

# STATE OF NEW YORK

1349

2023-2024 Regular Sessions

## IN SENATE

January 11, 2023

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

AN ACT to amend the public health law and the social services law, in relation to authorizing residents of assisted living programs to receive hospice services

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

1 Section 1. Subdivision 4 of section 4012 of the public health law, as  
2 added by a chapter of the laws of 2022 amending the public health law  
3 and the social services law relating to authorizing residents of  
4 assisted living programs to receive hospice services, as proposed in  
5 legislative bills numbers S. 7626 and A. 8006, is amended to read as  
6 follows:

7 4. Eligible individuals shall be permitted to receive hospice services  
8 from a provider under this article while continuing to reside in an  
9 adult care facility under title two of article seven of the social  
10 services law and enrolled in the assisted living program, subject to the  
11 availability of federal financial participation. The commissioner shall  
12 make regulations and take other actions reasonably necessary and appro-  
13 priate to implement this subdivision.

14 § 2. Subparagraph (iv) of paragraph (d) of subdivision 2 of section  
15 461-1 of the social services law, as added by a chapter of the laws of  
16 2022 amending the public health law and the social services law relating  
17 to authorizing residents of assisted living programs to receive hospice  
18 services, as proposed in legislative bills numbers S. 7626 and A. 8006,  
19 is amended to read as follows:

20 (iv) Eligible individuals shall be permitted to receive hospice  
21 services from a provider under article forty of the public health law  
22 while continuing to reside in an adult care facility under this title  
23 and enrolled in the assisted living program, subject to the availability  
24 of federal financial participation. The commissioner shall make regu-

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

LBD04186-01-3

1 lations and take other actions reasonably necessary and appropriate to  
2 implement this subparagraph.  
3 § 3. This act shall take effect on the same date and in the same  
4 manner as a chapter of the laws of 2022 amending the public health law  
5 and the social services law relating to authorizing residents of  
6 assisted living programs to receive hospice services, as proposed in  
7 legislative bills numbers S. 7626 and A. 8006, takes effect.