STATE OF NEW YORK

9321--A

Cal. No. 867

IN SENATE

February 27, 2026

Introduced by Sen. COMRIE -- read twice and ordered printed, and when printed to be committed to the Committee on Energy and Telecommunications -- reported favorably from said committee, ordered to first and second report, ordered to a third reading, amended and ordered reprinted, retaining its place in the order of third reading

AN ACT to amend the public service law, in relation to protections against termination of residential utility service in cases of medical emergencies, life-support equipment and elderly, blind or disabled customers

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

Section 1. Subdivision 3 of section 32 of the public service law, as added by chapter 713 of the laws of 1981, paragraph (a) as amended by chapter 382 of the laws of 2006, is amended to read as follows:

3. The commission shall safeguard from termination, or require restoration of service to, those residents who will suffer serious impairments to health or safety as a result of such termination or failure to restore services[~~. The regulations shall include, but not be limited to: (a) Medical emergencies. The commission shall require the continuation or restoration of utility service to a customer's residence where a medical emergency exists. The commission shall provide for written certification by a medical doctor, nurse practitioner or local board of health that termination of service or failure to restore service will aggravate an existing medical emergency at a customer's residence, provided that the commission may authorize an initial certification by telephone if written certification is provided within five business days. The commission shall provide for the duration, form, content and renewal of written certificates. With respect to the renewal of written certificates, the commission may require the customer to demonstrate an inability to pay charges for service. The commission shall, in consultation with the departments of health and social services and the office for the aging, establish criteria to be used by a medical doctor, nurse practitioner or local board of health in making a determination that a~~

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

LBD14906-03-6

~~medical emergency exists or that the absence of service will aggravate an existing medical emergency.~~

~~(b) Customers who are elderly, blind, or disabled. The commission shall provide special procedures to be followed by a utility or municipality with respect to the termination or restoration of service to a residence where the customer is known to or identified to the utility to be blind, disabled, or sixty-two years of age or older; provided that all the remaining residents of the household are sixty-two years of age or older, eighteen years of age or under, or blind or disabled. The commission shall afford reasonable protections to elderly, blind or disabled customers, including a requirement that the utility corporation or municipality make a diligent effort to contact by telephone or in person an adult resident at the customer's premises at least seventy-two hours prior to termination of service. The commission shall also establish reasonable procedures for identifying customers eligible for the protections of this section~~] by establishing and implementing uniform definitions, standardized procedures, and uniform applications or forms, for determining a medical emergency, life-support equipment, and elderly, blind and disabled designation, to be used by utility corporations. For the purposes of this subdivision, these protections shall apply to the residential utility account whenever any resident of the household meets one or more of the criteria, regardless of whether the customer of record, or any other household member, does not meet all of such criteria.

(a) The commission shall use the following definitions to safeguard utility customers from service terminations and to require restoration of service:

(i) "medical emergency" shall mean documentation from a state licensed medical professional stating that loss of electric service would aggravate an existing medical condition;

(ii) "life-support equipment" shall mean any device or medical equipment necessary to sustain life or prevent serious deterioration of health; and

(iii) "elderly, blind or disabled" shall mean a household in which one or more members is over the age of sixty-two or is blind or disabled.

(b) The commission shall develop and mandate the use of simplified, standardized applications or forms to designate accounts for medical emergency, life-support equipment, and the designation of elderly, blind or disabled, by utility corporations.

(c) Utility corporations shall accept applications or forms for designating accounts as medical emergency, life-support equipment, or elderly, blind or disabled, submitted by a licensed medical provider or submitted by the customer directly, without requiring disclosure of detailed health information beyond confirmation of medical necessity. Utility corporations shall not require financial documentation for the initial thirty-day medical emergency. Subsequent financial verification shall comply with the home energy fair practices act and minimize burdensome requirements.

(d) Utility corporations shall accept applications or forms for medical emergency, life-support equipment, and elderly, blind or disabled designation via email, regular mail, in-person delivery, online accounts, a dedicated online portal for such purpose and facsimile.

(e) Utility corporations shall review and act upon submitted applications or forms under this subdivision, within five business days of receipt. Failure to act within such timeframe shall result in automatic approval of the requested account designation.

(f) Utility corporations shall not request detailed medical records or information beyond what is defined in this section or deny life-support equipment account designation based on internal interpretation of medical necessity.

(g)(i) Every utility corporation shall, on an annual basis, provide to the commission:

(1) the total number of customers who applied for medical emergency, life-support equipment and elderly, blind or disabled designation;

(2) the total number of customers who were approved for each customer account designation;

(3) the total number of customers who were denied for each account designation; and

(4) any other relevant information as determined by the commission.

(ii) By July first, two thousand twenty-seven and annually thereafter, the commission shall issue a report to the governor and the legislature containing such information, and make such report available to the public on its website.

[~~(c) Special procedures for cold weather periods.~~] (h) (i) The commission shall establish procedures to be followed by a utility or municipality supplying heat related service in cold weather periods. Such procedures shall be designed to identify and assist, prior to termination of service, those residents who may suffer serious impairment to health or safety as a result of any such termination. The commission shall establish the applicable cold weather periods; specify criteria for identifying residents who are likely to suffer serious impairments, and require that such service not be terminated unless a representative of the utility or municipality makes a diligent effort to contact by telephone or in person an adult resident of the customer's premises at least seventy-two hours prior to termination, makes a personal visit at the time of termination and provides the customer with information regarding the protections available under this article. The commission shall provide for the manner in which such contacts and personal visits are made. (ii) The commission shall also require a utility or municipality supplying service to continue service to customers where a serious impairment to health or safety is likely to result from termination of service and the person supplied is unable because of mental or physical problems to manage [~~his or her~~] their own resources or to protect [~~himself or herself~~] themself from neglect or hazardous situations without the assistance of others. Doubts shall be resolved in favor of continued service. Continuations of service shall be for a period of time to be established by the commission. The commission shall consult with the department of social services and the state office for the aging in implementing the provisions of this paragraph.

§ 2. This act shall take effect on the one hundred eightieth day after it shall have become a law. Effective immediately, the addition, amendment and/or repeal of any rule or regulation necessary for the implementation of this act on its effective date are authorized to be made and completed on or before such effective date.