

3801

2009-2010 Regular Sessions

I N S E N A T E

April 1, 2009

Introduced by Sens. FLANAGAN, MORAHAN -- read twice and ordered printed,
and when printed to be committed to the Committee on Social Services

AN ACT to amend the social services law, in relation to establishing a
fee schedule for the use, maintenance and repair of air conditioners
in adult homes

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

1 Section 1. Section 461-q of the social services law, as added by
2 section 46 of part B of chapter 58 of the laws of 2004, is amended to
3 read as follows:
4 S 461-q. Temperature standards in adult homes, enriched housing
5 programs and residences for adults. 1. The commissioner of health shall
6 promulgate rules and regulations with respect to an allowable temper-
7 ature in all areas occupied by residents of an adult home, enriched
8 housing program and residence for adults, including any areas intended
9 for use by its residents in common including auditoriums, meeting rooms
10 and cafeterias. One common room in such adult home, enriched housing
11 program and residence for adults shall be required to be air condi-
12 tioned.
13 2. THE COMMISSIONER OF HEALTH IS HEREBY AUTHORIZED AND DIRECTED TO
14 ESTABLISH A SCHEDULE OF FEES FOR THE USE, MAINTENANCE AND REPAIR OF AIR
15 CONDITIONERS USED BY RESIDENTS OF ADULT HOMES, ENRICHED HOUSING PROGRAMS
16 AND RESIDENCES FOR ADULTS PROVIDED BY ANY MEANS OTHER THAN THROUGH THE
17 ENHANCING ABILITIES AND LIFE EXPERIENCE (ENABLE) PROGRAM. IN DETERMIN-
18 ING THE AMOUNT OF SUCH FEES, THE COMMISSIONER OF HEALTH SHALL CONSIDER
19 THE VARIABLE NATURE OF THE MARKET PRICE OF ENERGY AND SHALL ANNUALLY
20 ADJUST SUCH SCHEDULE OF FEES TO ACCOUNT FOR SUCH VARIABILITY AND FOR
21 INFLATION.
22 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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