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I N   S E N A T E

February 5, 2016

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Introduced by Sens. LANZA, GALLIVAN, HANNON, PERSAUD -- read twice and ordered printed, and when printed to be committed to the Committee on Veterans, Homeland Security and Military Affairs

AN ACT to amend the executive law, in relation to provisions for home-care and hospice in comprehensive emergency management plans

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1     Section 1. Subdivision 1 of section 23 of the executive law, as  
2     amended by section 4 of part B of chapter 56 of the laws of 2010, is  
3     amended to read as follows:  
4     1. Each county, except those contained within the city of New York,  
5     and each CITY WITH A POPULATION OF ONE MILLION OR MORE, SHALL PREPARE A  
6     COMPREHENSIVE EMERGENCY MANAGEMENT PLAN. EACH city WITH A POPULATION OF  
7     LESS THAN ONE MILLION, town and village is authorized to prepare A  
8     comprehensive emergency management [plans] PLAN. The disaster prepared-  
9     ness commission shall provide assistance and advice for the development  
10    of such plans. [City] EACH CITY WITH A POPULATION OF LESS THAN ONE  
11    MILLION, town and village [plans] PLAN shall be coordinated with the  
12    county plan.  
13    S 2. Subdivision 5 of section 23 of the executive law, as amended by  
14    section 4 of part B of chapter 56 of the laws of 2010, is amended to  
15    read as follows:  
16    5. In preparing such plans, cooperation, advice and assistance shall  
17    be sought from local government officials, regional and local planning  
18    agencies, police agencies, fire departments and fire companies, local  
19    emergency management agencies, commercial and volunteer ambulance  
20    services, health and social services officials, community action agen-  
21    cies, the chief administrator of the courts, organizations for the  
22    elderly and the handicapped, ORGANIZATIONS THAT PROVIDE HOME HEALTH CARE  
23    SERVICES, ORGANIZATIONS THAT PROVIDE HOSPICE SERVICES, other interested  
24    groups and the general public. Such advice and assistance may be  
25    obtained through public hearings held on public notice, or through other  
26    appropriate methods.

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

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1 S 3. Subparagraphs 17 and 18 of paragraph b of subdivision 7 of  
2 section 23 of the executive law, as amended by section 4 of part B of  
3 chapter 56 of the laws of 2010, are amended and a new subparagraph 19 is  
4 added to read as follows:

5 (17) continued operation of governments of political subdivisions;  
6 [and]

7 (18) utilization and coordination of programs to assist individuals  
8 with household pets and service animals following a disaster, with  
9 particular attention to means of evacuation, shelter and transportation  
10 options[.]; AND

11 (19) PROCEDURES FOR ALLOWING ACCESS BY PHYSICIANS, NURSES, MEDICAL  
12 PROFESSIONALS, PERSONNEL OF CERTIFIED HOME HEALTH AGENCIES, LONG TERM  
13 HOME HEALTH CARE PROGRAMS OR LICENSED HOME CARE SERVICES AGENCIES  
14 GOVERNED UNDER ARTICLE THIRTY-SIX OF THE PUBLIC HEALTH LAW, AND PERSON-  
15 NEL OF HOSPICES CERTIFIED PURSUANT TO ARTICLE FORTY OF THE PUBLIC HEALTH  
16 LAW OR ANY OTHER PERSONNEL DEEMED NECESSARY, INCLUDING PROCEDURES FOR  
17 ALLOWING ACCESS IN AREAS WHERE ACCESS HAS OTHERWISE BEEN RESTRICTED OR  
18 SUBJECT TO CURFEW IN DECLARED EMERGENCIES.

19 S 4. Each county, and each city with a population of one million or  
20 more, that on the effective date of this act has already prepared a  
21 comprehensive emergency management plan shall revise such plan in the  
22 event such revisions are needed to comply with the provisions of this  
23 act, and shall submit such revised plan to the disaster preparedness  
24 commission on or before the one hundred eightieth day after the effec-  
25 tive date of this act.

26 S 5. Paragraph a of subdivision 1 of section 24 of the executive law,  
27 as added by chapter 640 of the laws of 1978, is amended to read as  
28 follows:

29 a. the establishment of a curfew and the prohibition and control of  
30 pedestrian and vehicular traffic, except essential emergency vehicles  
31 and personnel, AND IN A MANNER CONSISTENT WITH ANY APPLICABLE LOCAL  
32 COMPREHENSIVE EMERGENCY MANAGEMENT PLAN;

33 S 6. This act shall take effect immediately.