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

117--A

2011-2012 Regular Sessions

I N  S E N A T E

(PREFILED)

January 5, 2011

Introduced by Sens. DIAZ, SAMPSON -- read twice and ordered printed, and when printed to be committed to the Committee on Aging -- recommitted to the Committee on Health in accordance with Senate Rule 6, sec. 8 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT relating to increasing availability of adult day health care programs; and providing for the repeal of such provisions upon expiration thereof

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

Section 1. Notwithstanding any other provision of law to the contrary, an adult day health care program, established pursuant to 10 NYCRR Part 425, having twenty-four authorized slots, and located in a county with a population of more than one million three hundred thirty-two thousand six hundred fifty and less than one million three hundred thirty-four thousand five hundred forty-four persons based on the two thousand federal census, and which at any point in time is unable to accommodate individuals awaiting placement into the adult day health care program, shall be authorized by the commissioner of health to increase the number of adult day health care slots available for a specified period of time as part of a demonstration program by up to twenty-four slots; provided, however, that such program shall otherwise satisfy all other adult day health care program requirements as set forth in 10 NYCRR Part 425. Further, any such adult home that receives authorization to increase the number of adult day health care slots available pursuant to this section shall submit a report annually to the commissioner of health, the governor, the temporary president of the senate and the speaker of the assembly, which contains the cost of the program, including the savings to the state and local governments, the number of persons served by the program by county, a description of the demographic and clinical charac-

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

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teristics of patients served by the program, and an evaluation of the quality of care provided to persons served by the program. After release of the second report by any such program if the findings of the report do not reflect a cost savings to the state and local governments, the program may be terminated immediately by the commissioner of health. Within thirty days of the termination of a demonstration program, the commissioner of health shall submit a report to the governor, the temporary president of the senate and the speaker of the assembly which outlines the reasons for early termination of such program.

S 2. This act shall take effect immediately and shall expire and be deemed repealed September 1, 2017; provided, that any person placed in an adult day health care program pursuant to section one of this act, prior to the repeal of this act shall be authorized to remain in such program and receive the services thereof after the repeal of this act; and provided, further, that state funding for the provision of adult day health care program services authorized by this act shall continue after the repeal of this act for any person to which the provisions of this act shall continue to apply.