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

3938

2009-2010 Regular Sessions

I N S E N A T E

April 7, 2009

Introduced by Sen. OPPENHEIMER -- read twice and ordered printed, and when printed to be committed to the Committee on Energy and Telecommunications

AN ACT to amend the public service law, in relation to mandating directory information or assistance for certain eligible persons at no cost to such persons

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

Section 1. The public service law is amended by adding a new section 92-g to read as follows:

S 92-G. DIRECTORY ASSISTANCE FOR ELIGIBLE PERSONS. 1. THE COMMISSION SHALL REQUIRE ALL TELEPHONE CORPORATIONS TO PROVIDE DIRECTORY INFORMATION OR ASSISTANCE TO ELIGIBLE PERSONS, AS PROVIDED IN SUBDIVISION TWO OF THIS SECTION, AT NO COST TO SUCH PERSONS. THE COMMISSION SHALL ESTABLISH PROCEDURES BY WHICH FREE ACCESS TO SUCH INFORMATION OR ASSISTANCE FOR SUCH PERSONS IS AUTOMATICALLY REGISTERED AS EXEMPT FROM ALL CHARGES.

2. THE FOLLOWING PERSONS ARE ELIGIBLE FOR SERVICE PURSUANT TO THIS SECTION:

(A) BLIND PERSONS WHOSE VISUAL ACUITY, AS DETERMINED BY COMPETENT AUTHORITY, IS 20/200 OR LESS IN THE BETTER EYE WITH CORRECTING LENSES, OR WHOSE WIDEST DIAMETER OF VISUAL FIELD SUBTENDS ANGULAR DISTANCE NO GREATER THAN TWENTY DEGREES.

(B) OTHER PHYSICALLY HANDICAPPED PERSONS ARE ELIGIBLE AS FOLLOWS:

(I) PERSONS WHOSE VISUAL DISABILITY, WITH CORRECTION AND REGARDLESS OF OPTICAL MEASUREMENT, IS CERTIFIED BY COMPETENT AUTHORITY AS PREVENTING THE READING OF STANDARD PRINTED MATERIAL.

(II) PERSONS CERTIFIED BY COMPETENT AUTHORITY AS UNABLE TO READ OR UNABLE TO USE STANDARD PRINTED MATERIAL AS A RESULT OF PHYSICAL LIMITATIONS.

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

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(III) PERSONS CERTIFIED BY COMPETENT AUTHORITY AS HAVING A READING DISABILITY RESULTING FROM ORGANIC DYSFUNCTION AND OF SUFFICIENT SEVERITY TO PREVENT THEIR READING OF PRINTED MATERIAL IN A NORMAL MANNER.

(C) CERTIFYING AUTHORITY:

(I) IN CASES OF BLINDNESS, VISUAL IMPAIRMENT, OR PHYSICAL LIMITATIONS, "COMPETENT AUTHORITY" IS DEFINED TO INCLUDE DOCTORS OF MEDICINE; DOCTORS OF OSTEOPATHY; OPHTHALMOLOGISTS; OPTOMETRISTS; REGISTERED NURSES; THERAPISTS; AND PROFESSIONAL STAFF OF HOSPITALS, INSTITUTIONS, AND PUBLIC OR PRIVATE WELFARE AGENCIES (E.G., SOCIAL WORKERS, CASEWORKERS, COUNSELORS, REHABILITATION TEACHERS, AND SUPERINTENDENTS).

(II) IN THE CASE OF READING DISABILITY FROM ORGANIC DYSFUNCTION, COMPETENT AUTHORITY IS DEFINED AS DOCTORS OF MEDICINE AND DOCTORS OF OSTEOPATHY WHO MAY CONSULT WITH COLLEAGUES IN ASSOCIATED DISCIPLINES.

S 2. This act shall take effect on the one hundred twentieth day after it shall have become a law. Any rules and regulations necessary for the timely implementation of this act on its effective date shall be promulgated on or before such date.