

STATE OF NEW YORK

1414

2017-2018 Regular Sessions

IN ASSEMBLY

January 12, 2017

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:

Section 1. Paragraph (b) of subdivision 7 of section 3008 of the
public health law, as amended by chapter 464 of the laws of 2012, is
amended to read as follows:

(b) [~~In the case of an application for certification pursuant to this
subdivision, for a municipal advanced life support or municipal ambu-
lance service, to serve the area within the municipality, where the
proposed service meets or exceeds the appropriate training, staffing and
equipment standards, there shall be a strong presumption in favor of
approving the application.~~] Notwithstanding any other provision of this
article, any [~~city with a population of fourteen thousand seven hundred
or sixty-two thousand two hundred thirty-five, according to the two
thousand ten federal decennial census, or fire district acting on behalf
of any such city, that~~] municipality within this state, or fire district
acting on behalf of any such municipality, which applies for permanent
certification pursuant to this [~~section~~] subdivision at the conclusion
of the two year period [~~provided in~~] contained in paragraph (a) of this
subdivision, shall not be required to apply to its regional emergency
medical services council [~~or the state emergency medical services coun-
cil~~] for a determination of need, and the application shall be submitted
to and such application for a municipal advanced life support or munici-
pal ambulance service to serve the area within the municipality shall
be approved by the commissioner unless the [~~commissioner finds that the
municipal advanced life support first responder service or municipal
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 § 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.