

Excerpted from Chapter 56 of the Laws of 2012:

§ 4. Paragraph (i) of subdivision 3 of section 461-1 of the social services law, as amended by section 16 of part D of chapter 58 of the laws of 2009, is amended to read as follows:

(i) The commissioner of health is authorized to add up to six thousand assisted living program beds to the gross number of assisted living program beds having been determined to be available as of April first, two thousand nine~~[, provided that, for each assisted living program bed so added, a nursing home bed has been decertified upon the application of the nursing home operator or that the commissioner of health has found pursuant to subdivision six of section twenty-eight hundred six of the public health law that any assisted living program bed so added would serve as a more appropriate alternative to a certified nursing home bed and has accordingly limited or revoked the operating certificate of the nursing home providing that certified nursing home bed, provided further that nothing]~~. Nothing herein shall be interpreted as prohibiting any eligible applicant from submitting an application for any assisted living program bed so added. The commissioner of health shall not be required to review on a comparative basis applications submitted for assisted living program beds made available under this paragraph. The commissioner of health shall only authorize the addition of six thousand beds pursuant to a five year plan.