

10304

I N A S S E M B L Y

May 22, 2012

Introduced by M. of A. GOODELL -- read once and referred to the Committee on Social Services

AN ACT to amend the social services law, in relation to assisted living programs in certain counties which are authorized to increase the availability of assisted living beds; and to amend chapter 545 of the laws of 2005, amending the social services law relating to the assisted living program, in relation to making permanent and eliminating the expiration of the provisions thereof

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

1 Section 1. Paragraph (g) of subdivision 3 of section 461-1 of the
2 social services law, as amended by chapter 593 of the laws of 2005, is
3 amended to read as follows:
4 (g) Notwithstanding any other provision of law to the contrary, any
5 assisted living program having less than seventy-five authorized bed
6 slots, located in a county with a population of more than one hundred
7 ten thousand and less than one hundred fifty thousand persons BASED UPON
8 THE DECENNIAL FEDERAL CENSUS FOR THE YEAR TWO THOUSAND, and which at any
9 point in time is unable to accommodate individuals awaiting placement
10 into the assisted living program, shall be authorized to increase the
11 number of assisted living beds available for a specified period of time
12 as part of a demonstration program by up to thirty percent of its
13 approved bed level; provided, however, that such program shall otherwise
14 satisfy all other assisted living program requirements as set forth in
15 this section. In addition, any program which receives such authorization
16 and which at any point on or after July first, two thousand five is
17 unable to accommodate individuals awaiting placement into the assisted
18 program, shall be authorized to further increase the number of assisted
19 living beds available as part of this demonstration program by up to
20 twenty-five percent of its bed level as of July first, two thousand
21 five; provided, however, that such program shall otherwise satisfy all
22 other assisted living program requirements as set forth in this section.
23 [Further, any such program which receives authorization to increase the
24 number of assisted living beds available pursuant to this paragraph

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

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1 shall submit a report annually to the commissioner of health, the gover-
2 nor, the temporary president of the senate and the speaker of the assem-
3 bly, which contains the cost of the program, including the savings to
4 state and local governments, the number of persons served by the program
5 by county, a description of the demographic and clinical characteristics
6 of patients served by the program, and an evaluation of the quality of
7 care provided to persons served by the program. After release of the
8 second report by any such program if the findings of the report do not
9 reflect a cost savings to the state and local governments, the program
10 may be terminated immediately by the commissioner of health. Within
11 thirty days of the termination of a demonstration program, the commis-
12 sioner of health shall submit a report to the governor, the temporary
13 president of the senate and the speaker of the assembly which outlines
14 the reasons for early termination of such program.]

15 S 2. Section 2 of chapter 545 of the laws of 2003, amending the social
16 services law relating to the assisted living program, as amended by
17 chapter 374 of the laws of 2010, is amended to read as follows:

18 S 2. This act shall take effect immediately [and shall be deemed
19 repealed September 1, 2013. Provided that, any person placed in an
20 assisted living program pursuant to paragraph (g) of subdivision 3 of
21 section 461-1 of the social services law, as added by section one of
22 this act, prior to the repeal of this act shall be authorized to remain
23 in such program and receive the services thereof after the repeal of
24 this act. Furthermore, state funding for the provision of assisted
25 living program services authorized by this act shall continue after the
26 repeal of this act for any person to which the provisions of this act
27 shall continue to apply].

28 S 3. This act shall take effect immediately.