



Legislation Details (With Text)

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Sponsors:	G. Oliver Koppell, Joseph P. Addabbo, Jr., Tony Avella, Gale A. Brewer, Yvette D. Clarke, James F. Gennaro, Vincent J. Gentile, Alan J. Gerson, Letitia James, Allan W. Jennings, Jr., David I. Weprin, David Yassky, Sara M. Gonzalez, Eva S. Moskowitz				
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Int. No. 503

By Council Members Koppell, Addabbo, Avella, Brewer, Clarke, Gennaro, Gentile, Gerson, James, Jennings, Weprin, Yassky, Gonzalez and Moskowitz

A Local Law to amend the administrative code of the city of New York, in relation to the home-delivered meals program.

Be it enacted by the Council as follows:

Section 1. Chapter 2 of title 21 of the administrative code of the city of New York is hereby amended by adding a new section 21-203 to read as follows:

§21-203 a. Definitions. The following terms shall have the following meanings:

1. “Frozen meal” shall mean any home-delivered meal that is flash frozen or frozen by other technologies, and reheated for delivery to a senior citizen or delivered ready for reheating by a senior citizen.
2. “Home-delivered meals program” shall mean any program administered by the department pursuant to which meals are delivered to the residence of a senior citizen.

3. “Hot meal” shall mean any home-delivered meal that is freshly prepared, hot and delivered daily, Monday through Friday.

b. Written authorization for frozen meals. 1. The commissioner shall require written authorization for the delivery of frozen meals from any senior citizen participating in the home-delivered meals program prior to the delivery of such meals. Such authorization may be revoked by such senior citizen in writing at any time. Hot meals shall be provided to any senior citizen who has not provided such prior authorization or who has revoked such authorization.

2. Any written authorization for the delivery of frozen meals shall be provided to a senior citizen on a form approved by the commissioner and shall be printed in multiple languages, including English, Spanish, Chinese, Russian, Yiddish, Korean, Haitian-Creole and Arabic. Such authorization form shall include, but not be limited to, information regarding (i) the name and address of the senior citizen, (ii) a statement of the senior citizen’s authorization to receive frozen meals pursuant to the home-delivered meals program, (iii) notice that the senior citizen may revoke the authorization to receive frozen meals at anytime and instructions on how such senior citizen may revoke such authorization, (iv) the senior citizen’s signature and (v) the date on which the authorization was signed. Upon obtaining a senior citizen’s written authorization pursuant to this section, the department shall provide such senior citizen with a copy of such signed authorization.

c. Rules. The commissioner shall promulgate such rules as may be necessary for the purpose of implementing the provisions of this section.

§2. If any section, subsection, sentence, clause, phrase or other portion of this local law is for any reason declared unconstitutional or invalid, in whole or in part, by any court of competent jurisdiction, such portion shall be deemed severable, and such unconstitutionality or invalidity shall not affect the validity of the remaining portions of this local law, which remaining portions shall continue in full force and effect.

§3. This local law shall take effect immediately after its enactment into law.

(AT)
November 16, 2004
LS# 1925