S T A T E O F N E W Y O R K

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I N A S S E M B L Y

May 18, 2010

Introduced by M. of A. ROBINSON, BOYLAND, REILLY, MAISEL -- Multi-Sponsored by -- M. of A. ABBATE, BARRON, CRESPO, SCHIMEL, STIRPE -- read once and referred to the Committee on Health

AN ACT to amend the public health law and the social services law, in relation to requiring residential health care facilities and adult homes to advise current and prospective residents of the financial condition of the facility

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

Section 1. Subdivision 3 of section 2803-c of the public health law is amended by adding a new paragraph q to read as follows:

Q. PURSUANT TO REGULATIONS PROMULGATED BY THE COMMISSIONER IN CONSULTATION WITH THE DIRECTOR OF THE OFFICE FOR THE AGING, NO FACILITY SHALL RESTRICT OR PROHIBIT ACCESS TO PATIENTS, PROSPECTIVE PATIENTS, OR TO OMBUDSMEN, AUDITS OF NURSING HOME COMPANIES AS REQUIRED BY THE DEPARTMENT BY SECTION TWENTY-EIGHT HUNDRED SIXTY-TWO OF THIS ARTICLE. SUCH AUDITS SHALL BE MADE AVAILABLE BY A MEMBER OR MEMBERS OF THE FACILITY'S STAFF WHO SHALL BE DESIGNATED BY THE FACILITY TO PROVIDE ACCESS TO PATIENTS, PROSPECTIVE PATIENTS AND OMBUDSMEN, WHO SHALL HAVE THE RIGHT TO PHOTOCOPY SUCH RECORDS. THE FACILITY MAY CHARGE A REASONABLE FEE FOR PHOTOCOPYING PURSUANT TO SUCH REGULATIONS.

S 2. Section 460-d of the social services law is amended by adding a new subdivision 17 to read as follows:

17. THE DEPARTMENT OF HEALTH SHALL PROVIDE WRITTEN NOTIFICATION TO RESIDENTS OF ALL ADULT HOMES, ENRICHED HOUSING PROGRAMS, RESIDENCES FOR ADULTS AND ASSISTED LIVING PROGRAMS WHERE A TEMPORARY OPERATOR HAS BEEN APPOINTED PURSUANT TO SUBDIVISION FOUR OF THIS SECTION.

S 3. This act shall take effect immediately.

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

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