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

3863

2009-2010 Regular Sessions

I N A S S E M B L Y

January 28, 2009

Introduced by M. of A. RAIA, ALFANO, CONTE, ERRIGO, FINCH, McKEVITT -- Multi-Sponsored by -- M. of A. BARCLAY, BARRA, BURLING, GIGLIO, McDONOUGH, MILLER, O'MARA, QUINN, RABBITT, SAYWARD, TEDISCO, WALKER -- read once and referred to the Committee on Aging

AN ACT directing the office for the aging, in consultation with the department of health and other entities, to conduct a study of the comprehensiveness and effectiveness of evacuation plans for nursing homes and other facilities housing elderly individuals in the case of an emergency or natural disaster

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

Section 1. 1. The New York state office for the aging, in consultation with the department of health, the New York state emergency management office, the New York state office of public security, and any other public entity deemed relevant, shall conduct a study into the comprehensiveness and effectiveness of the evacuation plans, in the event of an emergency, natural disaster or terrorist attack, for nursing homes, assisted living facilities and other facilities which house a population of elderly individuals who are partly or wholly dependent on their caregivers.

2. Within one year of the effective date of this act the participating agencies shall prepare a report which shall include, but not be limited to guidelines and recommendations of the participating entities with regard to evacuation of such facilities and plans for improving such plans, if necessary, and a determination of the cost of such implementation and improvements. Such report shall be provided to the governor, the speaker of the assembly, the temporary president of the senate, the assembly minority leader, the senate minority leader and the chairpersons and ranking members of the senate and assembly committees on aging and health. Such report shall also be made available on any web

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

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sites maintained by the office for the aging, the department of health and other participating agencies.

S 2. Within one year of the publication of the report required by section one of this act all nursing homes, assisted living facilities and other housing for partly or wholly dependent elderly persons shall comply with the guidelines developed and incorporate the recommendations set forth by the participating agencies.

S 3. The department of health shall, in the course of mandated yearly inspections of nursing homes, assisted living facilities and other similar facilities, review the evacuation plans of such facilities and ensure that the guidelines and recommendations of the report are being adhered to.

S 4. The department of health, the New York state emergency management office and the New York state office of public security shall study the placement and maintenance of emergency power equipment in all hospitals, clinics and other facilities licensed under article 28 of the public health law. Within one year of the effective date of this act such agencies shall prepare a report including recommendations and guidelines relative to the existence, placement and maintenance of emergency power equipment in such facilities and any recommendations for modifying or improving the availability, use and effectiveness of such equipment, and a determination of the cost of such implementation and improvements. Such reports shall be provided to the governor, the speaker of the assembly, the temporary president of the senate, the assembly minority leader, the senate minority leader and the chairpersons and ranking members of the senate and assembly committees on aging and health. Such report shall also be made available on any web sites maintained by the office for the aging, the department of health and other participating agencies.

S 5. This act shall take effect immediately.