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:

Section 1. Paragraph (g) of subdivision 3 of section 461-l of the social services law, as amended by chapter 593 of the laws of 2005, is amended to read as follows:

(g) Notwithstanding any other provision of law to the contrary, any assisted living program having less than seventy-five authorized bed slots, located in a county with a population of more than one hundred ten thousand and less than one hundred fifty thousand persons BASED UPON THE DECENNIAL FEDERAL CENSUS FOR THE YEAR TWO THOUSAND, and which at any point in time is unable to accommodate individuals awaiting placement into the assisted living program, shall be authorized to increase the number of assisted living beds available for a specified period of time as part of a demonstration program by up to thirty percent of its approved bed level; provided, however, that such program shall otherwise satisfy all other assisted living program requirements as set forth in this section. In addition, any program which receives such authorization and which at any point on or after July first, two thousand five is unable to accommodate individuals awaiting placement into the assisted program, shall be authorized to further increase the number of assisted living beds available as part of this demonstration program by up to twenty-five percent of its bed level as of July first, two thousand five; provided, however, that such program shall otherwise satisfy all other assisted living program requirements as set forth in this section. [Further, any such program which receives authorization to increase the 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.
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 state and local governments, the number of persons served by the program by county, a description of the demographic and clinical characteristics 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. Section 2 of chapter 545 of the laws of 2003, amending the social services law relating to the assisted living program, as amended by chapter 374 of the laws of 2010, is amended to read as follows:

S 2. This act shall take effect immediately [and shall be deemed repealed September 1, 2013. Provided that, any person placed in an assisted living program pursuant to paragraph (g) of subdivision 3 of section 461-l of the social services law, as added by 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. Furthermore, state funding for the provision of assisted living 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].

S 3. This act shall take effect immediately.