S T A T E O F N E W Y O R K

4780

2009-2010 Regular Sessions

I N A S S E M B L Y

February 6, 2009

Introduced by M. of A. ENGLEBRIGHT -- read once and referred to the Committee on Aging

AN ACT to amend the elder law, in relation to federal remuneration entitled to be received by a local long term care ombudsman program as a result of work performed as a patient care ombudsman under 11 USC S333

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

Section 1. Section 218 of the elder law is amended by adding a new subdivision 12 to read as follows:

12. FEDERAL REMUNERATION. ANY AND ALL REMUNERATION ENTITLED TO BE RECEIVED BY A LOCAL LONG TERM CARE OMBUDSMAN PROGRAM FOR WORK PERFORMED AS A PATIENT CARE OMBUDSMAN UNDER 11 USC S 333 SHALL BE USED EXCLUSIVELY FOR SUPPLEMENTING AND/OR EXPANDING THE LOCAL LONG TERM CARE OMBUDSMAN PROGRAM; PROVIDED HOWEVER, THAT A LEAST TEN PERCENT OF SUCH FUNDS SHALL BE TRANSFERRED TO THE STATE OFFICE FOR THE AGING TO FUND ACTIVITIES OF THE OFFICE OF THE STATE OMBUDSMAN THAT SHALL INCLUDE, BUT SHALL NOT BE LIMITED TO, ENHANCED TRAINING OF LOCAL LONG TERM CARE OMBUDSMAN VOLUNTEERS AND VOLUNTEER RECRUITMENT EFFORTS. ANY REMUNERATION ENTITLED TO BE RECEIVED PURSUANT TO THIS SUBDIVISION SHALL NOT BE USED FOR THE LOCAL OFFICE FOR THE AGING, OTHER THAN FOR ITS LOCAL LONG TERM CARE OMBUDSMAN PROGRAM, THE RESPECTIVE COUNTY'S GENERAL FUND, THE PARENT NOT-FOR-PROFIT ORGANIZATION OR FOR ANY OTHER PURPOSE NOT SET FORTH IN THIS SUBDIVISION. THE BUDGET OF A LOCAL LONG TERM CARE OMBUDSMAN PROGRAM AND THE OFFICE OF THE STATE LONG TERM CARE OMBUDSMAN SHALL NOT BE REDUCED AS A RESULT OF ANY REMUNERATION ENTITLED TO BE RECEIVED PURSUANT TO THIS SUBDIVISION.

S 2. This act shall take effect immediately.

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

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