*** § 215-b. Enriched social adult day services.** 1. Legislative intent. Social adult day services programs are resources that can help communities maintain the independence of functionally impaired adults. The level of services needed by some functionally impaired adults exceeds the level of assistance currently available through social model adult day services programs but is not at the level of support provided in an adult day health care program. Social adult day services programs cannot enroll new participants whose needs exceed the services that can be provided in the current social adult day services programs. Additionally, these programs must discharge current participants when their needs cannot be met. Therefore, an enriched social adult day services project shall be established as a demonstration project for the purposes of maintaining functionally impaired adults in the community by deterring or delaying institutionalization.

2. Definitions. For purposes of this section, the following terms shall have the following meanings:

(a) "Eligible participant" shall mean individuals who are functionally impaired, as defined in section two hundred fifteen of this title, and in need of services that exceed the level of assistance currently available through social adult day services programs but not at the level of support provided by adult day health care programs.

(b) "Eligible entity" shall mean any not-for-profit or government entity, including the governing body or council of an Indian tribal reservation, who currently provides all of the services required for social adult day services programs pursuant to section two hundred fifteen of this title; including total assistance with toileting, mobility, transferring, and eating where appropriate; and has an existing contract with the state office for the aging.

(c) "Enriched services" shall include the dispensing of medications by a registered nurse; health education; counseling; case management; restorative therapies lasting less than six months and maintenance therapies. Restorative and maintenance therapies shall be provided by an appropriately licensed health care provider.

(d) "Optional services" shall mean other non-medical services approved by the director designed to improve the quality of life of eligible participants by extending their independence, avoiding unnecessary

hospital and nursing home stays, and sustaining their informal supports.

3. Duties of the director. (a) The director, in conjunction with the commissioner of health, shall develop an application process whereby eligible entities may apply for approval to offer enriched services, optional services, or both. Such application shall include, but not be limited to:

(1) an estimate of the number of eligible participants to whom the eligible entity could effectively provide the services for which they are applying to offer pursuant to this section; and

(2) a plan under which the eligible entity would safely offer the services for which they are applying pursuant to this section, either directly or through a contract with a licensed health care practitioner or licensed home care provider as defined in section thirty-six hundred five of the public health law.

(b) In considering applications made pursuant to paragraph (a) of this subdivision, the director, in conjunction with the commissioner of health, may consider:

(1) eligible entities that can effectively serve eligible participants residing in rural, urban, or suburban settings;

(2) eligible entities that effectively serve culturally diverse populations;

(3) eligible entities that demonstrate innovative use of technology, coordination, partnerships, transportation or other services to enable eligible participants to be effectively served; and

(4) any other criteria determined to be appropriate.

4. Evaluation. On or before January thirtieth, two thousand seventeen, the director shall provide the governor, the speaker of the assembly, the temporary president of the senate, and the chairpersons of the assembly and senate aging and health committees with a written evaluation of the program. The evaluation shall examine the effectiveness of the project in forestalling institutional placement, the costs of providing enriched services in a day care setting, participant satisfaction and program quality, and identification of the program design elements necessary for successful replication.

5. Grants. (a) The director may, within amounts appropriated therefor, make grants, available on a competitive basis, to eligible entities under this section. Such grants shall be for one hundred percent of the allowable expenditures for approved services and expenses under this section.

(b) In making grants, the director, in conjunction with the commissioner of health, may consider the criteria established under subdivision three of this section.

(c) Funds made available under this subdivision shall supplement and not supplant any federal, state, or local funds expended by any entity, including a unit of general purpose local government or not-for-profit, to provide services under this section. Funds under this subdivision cannot pay for individuals who are eligible under title nineteen of the federal social security act.

* NB Repealed March 31, 2029