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

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I N A S S E M B L Y

April 18, 2012

Introduced by M. of A. PAULIN, GOTTFRIED, AUBRY, GIBSON, GUNTHER, JACOBS, JAFFEE, LAVINE, P. RIVERA, RUSSELL, SCARBOROUGH, SWEENEY -- Multi-Sponsored by -- M. of A. ABINANTI, GLICK, HIKIND, McENENY, TITONE -- read once and referred to the Committee on Health

AN ACT to amend the public health law, in relation to temporary approval of certain programs operated pursuant to the federal special supplemental nutrition program for women, infants and children

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

Section 1. Section 2587 of the public health law is amended by adding a new subdivision 1-a to read as follows:

1-A. ANY ELIGIBLE INSTITUTION APPLYING TO BE AUTHORIZED TO PARTICIPATE IN THE FEDERAL SPECIAL SUPPLEMENTAL NUTRITION PROGRAM FOR WOMEN, INFANTS AND CHILDREN AT A PARTICULAR SITE, PURSUANT TO THIS SECTION, WHICH HAS RECEIVED APPROVAL TO PARTICIPATE AT ANOTHER SITE AND HAS NOT BEEN DEFICIENT IN ITS PARTICIPATION AS SPECIFIED IN FEDERAL LAW, RULE OR REGULATION, SHALL BE ISSUED TEMPORARY APPROVAL TO BE AUTHORIZED TO PARTICIPATE IN THE FEDERAL SPECIAL SUPPLEMENTAL NUTRITION PROGRAM FOR WOMEN, INFANTS AND CHILDREN AT THE SITE FOR WHICH THE APPLICATION HAS BEEN SUBMITTED TO THE COMMISSIONER. THE COMMISSIONER SHALL ISSUE THE APPLICANT A TEMPORARY APPROVAL TO PARTICIPATE AT A PARTICULAR SITE, PURSUANT TO THIS SUBDIVISION, WITHIN FOURTEEN DAYS OF THE RECEIPT OF THE APPLICATION FOR APPROVAL. EACH TEMPORARY APPROVAL SHALL BE VALID UNTIL THE COMMISSIONER EITHER APPROVES OR DISAPPROVES THE PROPOSED APPLICATION OF THE APPLICANT. THIS SUBDIVISION SHALL NOT APPLY WHERE IT WOULD BE CONTRARY TO FEDERAL REGULATIONS OR WOULD JEOPARDIZE FEDERAL FINANCIAL PARTICIPATION.

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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