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

664--A

Cal. No. 302

2011-2012 Regular Sessions

I N A S S E M B L Y

(PREFILED)

January 5, 2011

Introduced by M. of A. GOTTFRIED, DINOWITZ, KELLNER, SCHIMEL -- read once and referred to the Committee on Health -- reported from committee, advanced to a third reading, amended and ordered reprinted, retaining its place on the order of third reading

AN ACT to amend the public health law, in relation to requiring the installation and use of ceiling lifts in hospitals and nursing homes

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

Section 1. Section 206 of the public health law is amended by adding a new subdivision 28 to read as follows:

28. THE COMMISSIONER SHALL PROMULGATE RULES AND REGULATIONS REQUIRING THAT THE CONSTRUCTION OR MAJOR RENOVATION OF HOSPITALS AND NURSING HOMES INCLUDE DESIGN AND CONSTRUCTION ELEMENTS CONSISTENT WITH SUPPORTING THE INSTALLATION AND PROPER USE OF CEILING LIFTS FOR USE MOVEMENT, TRANSFER AND REPOSITIONING OF TOTALLY PHYSICALLY DEPENDENT OR MOBILITY IMPAIRED PATIENTS. SUCH RULES AND REGULATIONS SHALL REQUIRE THE INSTALLATION OF CEILING LIFTS IN EACH FACILITY IN A NUMBER CONSISTENT WITH THE PERCENTAGE OF ROOMS UTILIZED BY TOTALLY PHYSICALLY DEPENDENT OR MOBILITY IMPAIRED PATIENTS IN FACILITIES OF SIMILAR SIZE PROVIDING SIMILAR CARE. SUCH RULES AND REGULATIONS SHALL ALSO REQUIRE APPROPRIATE STAFF TRAINING IN THE USE OF CEILING LIFTS AND ENSURE THE REGULAR, APPROPRIATE AND SAFE USE OF CEILING LIFTS IN FACILITIES WHERE THEY ARE INSTALLED. THE COMMISSIONER MAY WAIVE THE REQUIREMENTS OF THIS SECTION FOR A FACILITY UPON A FINDING THAT THERE IS NO NEED FOR CEILING LIFTS OR THAT CONSTRUCTION OF CEILING LIFTS IS NOT REASONABLY PRACTICAL.

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

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

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