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

7892

2011-2012 Regular Sessions

I N A S S E M B L Y

May 20, 2011

Introduced by M. of A. GUNTHER, LIFTON, BURLING, PALMESANO -- read once and referred to the Committee on Health

AN ACT to amend the public health law, in relation to facilitating home care access in rural and other communities in need

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

Section 1. Subdivision 6 of section 2818 of the public health law, as added by section 25-a of part A of chapter 59 of the laws of 2011, is amended to read as follows:

6. Notwithstanding any contrary provision of this section, sections one hundred twelve and one hundred sixty-three of the state finance law, or any other contrary provision of law, subject to available appropriations, funds available for expenditure pursuant to this section may be distributed by the commissioner without a competitive bid or request for proposal process for grants to (I) general hospitals and residential health care facilities for the purpose of facilitating closures, mergers and restructuring of such facilities, AND (II) CERTIFIED HOME HEALTH AGENCIES, LONG TERM HOME HEALTH CARE PROGRAMS AND/OR LICENSED HOME CARE SERVICES AGENCIES IN RURAL AREAS AND OTHER GEOGRAPHIC AREAS OR CIRCUMSTANCES OF NEED FOR PURPOSES OF FACILITATING COLLABORATION, AFFILIATION OR SUSTAINABILITY OF SERVICE IN A COMMUNITY, in order to strengthen and protect continued access to essential health care resources. Prior to an [awarded] AWARD being granted to an eligible applicant without a competitive bid or request for proposal process, the commissioner shall notify the chair of the senate finance committee, the chair of the assembly ways and means committee and the director of the division of budget of the intent to grant such an award. Such notice shall include information regarding how the eligible applicant meets criteria established pursuant to this section.

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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