

5125

2015-2016 Regular Sessions

I N A S S E M B L Y

February 12, 2015

Introduced by M. of A. CUSICK, GOTTFRIED, GUNTHER, COLTON, BENEDETTO, JAFFEE, TITONE, COOK, HOOPER, ROSENTHAL, RAIA, WEPRIN, CLARK -- Multi-Sponsored by -- M. of A. ABBATE, ARROYO, BRAUNSTEIN, HIKIND, MAYER, MOSLEY, PERRY, SCHIMEL, SIMANOWITZ -- read once and referred to the Committee on Governmental Operations

AN ACT to amend the executive law, in relation to provisions for home-care and hospice in comprehensive emergency management plans

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

1 Section 1. Subdivision 1 of section 23 of the executive law, as
2 amended by section 4 of part B of chapter 56 of the laws of 2010, is
3 amended to read as follows:
4 1. Each county, except those contained within the city of New York,
5 and each CITY WITH A POPULATION OF ONE MILLION OR MORE, SHALL PREPARE A
6 COMPREHENSIVE EMERGENCY MANAGEMENT PLAN. EACH city WITH A POPULATION OF
7 LESS THAN ONE MILLION, town and village is authorized to prepare A
8 comprehensive emergency management [plans] PLAN. The disaster prepared-
9 ness commission shall provide assistance and advice for the development
10 of such plans. [City] EACH CITY WITH A POPULATION OF LESS THAN ONE
11 MILLION, town and village [plans] PLAN shall be coordinated with the
12 county plan.
13 S 2. Subdivision 5 of section 23 of the executive law, as amended by
14 section 4 of part B of chapter 56 of the laws of 2010, is amended to
15 read as follows:
16 5. In preparing such plans, cooperation, advice and assistance shall
17 be sought from local government officials, regional and local planning
18 agencies, police agencies, fire departments and fire companies, local
19 emergency management agencies, commercial and volunteer ambulance
20 services, health and social services officials, community action agen-
21 cies, the chief administrator of the courts, organizations for the
22 elderly and the handicapped, ORGANIZATIONS THAT PROVIDE HOME HEALTH CARE

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

LBD01699-03-5

1 SERVICES, ORGANIZATIONS THAT PROVIDE HOSPICE SERVICES, other interested
2 groups and the general public. Such advice and assistance may be
3 obtained through public hearings held on public notice, or through other
4 appropriate methods.

5 S 3. Subparagraphs 17 and 18 of paragraph b of subdivision 7 of
6 section 23 of the executive law, as amended by section 4 of part B of
7 chapter 56 of the laws of 2010, are amended and a new subparagraph 19 is
8 added to read as follows:

9 (17) continued operation of governments of political subdivisions;
10 [and]

11 (18) utilization and coordination of programs to assist individuals
12 with household pets and service animals following a disaster, with
13 particular attention to means of evacuation, shelter and transportation
14 options[.]; AND

15 (19) PROCEDURES FOR THE DEPLOYMENT OF PHYSICIANS, NURSES, MEDICAL
16 PROFESSIONALS, PERSONNEL DEPLOYED BY CERTIFIED HOME HEALTH AGENCIES,
17 LONG TERM HOME HEALTH CARE PROGRAMS OR LICENSED HOME CARE SERVICES AGEN-
18 CIES GOVERNED UNDER ARTICLE THIRTY-SIX OF THE PUBLIC HEALTH LAW, PERSON-
19 NEL DEPLOYED BY HOSPICES CERTIFIED PURSUANT TO ARTICLE FORTY OF THE
20 PUBLIC HEALTH LAW OR ANY OTHER PERSONNEL DEEMED NECESSARY, INCLUDING
21 PROCEDURES FOR DEPLOYMENT IN AREAS WHERE ACCESS HAS OTHERWISE BEEN
22 RESTRICTED OR SUBJECT TO CURFEW IN DECLARED EMERGENCIES.

23 S 4. Each county, and each city with a population of one million or
24 more, that on the effective date of this act has already prepared a
25 comprehensive emergency management plan shall revise such plan in the
26 event such revisions are needed to comply with the provisions of this
27 act, and shall submit such revised plan to the disaster preparedness
28 commission on or before the one hundred eightieth day after the effec-
29 tive date of this act.

30 S 5. Paragraph a of subdivision 1 of section 24 of the executive law,
31 as added by chapter 640 of the laws of 1978, is amended to read as
32 follows:

33 a. the establishment of a curfew and the prohibition and control of
34 pedestrian and vehicular traffic, except essential emergency vehicles
35 and personnel, AND EXCEPT AS CONSISTENT WITH A LOCAL COMPREHENSIVE EMER-
36 GENCY MANAGEMENT PLAN;

37 S 6. This act shall take effect immediately.