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

4744

2009-2010 Regular Sessions

I N A S S E M B L Y

February 5, 2009

Introduced by M. of A. ESPAILLAT, PERALTA -- Multi-Sponsored by -- M. of A. BOYLAND, COLTON, DIAZ, HOOPER, PEOPLES, WRIGHT -- read once and referred to the Committee on Health

AN ACT to amend the public health law, in relation to requiring hospitals to maintain electric generators for the provision of service during power outages

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

Section 1. The public health law is amended by adding a new section 2805-t to read as follows:

S 2805-T. USE OF ELECTRIC GENERATORS. 1. ALL HOSPITALS SHALL, SUBJECT TO THE RULES AND REGULATIONS OF THE COMMISSIONER, POSSESS AND MAINTAIN SUCH GENERATOR OR GENERATORS AS SHALL BE NECESSARY TO PROVIDE A SUFFICIENT AMOUNT OF ELECTRICITY NECESSARY TO OPERATE THE FACILITIES OF THE HOSPITAL IN A MANNER TO PROVIDE COMPREHENSIVE MEDICAL CARE TO PATIENTS IN THE CASE OF A TOTAL ELECTRICAL OUTAGE BY THE PUBLIC UTILITY PROVIDING ELECTRICITY TO THE HOSPITAL.

2. THE COMMISSIONER, IN CONJUNCTION WITH THE PUBLIC SERVICE COMMISSION, SHALL PROMULGATE ANY AND ALL RULES AND REGULATIONS NECESSARY TO IMPLEMENT THE PROVISIONS OF THIS SECTION. SUCH RULES AND REGULATIONS SHALL INCLUDE, BUT NOT BE LIMITED TO, THE METHODOLOGY FOR DETERMINING EACH HOSPITAL'S ELECTRICAL NEED AND A REQUIREMENT FOR THE TESTING OF THE OPERATION OF HOSPITAL GENERATORS NOT LESS THAN ONCE EVERY SIX MONTHS.

S 2. This act shall take effect immediately, provided that subdivision 1 of section 2805-t of the public health law, as added by section one of this act, shall take effect January 1, 2010.

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

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