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

10302

I N A S S E M B L Y

May 22, 2012

Introduced by M. of A. BRINDISI -- read once and referred to the Committee on Health

AN ACT to amend the public health law, in relation to the continuation of a municipal advanced life support first responder service or municipal ambulance service

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

Section 1. Paragraph (b) of subdivision 7 of section 3008 of the public health law, as added by chapter 510 of the laws of 1997, is amended to read as follows:

(b) [In the case of an application for certification pursuant to this subdivision, for a municipal advanced life support or municipal ambulance service, to serve the area within the municipality, where the proposed service meets or exceeds the appropriate training, staffing and equipment standards, there shall be a strong presumption in favor of approving the application.] NOTWITHSTANDING ANY OTHER PROVISION OF THIS ARTICLE, ANY MUNICIPALITY WITHIN THIS STATE, OR FIRE DISTRICT ACTING ON BEHALF OF ANY SUCH MUNICIPALITY, WHICH APPLIES FOR PERMANENT CERTIFICATION PURSUANT TO THIS ARTICLE AT THE CONCLUSION OF THE TWO YEAR PERIOD UNDER PARAGRAPH (A) OF THIS SUBDIVISION, SHALL NOT BE REQUIRED TO APPLY TO ITS REGIONAL EMERGENCY MEDICAL SERVICES COUNCIL OR THE STATE EMERGENCY MEDICAL SERVICES COUNCIL, AND THE APPLICATION SHALL BE SUBMITTED TO AND APPROVED BY THE COMMISSIONER UNLESS THE COMMISSIONER FINDS THAT THE MUNICIPAL SERVICE HAS FAILED TO MEET THE APPROPRIATE TRAINING, STAFFING AND EQUIPMENT STANDARDS.

S 2. This act shall take effect immediately and shall apply to any municipality or fire district that has a temporary determination of public need under paragraph (a) of subdivision 7 of section 3008 of the public health law at the time this act becomes a law, and to any application made by a municipality or fire district under that section that is pending any administrative or judicial appeal process at the time this act becomes a law.

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

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