

6932

I N   S E N A T E

February 26, 2010

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Introduced by Sen. MONTGOMERY -- read twice and ordered printed, and  
when printed to be committed to the Committee on Health

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 DETERMINING  
18    THE AMOUNT OF SUCH FEES, THE COMMISSIONER OF HEALTH SHALL CONSIDER THE  
19    VARIABLE NATURE OF THE MARKET PRICE OF ENERGY AND SHALL ANNUALLY ADJUST  
20    SUCH SCHEDULE OF FEES TO ACCOUNT FOR SUCH VARIABILITY AND FOR ANNUAL  
21    INFLATION, AS DETERMINED FROM THE INCREASE IN THE CONSUMER PRICE INDEX  
22    AS REPORTED BY THE BUREAU OF LABOR STATISTICS OF THE UNITED STATES  
23    DEPARTMENT OF LABOR.  
24    S 2. This act shall take effect on the ninetieth day after it shall  
25    have become a law.

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

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