

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:

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

4 3. The commission shall safeguard from termination, or require resto-
5 ration of service to, those residents who will suffer serious impair-
6 ments to health or safety as a result of such termination or failure to
7 restore services[. ~~The regulations shall include, but not be limited to:~~

8 ~~(a) Medical emergencies. The commission shall require the continuation~~
9 ~~or restoration of utility service to a customer's residence where a~~
10 ~~medical emergency exists. The commission shall provide for written~~
11 ~~certification by a medical doctor, nurse practitioner or local board of~~
12 ~~health that termination of service or failure to restore service will~~
13 ~~aggravate an existing medical emergency at a customer's residence,~~
14 ~~provided that the commission may authorize an initial certification by~~
15 ~~telephone if written certification is provided within five business~~
16 ~~days. The commission shall provide for the duration, form, content and~~
17 ~~renewal of written certificates. With respect to the renewal of written~~
18 ~~certificates, the commission may require the customer to demonstrate an~~
19 ~~inability to pay charges for service. The commission shall, in consulta-~~
20 ~~tion with the departments of health and social services and the office~~
21 ~~for the aging, establish criteria to be used by a medical doctor, nurse~~
22 ~~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.

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

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

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

28 (i) "medical emergency" shall mean documentation from a state licensed
29 medical professional stating that loss of electric service would aggra-
30 vate an existing medical condition;

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

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

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

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

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

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

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

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

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

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

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

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

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

18 [~~(c) Special procedures for cold weather periods.~~] (h) (i) The commis-
19 sion shall establish procedures to be followed by a utility or munici-
20 pality supplying heat related service in cold weather periods. Such
21 procedures shall be designed to identify and assist, prior to termi-
22 nation of service, those residents who may suffer serious impairment to
23 health or safety as a result of any such termination. The commission
24 shall establish the applicable cold weather periods; specify criteria
25 for identifying residents who are likely to suffer serious impairments,
26 and require that such service not be terminated unless a representative
27 of the utility or municipality makes a diligent effort to contact by
28 telephone or in person an adult resident of the customer's premises at
29 least seventy-two hours prior to termination, makes a personal visit at
30 the time of termination and provides the customer with information
31 regarding the protections available under this article. The commission
32 shall provide for the manner in which such contacts and personal visits
33 are made. (ii) The commission shall also require a utility or munici-
34 pality supplying service to continue service to customers where a seri-
35 ous impairment to health or safety is likely to result from termination
36 of service and the person supplied is unable because of mental or phys-
37 ical problems to manage [~~his or her~~] their own resources or to protect
38 [~~himself or herself~~] themselves from neglect or hazardous situations with-
39 out the assistance of others. Doubts shall be resolved in favor of
40 continued service. Continuations of service shall be for a period of
41 time to be established by the commission. The commission shall consult
42 with the department of social services and the state office for the
43 aging in implementing the provisions of this paragraph.

44 § 2. This act shall take effect on the one hundred eightieth day after
45 it shall have become a law. Effective immediately, the addition, amend-
46 ment and/or repeal of any rule or regulation necessary for the implemen-
47 tation of this act on its effective date are authorized to be made and
48 completed on or before such effective date.