

5611

2009-2010 Regular Sessions

I N A S S E M B L Y

February 13, 2009

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

AN ACT to amend the public health law, in relation to requiring assisted  
living residences to have an automated external defibrillator on the  
premises

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

1 Section 1. Section 4656 of the public health law, as added by chapter  
2 2 of the laws of 2004, is amended by adding a new subdivision 9 to read  
3 as follows:

4 9. EVERY ASSISTED LIVING RESIDENCE LICENSED UNDER THIS ARTICLE SHALL  
5 HAVE ON THE PREMISES AT LEAST ONE AUTOMATED EXTERNAL DEFIBRILLATOR  
6 (AED), AS DEFINED IN PARAGRAPH (A) OF SUBDIVISION ONE OF SECTION THREE  
7 THOUSAND-B OF THIS CHAPTER. SUCH RESIDENCE AND THE STAFF THEREOF SHALL  
8 BE SUBJECT TO THE REQUIREMENTS, PROTECTIONS AND LIMITATIONS OF SECTION  
9 THREE THOUSAND-B OF THIS CHAPTER. EACH ASSISTED LIVING RESIDENCE SHALL  
10 HAVE IN ATTENDANCE AT ALL TIMES AT LEAST ONE INDIVIDUAL PERFORMING  
11 EMPLOYMENT OR INDIVIDUAL ACTING AS AN AUTHORIZED VOLUNTEER WHO IS  
12 TRAINED PURSUANT TO PARAGRAPH (A) OF SUBDIVISION THREE OF SECTION THREE  
13 THOUSAND-B OF THIS CHAPTER IN THE USE OF AN AUTOMATED EXTERNAL DEFIBRIL-  
14 LATOR. THE COMMISSIONER SHALL PROMULGATE REGULATIONS TO DETERMINE THE  
15 QUANTITY AND TYPE DEEMED TO BE ADEQUATE TO ENSURE READY AND APPROPRIATE  
16 ACCESS FOR USE DURING EMERGENCIES TAKING INTO ACCOUNT THE SIZE AND OCCU-  
17 PANCY OF EACH ASSISTED LIVING RESIDENCE AND ANY OTHER MATTER DEEMED  
18 NECESSARY BY THE COMMISSIONER TO EFFECTUATE THE DUTY PRESCRIBED BY THIS  
19 SUBDIVISION. SUCH REGULATIONS SHALL ALSO PROVIDE FOR A PHASE-IN SCHEDULE  
20 OF THE DUTY CREATED BY THIS SUBDIVISION.

21 S 2. This act shall take effect on the one hundred eightieth day after  
22 it shall have become a law.

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

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