§ 367-g. Authorization and provision of personal emergency response services. 1. Personal care services and home health services shall include, where appropriate as determined by the social services district, the provision of personal emergency response services and shared aide services pursuant to the provisions of subdivision two of section three hundred sixty-five-a of this chapter. For the purpose of this section, "personal emergency response services" shall mean (a) the provision and maintenance of electronic communication equipment in the home of an individual which signals a monitoring agency for help when activated by the individual, or after a period of time if a timer mechanism has not been reset, or by any other activating method; and (b) the continuous monitoring of such signals by a trained operator and, in case of receipt of such signal, the immediate notification of such emergency response organizations or persons, if necessary, as the individual has previously specified.

2. The commissioner shall maintain standards for social services district's use and approval of personal emergency response services and shared aide services, which shall include, but need not be limited to department standards:

(a) for the personal emergency response system equipment used to ensure its reliability and appropriate design for the purpose;

(b) providing that use of personal emergency response services or shared aide services are part of a plan of care for the recipient that is based on the comprehensive assessment that such recipient has a medical condition, disability or impairment that warrants use of the service;

(c) requiring that the provider of the personal emergency response service have sufficient qualifications and expertise, adequate information on the client and the plan of care, and the capacity to provide timely information on calls received to the social services district or its designee;

(d) for coordination between the social services districts and the emergency response organization, as well as guidelines for regular updating of information on recipients receiving such service;

(e) with respect to appropriate supervision and safety for recipients receiving personal emergency response service or shared aide services;

(f) assuring that the assessment determines that the recipient can adequately utilize the personal emergency response system;

(g) assuring that personal emergency response services or shared aide services are medically appropriate, can meet the needs of the recipient for home care tasks, ensure the quality of the recipient's care and will not jeopardize the health or safety of the recipient;

(h) for determining the geographic appropriateness, in relation to staffing, of providing shared aide services and assuring that providers of home care services and districts consider the impact of the site selection on the staff who will be assigned to work at a shared aide site and that such staff, and any employee organization representing such staff where appropriate, are consulted with respect to the management and operation of a shared aide site;

(i) assuring that social services districts have a plan for providing information to consumers and their representatives concerning personal emergency response services and shared aide services, including information on how to express concerns about the service which they are receiving.

3. The department shall establish and issue the standards required under subdivision two hereof to social services districts on or before the first day of August of nineteen hundred ninety-five, after first seeking public comment thereon. The department, after consultation with representatives of social services districts, home health and personal care provider agencies and workers, providers of personal emergency response services and elderly or disabled persons who are receiving such services shall prepare a report to the governor and the legislature by April first, nineteen hundred ninety-six outlining any changes which are deemed appropriate to the standards for personal emergency response services and shared aide services which have been established by the department.