

1175

2015-2016 Regular Sessions

I N A S S E M B L Y

January 8, 2015

Introduced by M. of A. CAHILL -- Multi-Sponsored by -- M. of A. STECK --
read once and referred to the Committee on Health

AN ACT to amend the public health law, in relation to the provision of
municipal advanced life support first responder service or municipal
ambulance service

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

1 Section 1. Paragraph (b) of subdivision 7 of section 3008 of the
2 public health law, as amended by chapter 464 of the laws of 2012, is
3 amended to read as follows:
4 (b) [In the case of an application for certification pursuant to this
5 subdivision, for a municipal advanced life support or municipal ambu-
6 lance service, to serve the area within the municipality, where the
7 proposed service meets or exceeds the appropriate training, staffing and
8 equipment standards, there shall be a strong presumption in favor of
9 approving the application.] Notwithstanding any other provision of this
10 article, any [city with a population of fourteen thousand seven hundred
11 or sixty-two thousand two hundred thirty-five, according to the two
12 thousand ten federal decennial census, or fire district acting on behalf
13 of any such city, that] MUNICIPALITY WITHIN THIS STATE, OR FIRE DISTRICT
14 ACTING ON BEHALF OF ANY SUCH MUNICIPALITY, WHICH applies for permanent
15 certification pursuant to this [section] SUBDIVISION at the conclusion
16 of the two year period [provided in] CONTAINED IN PARAGRAPH (A) OF this
17 subdivision, shall not be required to apply to its regional emergency
18 medical services council [or the state emergency medical services coun-
19 cil] for a determination of need, and the application shall be submitted
20 to and SUCH APPLICATION FOR A MUNICIPAL ADVANCED LIFE SUPPORT OR MUNICI-
21 PAL AMBULANCE SERVICE TO SERVE THE AREA WITHIN THE MUNICIPALITY SHALL
22 BE approved by the commissioner unless the [commissioner finds that the
23 municipal advanced life support first responder service or municipal
24 ambulance service has] PROVISION OF SERVICES HAVE failed to meet the

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

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1 appropriate training, staffing and equipment standards AND/OR THE
2 COMMISSIONER DETERMINES THAT THE MUNICIPAL ADVANCED LIFE SUPPORT FIRST
3 RESPONDER SERVICE OR MUNICIPAL AMBULANCE SERVICE HAS CAUSED AN IMPACT ON
4 SERVICES IN THE SURROUNDING REGION.

5 S 2. This act shall take effect immediately and shall apply to any
6 municipality or fire district that has a temporary determination of
7 public need, any application made by a municipality or fire district
8 that is currently in the administrative appellate process or on appeal
9 before any court of competent jurisdiction.