

3120

2009-2010 Regular Sessions

I N S E N A T E

March 11, 2009

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Introduced by Sen. DIAZ -- read twice and ordered printed, and when printed to be committed to the Committee on Aging

AN ACT relating to increasing availability of adult day health care programs; and providing for the repeal of such provisions upon expiration thereof

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

1 Section 1. Notwithstanding any other provision of law to the contrary,  
2 an adult day health care program, established pursuant to 10 NYCRR Part  
3 425, having twenty-four authorized slots, and located in a county with a  
4 population of more than one million three hundred thirty-two thousand  
5 six hundred fifty and less than one million three hundred thirty-four  
6 thousand five hundred forty-four persons based on the two thousand  
7 federal census, and which at any point in time is unable to accommodate  
8 individuals awaiting placement into the adult day health care program,  
9 shall be authorized by the commissioner of health to increase the number  
10 of adult day health care slots available for a specified period of time  
11 as part of a demonstration program by up to twenty-four slots; provided,  
12 however, that such program shall otherwise satisfy all other adult day  
13 health care program requirements as set forth in 10 NYCRR Part 425.  
14 Further, any such adult home that receives authorization to increase the  
15 number of adult day health care slots available pursuant to this section  
16 shall submit a report annually to the commissioner of health, the gover-  
17 nor, the temporary president of the senate and the speaker of the assem-  
18 bly, which contains the cost of the program, including the savings to  
19 the state and local governments, the number of persons served by the  
20 program by county, a description of the demographic and clinical charac-  
21 teristics of patients served by the program, and an evaluation of the  
22 quality of care provided to persons served by the program. After  
23 release of the second report by any such program if the findings of the  
24 report do not reflect a cost savings to the state and local governments,

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

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1 the program may be terminated immediately by the commissioner of health.  
2 Within thirty days of the termination of a demonstration program, the  
3 commissioner of health shall submit a report to the governor, the tempo-  
4 rary president of the senate and the speaker of the assembly which  
5 outlines the reasons for early termination of such program.  
6 S 2. This act shall take effect immediately and shall expire and be  
7 deemed repealed September 1, 2014; provided, that any person placed in  
8 an adult day health care program pursuant to section one of this act,  
9 prior to the repeal of this act shall be authorized to remain in such  
10 program and receive the services thereof after the repeal of this act;  
11 and provided, further, that state funding for the provision of adult day  
12 health care program services authorized by this act shall continue after  
13 the repeal of this act for any person to which the provisions of this  
14 act shall continue to apply.