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

3678

2011-2012 Regular Sessions

I N S E N A T E

March 2, 2011

Introduced by Sen. SAMPSON -- read twice and ordered printed, and when printed to be committed to the Committee on Health

AN ACT to amend the public health law, in relation to appointment by the commissioner of health of a director for the acquired immune deficiency syndrome institute

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

Section 1. Subdivision 2 of section 2775 of the public health law, as added by chapter 823 of the laws of 1983, is amended and a new subdivision 3 is added to read as follows:

2. The commissioner shall appoint a director of the institute [and may assign such personnel within the amounts appropriated as is necessary to carry out the provisions of this article]. THE DIRECTOR MUST BE CHOSEN FROM A POOL OF CANDIDATES SUBMITTED BY THE ADVISORY COUNCIL. THE DIRECTOR SHALL BE APPOINTED FOR A TERM OF FOUR YEARS, AND MAY BE RE-APPOINTED UPON THE RECOMMENDATION OF THE ADVISORY COUNCIL FOR UP TO TWO ADDITIONAL TERMS OF FOUR YEARS. IN NO CASE SHALL ANY DIRECTOR SERVE MORE THAN A TOTAL OF TWELVE YEARS. IF A DIRECTOR IS NOT RECOMMENDED FOR RE-APPOINTMENT AFTER HIS OR HER FOUR YEAR TERM, A NEW POOL OF CANDIDATES SHALL BE SUBMITTED BY THE ADVISORY COUNCIL, UPON WHICH THE COMMISSIONER SHALL APPOINT A NEW DIRECTOR. THE POOL OF CANDIDATES SUBMITTED BY THE ADVISORY COUNCIL SHALL BE REPRESENTATIVE OF THE INFECTED POPULATION WITH HIV/AIDS IN THE STATE OF NEW YORK BASED ON CENTER FOR DISEASE CONTROL (CDC) STATISTICS INCLUDING RACE, ETHNICITY, AND GENDER.

3. THE DIRECTOR, IN CONSULTATION WITH THE ADVISORY BOARD SHALL PROVIDE FOR THE EMPLOYMENT AND REMOVAL OF SUCH EMPLOYEES OF THE AIDS INSTITUTE AS HE OR SHE MAY DEEM NECESSARY FOR THE PERFORMANCE OF ITS FUNCTIONS AND WITHIN THE AMOUNTS APPROPRIATED AS IS NECESSARY TO CARRY OUT THE PROVISIONS OF THIS ARTICLE.

S 2. This act shall take effect two years after it shall have become a law.

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

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