

5096

2013-2014 Regular Sessions

I N S E N A T E

May 8, 2013

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

AN ACT to amend the social services law, in relation to authorizing an assisted living program to admit or retain residents who are chairfast under certain circumstances

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

1 Section 1. Paragraph (d) of subdivision 1 of section 461-1 of the
2 social services law, as added by chapter 165 of the laws of 1991, is
3 amended to read as follows:
4 (d) "Eligible person" means a person who:
5 (i) requires more care and services to meet his or her daily health or
6 functional needs than can be directly provided by an adult care facility
7 and although medically eligible for placement in a residential health
8 care facility, can be appropriately cared for in an assisted living
9 program and who would otherwise require placement in a residential
10 health care facility due to factors which may include but need not be
11 limited to the lack of a home or a home environment in which to live and
12 receive services safely; and
13 (ii) is categorized by the long-term care patient classification
14 system as defined in regulations of the department of health as a person
15 who has a stable medical condition and who is able, with direction, to
16 take action sufficient to assure self-preservation in an emergency. In
17 no event shall an eligible person include anyone in need of continual
18 nursing or medical care, a person who is chronically bedfast [or chair-
19 fast], or anyone who is cognitively, physically or medically impaired to
20 such a degree that his or her safety would be endangered.
21 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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