for a municipal advanced life support or municipal ambu-
6 lance service, to serve the area within the municipality, where the
7 proposed service meets or exceeds the appropriate training, staffing and
8 equipment standards, there shall be a strong presumption in favor of
9 approving the application.] NOTWITHSTANDING ANY OTHER PROVISION OF THIS
10 ARTICLE, ANY MUNICIPALITY WITHIN THIS STATE, OR FIRE DISTRICT ACTING ON
11 BEHALF OF ANY SUCH MUNICIPALITY, WHICH APPLIES FOR PERMANENT CERTIF-
12 ICATION PURSUANT TO THIS ARTICLE AT THE CONCLUSION OF THE TWO YEAR PERI-
13 OD UNDER PARAGRAPH (A) OF THIS SUBDIVISION, SHALL NOT BE REQUIRED TO
14 APPLY TO ITS REGIONAL EMERGENCY MEDICAL SERVICES COUNCIL OR THE STATE
15 EMERGENCY MEDICAL SERVICES COUNCIL, AND THE APPLICATION SHALL BE SUBMIT-
16 TED TO AND APPROVED BY THE COMMISSIONER UNLESS THE COMMISSIONER FINDS
17 THAT THE MUNICIPAL SERVICE HAS FAILED TO MEET THE APPROPRIATE TRAINING,
18 STAFFING AND EQUIPMENT STANDARDS.
19 S 2. This act shall take effect immediately and shall apply to any
20 municipality or fire district that has a temporary determination of
21 public need under paragraph (a) of subdivision 7 of section 3008 of the
22 public health law at the time this act becomes a law, and to any appli-
23 cation made by a municipality or fire district under such section that
24 is pending any administrative or judicial appeal process at the time
25 this act becomes a law.

EXPLANATION--Matter in ITALICS (underscored) is new; matter in brackets
[] is old law to be omitted.

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