

STATE OF NEW YORK

6611

2021-2022 Regular Sessions

IN SENATE

May 10, 2021

Introduced by Sen. MAY -- (at request of the Department of Health) --
read twice and ordered printed, and when printed to be committed to
the Committee on Health

AN ACT to amend the public health law, in relation to quality improve-
ment and increased consumer transparency in assisted living residences

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

1 Section 1. Section 4656 of the public health law, as added by chapter
2 2 of the laws of 2004, is amended by adding a new subdivision 9 to read
3 as follows:

4 9. Assisted Living Quality Improvement Standards. (a) All assisted
5 living residences, as defined in subdivision one of section forty-six
6 hundred fifty-one of this article, including those licensed and certi-
7 fied as an assisted living residence, special needs assisted living
8 residence, or enhanced assisted living residence, shall:

9 (i) report annually on quality measures to be established by the
10 department, in the form and format prescribed by the department, with
11 the first report due January thirty-first, two thousand twenty-three;
12 and

13 (ii) post the monthly service rate, staffing complement, approved
14 admission or residency agreement, and a consumer-friendly summary of all
15 service fees on the facility's website and in a public space within the
16 facility. Such information shall be made available to the public on
17 forms provided by the department. Beginning on January thirty-first, two
18 thousand twenty-three, this information shall also be reported to the
19 department.

20 (b) The department shall score the results of the assisted living
21 quality reporting obtained pursuant to paragraph (a) of this subdivi-
22 sion. Top scoring facilities shall be granted the classification of
23 Advanced Standing on their annual surveillance schedules.

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

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1 (i) Facilities achieving an advanced standing classification shall be
2 surveyed every eighteen to twenty-four months.

3 (ii) Facilities may remain on advanced standing classification
4 provided they meet the scoring requirements in aggregate assisted living
5 quality reporting.

6 (c) (i) Effective January thirty-first, two thousand twenty-three, the
7 department shall post on its website the results of the assisted living
8 quality reporting, collected pursuant to subparagraph (i) of paragraph
9 (a) of this subdivision.

10 (ii) Effective January first, two thousand twenty-four, the department
11 shall post on its website the information reported pursuant to subpara-
12 graph (ii) of paragraph (a) of this subdivision.

13 (d) The department shall develop regulations to establish a definition
14 of memory care services, requirements for an assisted living residence
15 to publicly advertise as providing memory care services, and specific
16 training protocols required of all staff serving the defined population.
17 Such regulations shall apply to any assisted living residence, special
18 needs assisted living residence, or enhanced assisted living residence,
19 as defined in subdivision one of section forty-six hundred fifty-one of
20 this article.

21 § 2. This act shall take effect on the one hundred twentieth day after
22 it shall have become a law.