

# PROPOSED NEW YORK STATE LEGISLATION CONCERNING NURSING HOMES AND ADULT CARE FACILITIES

Current as of July 7, 2021

Assembly Bill No.	Senate Bill No.	Purpose
<a href="#">A00232</a>	No Same As	Increases monetary penalties for public health law violations and provides support for the nursing home quality improvement demonstration program.
<a href="#">A00244</a>	No Same As	Formalizes HERDS reporting; requires the Department of Health to share aggregate data from reports with reporting entities and the public.
<a href="#">A1010A</a>	<a href="#">S02022A</a>	All nursing homes and other residential health care facilities inspection results during the COVID-19 state disaster emergency shall be made public.
<a href="#">A02432</a>	<a href="#">S02847</a>	Relates to the closure of nursing homes.
<a href="#">A03131A</a>	<a href="#">S01080A</a>	Establishes requirements for facilities during a state disaster emergency involving a disease outbreak; requires DOH issue guidance regarding precautions and procedures to maintain health and safety; establishes facility reporting requirements.
<a href="#">A03622</a>	<a href="#">S02705</a>	Imposes a nursing home purchase moratorium on those who own or have owned failing facilities for twenty-four months since their last violation.
<a href="#">A04539</a>	<a href="#">S01162</a>	Requires the department of health to provide written, public updates to the Draft New York State's COVID-19 Vaccination Program Plan.
<a href="#">A05436</a>	No Same As – <a href="#">S00612</a> before Assembly amended	Implements the Long-Term Care Ombudsman Program Reform Act.
<a href="#">A05446</a>	<a href="#">S04029</a>	Requires the department of health to post on its website certain data relating to COVID-19 cases in hospitals and nursing homes, including total COVID-19 cases and deaths in nursing homes.
<a href="#">A05685</a>	No Same As	Establishes a required resident care spending ratio for nursing homes.
<a href="#">A05842</a>	<a href="#">S05269</a>	To end the establishment or expansion of for-profit nursing homes.
<a href="#">A05848</a>	<a href="#">S03185</a>	Provides information on where a list of a facility's violations and other actions against it can be found and requires the facility to inform certain persons on where they can locate the list.
<a href="#">A06052</a>	<a href="#">S05177</a>	Adds 12-hour notification requirements when resident or staff infection is discovered, and have a plan in place for effective separation of residents suspected of being infectious.
<a href="#">A06057A</a> Formerly <a href="#">A01999</a>	<a href="#">S01783A</a>	Directs the department of health to establish and implement an infection inspection audit and checklist on residential care facilities, nursing homes and long-term care facilities.
<a href="#">A06610</a>	<a href="#">S03061</a>	Outlines requirements for reporting COVID-19, communicable diseases and deaths.
No Same As – See <a href="#">A05436</a>	<a href="#">S00612</a>	Implements the Long-Term Care Ombudsman Program Reform Act.
No Same As	<a href="#">S01593</a>	Allows an adult home, EALR, ALR, or SNALR to provide for nursing services that are not continual, either by arrangement with a provider of nursing services or by employment.
No Same As	<a href="#">S03060</a>	Requires operators of nursing homes and residential health care facilities to provide notification of certain contracts and agreements to all residents, representatives, staff and the office of the long-term care ombudsman.
No Same As	<a href="#">S03061</a>	Outlines requirements for reporting COVID-19, communicable diseases and deaths due to such communicable diseases for the commissioner of health, state institutions, and hospitals.
No Same As	<a href="#">S04336</a>	Directs the commissioner of health to establish a direct patient care ratio reporting and rebate requirement for nursing homes.
<a href="#">A05847</a>	<a href="#">S02191</a>	Relates to antimicrobial resistance prevention and education; requires every general hospital and nursing home to establish and implement an antimicrobial stewardship program and establish and implement training regarding antimicrobial resistance and infection prevention and control.
<a href="#">A03922A</a>	<a href="#">S00598B</a>	Enacts the "Reimagining Long Term Care Task Force Act" to create a task force to study the state of long-term care services in New York
	Final Bill No. <a href="#">S01784</a>	Requires adult care facilities to include quality improvement committees; includes a focus on infection control in such facilities' quality assurance plans.

	Final Bill No. <a href="#">S03185</a>	Requires facilities to make a list of violations and other actions against it readily available.
Final Bill No. <a href="#">A02037</a>		Requires every nursing home to prominently display it's most recent CMS rating on DOH's website and at each nursing home facility.

## ENACTED NEW YORK STATE LEGISLATION CONCERNING NURSING HOMES AND ADULT CARE FACILITIES

Current as of July 7, 2021

Assembly Bill No.	Senate Bill No.	Purpose
<a href="#">A03007</a>	<a href="#">S02507</a>	Implements the Governor's budget.
<a href="#">A05684A</a>	<a href="#">S04893A</a>	Requires operators of nursing homes and residential health care facilities to provide notification of certain contracts and agreements to all residents, representatives, staff and the office of the long-term care ombudsman.
<a href="#">A03397</a>	<a href="#">S05177</a>	Repeals the Emergency or Disaster Treatment Protection Act (EDTPA).
	Final Bill No. <a href="#">S00614B</a>	Provides for the authorization and regulation of visitation of compassionate care-giving visitors at nursing homes and residential health care facilities.
	Final Bill No. <a href="#">S03058</a>	Establishes requirements for transfer, discharge and voluntary discharge from residential health care facilities
<a href="#">A00108B</a>	<a href="#">S01168</a>	Enacts the "Safe Staffing For Quality Care Act."

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Garfunkel Wild has been constantly tracking and monitoring the status of all proposed nursing home and residential care facility legislation. Should you have any questions regarding the above, please contact the [Garfunkel Wild attorney](#) with whom you regularly work, or contact us at [info@garfunkelwild.com](mailto:info@garfunkelwild.com).