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

3919

2011-2012 Regular Sessions

I N A S S E M B L Y

January 31, 2011

Introduced by M. of A. BRENNAN, DINOWITZ, WEISENBERG, CLARK, ORTIZ, SCHROEDER -- Multi-Sponsored by -- M. of A. ABBATE, COLTON, GOTTFRIED, HOOPER, McENENY, MENG, PHEFFER -- read once and referred to the Committee on Mental Health

AN ACT to amend the mental hygiene law, in relation to preventing the consideration of medical assistance as a criterion for the issuance of an operating certificate

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

Section 1. Section 31.05 of the mental hygiene law is amended by adding a new subdivision (d) to read as follows:

(D) NOTWITHSTANDING ANY PROVISION OF LAW TO THE CONTRARY, THE COMMISSIONER SHALL NOT CONSIDER THE SOURCE OR AVAILABILITY OF STATE SHARE OF MEDICAL ASSISTANCE AS A CRITERION FOR THE ISSUANCE, EXPANSION OR RENEWAL OF AN OPERATING CERTIFICATE REQUIRED BY SECTION 31.02 OF THIS ARTICLE.

S 2. This act shall take effect immediately.

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

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