*** § 41.54 Employee assistance programs.**

(a) The director of the division of alcoholism and alcohol abuse may, within appropriations made therefor, provide assistance in establishing and maintaining employee assistance programs.

(b) Such assistance may be provided to a consortium, a not-for-profit corporation that provides employee assistance program services to two or more of the following:

(1) an employer of less than seven hundred fifty employees;

(2) a labor organization;

(3) a professional organization;

(4) a community organization; or

(5) an employer of an economically distressed industry or located in an economically distressed region, or a business owned by or employing a high proportion of women or minorities.

(c) The division of alcoholism and alcohol abuse shall adopt rules and regulations to effectuate the provisions of this section, in consultation with other appropriate state agencies. Such rules and regulations shall include, but not be limited to, provisions relating to:

(1) the establishment of an advisory board, which shall work in consultation with the advisory council on alcoholism and substance abuse services, and whose membership shall include, but not be limited to, individuals from the occupational programs, professions and representatives of small businesses and labor organizations, and whose duties shall include, but not be limited to, recommendation of criteria for funding, and methods of determining program accountability;

(2) procedures for approval of funding for a program, including, but not limited to, elements necessary for the development and implementation of, and qualifications necessary for the staffing of, employee assistance program services;

(3) criteria for the confidentiality and maintenance of records; and

(4) minimum program standards for the operation of effective and appropriate employee assistance programs.

(d) Within amounts available therefor and subject to regulations established by the commissioner and notwithstanding any other provisions of this article, financial assistance to an employee assistance program shall not exceed eighty-five percent of the non-capital expenditures of

the program's first year of operation for such year, seventy percent of such expenditures for the program's second year of operation, fifty percent for the program's third year of operation, and thirty percent of such expenditures for the fourth year of operation. No program shall receive financial aid under this section after completion of the fourth year.

(e) Applications for assistance shall be made in the manner prescribed by the director.

* NB There are 2 § 41.54's