

STATE OF NEW YORK

10573--A

IN ASSEMBLY

April 16, 2008

Introduced by M. of A. MAGEE -- read once and referred to the Committee on Aging -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT relating to increasing availability under the adult day health care program; and providing for the repeal of such provisions upon expiration thereof

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

1 Section 1. Notwithstanding any other provision of law to the contrary,
2 any adult day health care program, established pursuant to 10 NYCRR Part
3 425, having less than fifteen authorized slots, located in a county with
4 a population of more than sixty-four thousand four hundred and less than
5 sixty-five thousand persons, as recorded by the two thousand United
6 States census bureau, and which at any point in time is unable to accom-
7 modate individuals awaiting placement into the adult day health care
8 program, shall be authorized by the commissioner of health to increase
9 the number of adult day health care slots available for a specified
10 period of time as part of a demonstration program by up to twelve slots;
11 provided, however, that such program shall otherwise satisfy all other
12 adult day health care program requirements as set forth in 10 NYCRR Part
13 425. Further, any such program which receives authorization to increase
14 the number of adult day health care slots available pursuant to this
15 section shall submit a report annually to the commissioner of health,
16 the governor, the temporary president of the senate and the speaker of
17 the assembly, which contains the cost of the program, including the
18 savings to state and local governments, the number of persons served by
19 the program by county, a description of the demographic and clinical
20 characteristics of patients served by the program, and an evaluation of
21 the quality of care provided to persons served by the program. After
22 release of the second report by any such program if the findings of the
23 report do not reflect a cost savings to the state and local governments,
24 the program may be terminated immediately by the commissioner of health.
25 Within thirty days of the termination of a demonstration program, the
26 commissioner of health shall submit a report to the governor, the tempo-

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

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1 rary president of the senate and the speaker of the assembly which
2 outlines the reasons for early termination of such program.
3 § 2. This act shall take effect immediately and shall be deemed
4 repealed September 1, 2013; provided that, any person placed in an adult
5 day health care program pursuant to section one of this act, prior to
6 the repeal of this act shall be authorized to remain in such program and
7 receive the services thereof after the repeal of this act; provided,
8 further, state funding for the provision of adult day health care
9 program services authorized by this act shall continue after the repeal
10 of this act for any person to which the provisions of this act shall
11 continue to apply.