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

3234

2009-2010 Regular Sessions

I N A S S E M B L Y

January 23, 2009

Introduced by M. of A. CHRISTENSEN -- read once and referred to the Committee on Social Services

AN ACT to amend the social services law, in relation to an additional monthly personal allowance for residents of residences for adults

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

Section 1. Paragraphs (d) and (e) of subdivision 3 of section 209 of the social services law, paragraph (d) as amended by section 47 of part C and paragraph (e) as amended by section 48 of part C of chapter 58 of the laws of 2005, are amended to read as follows:

(d) "Receiving residential care" shall mean residing in a [residence for adults or a] privately operated community residence, residential substance abuse treatment program or community residential facility for alcoholism, certified by the appropriate office of the department of mental hygiene; or a residential care center for adults certified by the office of mental health, in accordance with applicable law and regulations. For the purpose of this paragraph, a person receiving care in an intermediate care facility, certified by the department of health or by the appropriate office of the department of mental hygiene, or receiving respite services shall not be deemed to be receiving residential care.

(e) "Receiving enhanced residential care" shall mean residing in a privately operated school for the mentally retarded and developmentally disabled which is certified by the office of mental retardation and developmental disabilities of the department of mental hygiene, in accordance with applicable provisions of law and regulations or an adult home, OR RESIDENCE FOR ADULTS or enriched housing program certified by the department of health in accordance with applicable law, rules and regulations to the extent permitted by federal law and regulations.

S 2. This act shall take effect on the first of January next succeeding the date on which 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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