

9374

I N A S S E M B L Y

April 23, 2014

Introduced by M. of A. PEOPLES-STOKES -- read once and referred to the
Committee on Governmental Operations

AN ACT to amend the executive law, in relation to dialysis center disaster preparedness plans

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

- 1 Section 1. Section 23-b of the executive law, as added by chapter 589
2 of the laws of 2008 and subdivision 4 as added by chapter 115 of the
3 laws of 2010, is amended to read as follows:
4 S 23-b. Nursing home [and], assisted living facility, AND DIALYSIS
5 CENTER plans. 1. After consultation with the commissioner of health, the
6 director of the office for the aging, and the director of the state
7 office of homeland security, the commission shall establish standards
8 for nursing homes, adult homes, enriched housing programs [and],
9 assisted living residences AND DIALYSIS CENTERS regarding disaster
10 preparedness.
11 2. Each such facility shall be assisted in the establishment of a
12 disaster preparedness plan. The plan shall include, but not be limited
13 to, the following:
14 (a) Maintaining a supply of food, water and to the extent deemed
15 necessary and feasible in the reasonable judgment of the operator of the
16 facility, medication in reserve in the event that obtaining such items
17 should become difficult or impossible.
18 (b) [In the reasonable judgment of the facility, having access to]
19 REQUIRING a generator or generators sufficient to supply electrical
20 power to the facility.
21 (c) Establishing an evacuation plan for residents OR PATIENTS includ-
22 ing an alternative site suitable for temporary use.
23 (d) Establishing staffing plans during a disaster.
24 3. Such plans shall be made available to the county emergency manage-
25 ment office.
26 4. Nothing in this section shall be deemed to modify or override any
27 requirements in regulations duly promulgated by a state agency, or to
28 limit any lawful authority of a state agency to promulgate regulations,

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

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1 with respect to disaster preparedness of such facilities, the contents
2 of their disaster preparedness plans or the process for approval of
3 those plans.
4 S 2. This act shall take effect immediately.