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

4858--A

2011-2012 Regular Sessions

I N S E N A T E

April 27, 2011

Introduced by Sen. MAZIARZ -- read twice and ordered printed, and when printed to be committed to the Committee on Aging -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the public health law, in relation to applications for a license to operate an assisted living residence

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

Section 1. Section 4656 of the public health law, as added by chapter 2 of the laws of 2004, is amended by adding a new subdivision 4-a to read as follows:

4-A. THE DEPARTMENT SHALL HAVE NINETY DAYS AFTER AN ASSISTED LIVING RESIDENCE APPLICATION, AN ENHANCED ASSISTED LIVING RESIDENCE APPLICATION, OR A SPECIAL NEEDS ASSISTED LIVING RESIDENCE APPLICATION HAS BEEN RECEIVED BY THE DEPARTMENT, TO GRANT A LICENSE TO THE APPLICANT. IF LICENSURE HAS NOT BEEN GRANTED WITHIN THIS TIME FRAME, THE DEPARTMENT SHALL GRANT A PROVISIONAL LICENSE TO THE APPLICANT, OR PROVIDE THE APPLICANT WITH A COMPREHENSIVE AND FINAL LIST OF INCOMPLETE AND OUTSTANDING INFORMATION REQUIRED IN ORDER TO GRANT THE LICENSE. ONCE THE OUTSTANDING INFORMATION HAS BEEN RECEIVED BY THE DEPARTMENT, THE DEPARTMENT SHALL HAVE SIXTY DAYS TO GRANT A LICENSE TO THE APPLICANT. FURTHER, FOR ALL ASSISTED LIVING RESIDENCE, ENHANCED ASSISTED LIVING RESIDENCE, AND SPECIAL NEEDS ASSISTED LIVING RESIDENCE APPLICATIONS SUBMITTED TO THE DEPARTMENT PRIOR TO THE EFFECTIVE DATE OF THIS SUBDIVISION, THE DEPARTMENT SHALL HAVE NINETY DAYS FROM SUCH EFFECTIVE DATE TO GRANT A PROVISIONAL LICENSE TO THE APPLICANT, OR PROVIDE THE APPLICANT WITH A COMPREHENSIVE AND FINAL LIST OF INCOMPLETE AND OUTSTANDING INFORMATION REQUIRED IN ORDER TO GRANT THE LICENSE. ONCE THE OUTSTANDING INFORMATION HAS BEEN RECEIVED BY THE DEPARTMENT, THE DEPARTMENT SHALL HAVE SIXTY DAYS TO GRANT A LICENSE TO THE APPLICANT.

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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