

6101

2011-2012 Regular Sessions

I N A S S E M B L Y

March 7, 2011

Introduced by M. of A. KELLNER, ROSENTHAL, MILLMAN -- Multi-Sponsored by
-- M. of A. BOYLAND, HEVESI, MARKEY, WEISENBERG -- read once and
referred to the Committee on Health

AN ACT to amend the social services law, in relation to requiring the
provision of transportation services to recipients of medical assist-
ance for the purpose of transporting eligible recipients of medical
assistance from their residences to a safe location during the
provision of extermination or pest control services, and to subse-
quently return such recipients to their residence after completion of
such services

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

1 Section 1. Subdivision 1 of section 365-h of the social services law,
2 as amended by section 20 of part B of chapter 109 of the laws of 2010,
3 is amended to read as follows:
4 1. The local social services official and, subject to the provisions
5 of subdivision four of this section, the commissioner of health shall
6 have responsibility for THE prior [authorizing] AUTHORIZATION OF trans-
7 portation [of] SERVICES FOR eligible persons and for limiting the
8 provision of such transportation SERVICES to those recipients and
9 circumstances where: (A) such transportation is essential, medically
10 necessary and appropriate to obtain medical care, services or supplies
11 otherwise available under this title; OR (B) SUBJECT TO FEDERAL PARTIC-
12 IPATION, SUCH TRANSPORTATION IS UTILIZED TO TRANSPORT A RECIPIENT OF
13 MEDICAL ASSISTANCE FROM HIS OR HER RESIDENCE TO A SAFE LOCATION DURING
14 THE PROVISION OF EXTERMINATION OR PEST CONTROL SERVICES, AND TO SUBSE-
15 QUENTLY RETURN SUCH RECIPIENT TO HIS OR HER RESIDENCE AFTER COMPLETION
16 OF SUCH SERVICES, WHEN SUCH TRANSPORTATION IS DEEMED MEDICALLY NECESSARY
17 TO ENSURE SAFE TRANSPORT OF THE RECIPIENT TO THE SAFE LOCATION.
18 S 2. This act shall take effect on the first of January next succeed-
19 ing the date on which it shall have become a law; provided that effec-

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

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1 tive immediately, the addition, amendment and/or repeal of any rule or
2 regulation necessary for the implementation of this act on its effective
3 date are authorized and directed to be made and completed on or before
4 such effective date; and provided further that the amendments to subdi-
5 vision 1 of section 365-h of the social services law made by section one
6 of this act shall not affect the repeal of such section and shall be
7 deemed repealed therewith.