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

5611

2009-2010 Regular Sessions

I N A S S E M B L Y

February 13, 2009

Introduced by M. of A. ENGLEBRIGHT -- read once and referred to the Committee on Health

AN ACT to amend the public health law, in relation to requiring assisted living residences to have an automated external defibrillator on the premises

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

Section 1. Section 4656 of the public health law, as added by chapter 2 of the laws of 2004, is amended by adding a new subdivision 9 to read as follows:

9. EVERY ASSISTED LIVING RESIDENCE LICENSED UNDER THIS ARTICLE SHALL HAVE ON THE PREMISES AT LEAST ONE AUTOMATED EXTERNAL DEFIBRILLATOR (AED), AS DEFINED IN PARAGRAPH (A) OF SUBDIVISION ONE OF SECTION THREE THOUSAND-B OF THIS CHAPTER. SUCH RESIDENCE AND THE STAFF THEREOF SHALL BE SUBJECT TO THE REQUIREMENTS, PROTECTIONS AND LIMITATIONS OF SECTION THREE THOUSAND-B OF THIS CHAPTER. EACH ASSISTED LIVING RESIDENCE SHALL HAVE IN ATTENDANCE AT ALL TIMES AT LEAST ONE INDIVIDUAL PERFORMING EMPLOYMENT OR INDIVIDUAL ACTING AS AN AUTHORIZED VOLUNTEER WHO IS TRAINED PURSUANT TO PARAGRAPH (A) OF SUBDIVISION THREE OF SECTION THREE THOUSAND-B OF THIS CHAPTER IN THE USE OF AN AUTOMATED EXTERNAL DEFIBRILLATOR. THE COMMISSIONER SHALL PROMULGATE REGULATIONS TO DETERMINE THE QUANTITY AND TYPE DEEMED TO BE ADEQUATE TO ENSURE READY AND APPROPRIATE ACCESS FOR USE DURING EMERGENCIES TAKING INTO ACCOUNT THE SIZE AND OCCUPANCY OF EACH ASSISTED LIVING RESIDENCE AND ANY OTHER MATTER DEEMED NECESSARY BY THE COMMISSIONER TO EFFECTUATE THE DUTY PRESCRIBED BY THIS SUBDIVISION. SUCH REGULATIONS SHALL ALSO PROVIDE FOR A PHASE-IN SCHEDULE OF THE DUTY CREATED BY THIS SUBDIVISION.

S 2. This act shall take effect on the one hundred eightieth day after 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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