

7013--C

I N S E N A T E

April 20, 2012

Introduced by Sens. LITTLE, GRIFFO, McDONALD -- 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 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the public health law, in relation to applications for determinations of public need for the establishment and operation of advanced life support services or municipal ambulance services in certain cities

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 CITY WITH A POPULATION OF FOURTEEN THOUSAND SEVEN HUNDRED
11 OR SIXTY-TWO THOUSAND TWO HUNDRED THIRTY-FIVE, ACCORDING TO THE TWO
12 THOUSAND TEN FEDERAL DECENNIAL CENSUS, OR FIRE DISTRICT ACTING ON BEHALF
13 OF ANY SUCH CITY, THAT APPLIES FOR PERMANENT CERTIFICATION PURSUANT TO
14 THIS SECTION AT THE CONCLUSION OF THE TWO YEAR PERIOD PROVIDED IN THIS
15 SUBDIVISION, SHALL NOT BE REQUIRED TO APPLY TO ITS REGIONAL EMERGENCY
16 MEDICAL SERVICES COUNCIL OR THE STATE EMERGENCY MEDICAL SERVICES COUNCIL
17 FOR A DETERMINATION OF NEED, AND THE APPLICATION SHALL BE SUBMITTED TO
18 AND APPROVED BY THE COMMISSIONER UNLESS THE COMMISSIONER FINDS THAT THE
19 MUNICIPAL ADVANCED LIFE SUPPORT FIRST RESPONDER SERVICE OR MUNICIPAL
20 AMBULANCE SERVICE HAS FAILED TO MEET THE APPROPRIATE TRAINING, STAFFING
21 AND EQUIPMENT STANDARDS.

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

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1 S 2. This act shall take effect immediately and shall apply to any
2 municipality or fire district that has a temporary determination of
3 public need under paragraph (a) of subdivision 7 of section 3008 of the
4 public health law at the time this act becomes a law, and to any appli-
5 cation made by a municipality or fire district under such section that
6 is pending in any administrative or judicial appeal process at the time
7 this act becomes a law.