

STATE OF NEW YORK

627

2023-2024 Regular Sessions

IN ASSEMBLY

January 10, 2023

Introduced by M. of A. LUNSFORD -- read once and referred to the Committee on Health

AN ACT to amend the public health law, in relation to infection control planning in residential health care facilities

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

1 Section 1. Clause (A) of subparagraph (i) of paragraph (a) of subdivision
2 12 of section 2803 of the public health law, as amended by a chapter
3 of the laws of 2022 amending the public health law relating to
4 requiring infection updates and infection control planning in residen-
5 tial health care facilities, as proposed in legislative bills numbers S.
6 1785-A and A. 6052, is amended to read as follows:

7 (A) to update authorized family members and [~~guardians~~] resident
8 representatives of infected residents at least once per day and upon a
9 change in a resident's condition and at least once a week to update all
10 residents and authorized families and [~~guardians~~] resident represen-
11 tatives on the number of infections and deaths at the facility, and to
12 update all residents, authorized family members, and [~~guardians of resi-~~
13 ~~dents~~] resident representatives at the facility [~~within twelve hours of~~
14 ~~not later than five o'clock p.m. the next calendar day following~~ the
15 detection of [~~the presence of an~~] a confirmed infection [~~by~~] of a resi-
16 dent or staff member, or at such earlier time as guidance from the
17 federal centers for Medicaid and medicare services or centers for
18 disease control and prevention may provide, by electronic or such other
19 means as may be selected by each resident, authorized family member or
20 [~~guardian~~] resident representative; and

21 § 2. Clause (C) of subparagraph (ii) of paragraph (a) of subdivision
22 12 of section 2803 of the public health law, as added by a chapter of
23 the laws of 2022 amending the public health law relating to requiring
24 infection updates and infection control planning in residential health

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

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care facilities, as proposed in legislative bills numbers S. 1785-A and A. 6052, is amended to read as follows:

(C) a plan or procedure [~~designating a separate cohort area~~], consistent with any guidance issued by the federal centers for Medicaid and medicare services or centers for disease control and prevention, for placement or grouping of residents within a facility to reduce transmission of the pandemic disease during an infectious disease outbreak in the residential health care facility [~~for the separation of residents that are suspected of being infectious, including the creation of a designated infectious disease care unit~~]; and

§ 3. This act shall take effect on the same date and in the same manner as a chapter of the laws of 2022 amending the public health law relating to requiring infection updates and infection control planning in residential health care facilities, as proposed in legislative bills numbers S. 1785-A and A. 6052, takes effect.