

# STATE OF NEW YORK

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870

2017-2018 Regular Sessions

## IN ASSEMBLY

January 9, 2017

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Introduced by M. of A. GUNTHER, LIFTON, COOK, PALMESANO, LUPINACCI --  
Multi-Sponsored by -- M. of A. ENGLEBRIGHT, RIVERA -- read once and  
referred to the Committee on Health

AN ACT to amend the public health law, in relation to facilitating home  
care access in rural and other communities in need

The People of the State of New York, represented in Senate and Assem-  
bly, do enact as follows:

1 Section 1. Subdivision 6 of section 2818 of the public health law, as  
2 amended by section 20 of part D of chapter 56 of the laws of 2012, is  
3 amended to read as follows:

4 6. Notwithstanding any contrary provision of this section, sections  
5 one hundred twelve and one hundred sixty-three of the state finance law,  
6 or any other contrary provision of law, subject to available appropri-  
7 ations, funds available for expenditure pursuant to this section may be  
8 distributed by the commissioner without a competitive bid or request for  
9 proposal process for grants to (i) general hospitals and residential  
10 health care facilities for the purpose of facilitating closures, mergers  
11 and restructuring of such facilities, and (ii) certified home health  
12 agencies, long term home health care programs and/or licensed home care  
13 services agencies in rural areas and other geographic areas or circum-  
14 stances of need for purposes of facilitating collaboration, affiliation  
15 or sustainability of service in a community, in order to strengthen and  
16 protect continued access to essential health care resources. Provided  
17 however, that to the extent practicable, the commissioner shall award  
18 such grants equitably among health planning regions of the state. Prior  
19 to an award being granted to an eligible applicant without a competitive  
20 bid or request for proposal process, the commissioner shall notify the  
21 chair of the senate finance committee, the chair of the assembly ways  
22 and means committee and the director of the division of budget of the  
23 intent to grant such an award. Such notice shall include information  
24 regarding how the eligible applicant meets criteria established pursuant  
25 to this section.

26 § 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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