

STATE OF NEW YORK

8798

IN ASSEMBLY

January 12, 2022

Introduced by M. of A. CRUZ -- read once and referred to the Committee on Aging

AN ACT to amend a chapter of the laws of 2021 enacting the "reimagining long-term care task force" creating a task force to study the state of long-term care services in this state, as proposed in legislative bills numbers S. 598-B and A. 3922-A, in relation to the membership of such task force and the effectiveness of such provisions

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

- 1 Section 1. Sections 3, 4 and 5 of a chapter of the laws of 2021 enact-
2 ing the "reimagining long-term care task force" creating a task force to
3 study the state of long-term care services in this state, as proposed in
4 legislative bills numbers S. 598-B and A. 3922-A, are amended to read as
5 follows:
- 6 § 3. Membership. 1. The reimagining long-term care task force shall
7 consist of 26 members [~~as follows~~] and shall include:
- 8 (a) the director of the office for the aging, or [~~his or her~~] their
9 designee;
- 10 (b) the commissioner of health, or [~~his or her~~] their designee;
- 11 (c) the commissioner of labor, or [~~his or her~~] their designee; and
- 12 (d) the commissioner of the office for people with developmental disa-
13 bilities, or [~~his or her~~] their designee[~~;~~
- 14 ~~(e) two~~]. The remaining twenty-two members shall be appointed by the
15 governor[~~;~~
- 16 ~~(f)~~], including two members [~~appointed by~~] on the recommendation of
17 the temporary president of the senate;
- 18 [~~(g)~~] two members [~~appointed by~~] on the recommendation of the speaker
19 of the assembly;
- 20 [~~(h)~~] one member [~~appointed by~~] on the recommendation of the minority
21 leader of the senate;
- 22 [~~(i)~~] one member [~~appointed by~~] on the recommendation of the minority
23 leader of the assembly;
- 24 [~~(j)~~] one representative of the AARP;
- 25 [~~(k)~~] one representative of New York Caring Majority;

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

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1 ~~[(l)]~~ one representative of the Home Care Association of New York
2 State (HCA-NYS);
3 ~~[(m)]~~ one representative of the Long Term Care Community Coalition;
4 ~~[(n)]~~ one representative of ~~[1199]~~ 1199SEIU;
5 ~~[(o)]~~ one representative of the New York State Nurses Association;
6 ~~[(p)]~~ one representative of LeadingAge;
7 ~~[(q)]~~ one representative of Healthcare Association of New York State
8 (HANYS);
9 ~~[(r)]~~ one representative of the Association on Aging in New York; ~~[and~~
10 ~~[(s)]~~ one representative of the Empire State Association of Assisted
11 Living;
12 ~~[(t)]~~ one representative of the New York State Health Facilities
13 Association/New York State Center for Assisted Living;
14 ~~[(u)]~~ one representative of the New York Medical Directors Associ-
15 ation;
16 ~~[(v)]~~ one representative of the New York Chapter of the American
17 College of Physicians Geriatrics Committee; and
18 ~~[(w)]~~ one representative of Argentum New York.

19 2. Members of the task force shall broadly represent long-term care
20 and senior-related interests, including persons with expertise in senior
21 or long-term care advocacy, persons with expertise in addressing dispar-
22 ities based on race, ethnicity, sexual orientation, gender identity, and
23 disability in senior or long-term care, home care and facility based
24 service providers, health care workers, community-based services,
25 consumer-directed services, associations for seniors, health care asso-
26 ciations, elder law representatives, and/or representatives of senior
27 housing, including skilled nursing, independent facilities and services,
28 assisted living facilities and services, and naturally occurring retire-
29 ment communities.

30 3. The commissioner of health and the director of the state office for
31 the aging, or ~~[his or her designee]~~ their designees, shall serve as
32 ~~[chairperson]~~ co-chairs of the task force.

33 4. No member of the task force shall be disqualified from holding any
34 other public office or employment, nor shall ~~[he or she]~~ they forfeit
35 any such office or employment by reason of ~~[his or her]~~ their appoint-
36 ment pursuant to this act, notwithstanding the provisions of any gener-
37 al, special or local law, ordinance or city charter.

38 5. The members of the task force shall receive no compensation for
39 their services, but shall be allowed their actual and necessary expenses
40 incurred in the performance of their duties pursuant to this act.

41 § 4. Assistance from state and local agencies. All departments and
42 agencies of the state or subdivisions thereof, and local governments of
43 this state shall, at the request of the chairperson, provide the task
44 force such facilities, assistance and data to enable the task force to
45 carry out its duties pursuant to this act. Any such data, when received
46 by the task force, shall be kept confidential and shall be used solely
47 to carry out the purposes set forth in section two of this act.

48 § 5. Reports. 1. The task force shall report the findings of its study
49 with respect to the coronavirus pandemic to the governor, the temporary
50 president of the senate and the speaker of the assembly~~[, on or before~~
51 ~~December 1, 2021]~~ within six months after the effective date of this
52 act. Such report shall include recommendations for further action and
53 legislation.

54 2. The task force shall report the findings of its full study to the
55 governor, the temporary president of the senate and the speaker of the
56 assembly~~[, on or before May 1, 2022]~~ within one year after the effective

1 date of this act. Such report shall include recommendations for further
2 action and legislation.

3 § 2. Section 6 of a chapter of the laws of 2021 enacting the "reimag-
4 ining long-term care task force" creating a task force to study the
5 state of long-term care services in this state, as proposed in legisla-
6 tive bills numbers S. 598-B and A. 3922-A, is amended to read as
7 follows:

8 § 6. This act shall take effect [~~immediately~~] 45 days after the end of
9 the state disaster emergency, declared pursuant to executive order 11,
10 issued on November 26, 2021, in response to the novel coronavirus
11 (COVID-19) pandemic.

12 § 3. This act shall take effect immediately; provided that section one
13 of this act shall take effect on the same date and the same manner as a
14 chapter of the laws of 2021 enacting the "reimagining long-term care
15 task force" creating a task force to study the state of long-term care
16 services in this state, as proposed in legislative bills numbers S.
17 598-B and A. 3922-A, takes effect.