

8247

2013-2014 Regular Sessions

I N   A S S E M B L Y

November 6, 2013

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

AN ACT to amend the public health law, in relation to requiring nursing  
homes that maintain a trust fund or funds into which residents' money  
is deposited to conduct quarterly audits and to report the findings of  
such audits to the commissioner of public health

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

- 1     Section 1. The public health law is amended by adding a new section  
2     2862-a to read as follows:  
3     S 2862-A. AUDITS OF TRUST FUND ACCOUNTS. 1. EACH NURSING HOME COMPANY  
4     SUBJECT TO THE PROVISIONS OF THIS ARTICLE SHALL, AT ITS OWN EXPENSE,  
5     ARRANGE FOR QUARTERLY FINANCIAL AUDITS OF ALL BOOKS AND RECORDS PERTAIN-  
6     ING TO EACH TRUST FUND ACCOUNT INTO WHICH MONEYS OF RESIDENTS OF THE  
7     NURSING HOME FACILITIES OPERATED BY THE COMPANY ARE DEPOSITED. A SEPA-  
8     RATE AUDIT SHALL BE CONDUCTED FOR EACH NURSING HOME FACILITY OPERATED  
9     BY THE COMPANY IN THIS STATE.  
10    2. THE AUDITS SHALL BE CONDUCTED BY A THIRD PARTY UNAFFILIATED WITH  
11    THE NURSING HOME COMPANY AND SHALL BE CONDUCTED FOR THE PURPOSE OF  
12    ENSURING THAT RESIDENTS' MONEYS ARE NOT MISAPPROPRIATED.  
13    3. COPIES OF THE REPORT OF SUCH AUDITS SHALL BE PROVIDED TO THE  
14    COMMISSIONER WITHIN SIXTY DAYS OF THE COMPLETION OF THE AUDIT.  
15    4. THE COMMISSIONER MAY EXAMINE AND AUDIT THE BOOKS AND RECORDS OF THE  
16    COMPANY AT ANY TIME.  
17    S 2. This act shall take effect on the first of January next succeed-  
18    ing the date upon which it shall become a law.

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

LBD11966-01-3