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

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3678

2011-2012 Regular Sessions

I N   S E N A T E

March 2, 2011
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Introduced by Sen. SAMPSON -- read twice and ordered printed, and when
  printed to be committed to the Committee on Health

AN ACT to amend the public health law, in relation to appointment by the
  commissioner of health of a director for the acquired immune deficien-
  cy syndrome institute

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

 1   Section 1. Subdivision 2 of section 2775 of the public health law, as
 2 added by chapter 823 of the laws of 1983, is amended and a new subdivi-
 3 sion 3 is added to read as follows:
 4   2. The commissioner shall appoint a director of the institute [and may
 5 assign such personnel within the amounts appropriated as is necessary to
 6 carry out the provisions of this article]. THE DIRECTOR MUST BE CHOSEN
 7 FROM A POOL OF CANDIDATES SUBMITTED BY THE ADVISORY COUNCIL. THE DIREC-
 8 TOR SHALL BE APPOINTED FOR A TERM OF FOUR YEARS, AND MAY BE RE-APPOINTED
 9 UPON THE RECOMMENDATION OF THE ADVISORY COUNCIL FOR UP TO TWO ADDITIONAL
10 TERMS OF FOUR YEARS. IN NO CASE SHALL ANY DIRECTOR SERVE MORE THAN A
11 TOTAL OF TWELVE YEARS. IF A DIRECTOR IS NOT RECOMMENDED FOR RE-APPOINT-
12 MENT AFTER HIS OR HER FOUR YEAR TERM, A NEW POOL OF CANDIDATES SHALL BE
13 SUBMITTED BY THE ADVISORY COUNCIL, UPON WHICH THE COMMISSIONER SHALL
14 APPOINT A NEW DIRECTOR. THE POOL OF CANDIDATES SUBMITTED BY THE ADVISORY
15 COUNCIL SHALL BE REPRESENTATIVE OF THE INFECTED POPULATION WITH HIV/AIDS
16 IN THE STATE OF NEW YORK BASED ON CENTER FOR DISEASE CONTROL (CDC)
17 STATISTICS INCLUDING RACE, ETHNICITY, AND GENDER.
18   3. THE DIRECTOR, IN CONSULTATION WITH THE ADVISORY BOARD SHALL PROVIDE
19 FOR THE EMPLOYMENT AND REMOVAL OF SUCH EMPLOYEES OF THE AIDS INSTITUTE
20 AS HE OR SHE MAY DEEM NECESSARY FOR THE PERFORMANCE OF ITS FUNCTIONS AND
21 WITHIN THE AMOUNTS APPROPRIATED AS IS NECESSARY TO CARRY OUT THE
22 PROVISIONS OF THIS ARTICLE.
23   S 2. This act shall take effect two years after it shall have become a
24 law.

   EXPLANATION--Matter in ITALICS (underscored) is new; matter in brackets
                      [ ] is old law to be omitted.
                                                         LBD09785-01-1