

3482

2015-2016 Regular Sessions

I N   S E N A T E

February 10, 2015

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Introduced by Sen. LANZA -- read twice and ordered printed, and when printed to be committed to the Committee on Veterans, Homeland Security and Military Affairs

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  
23    SERVICES, ORGANIZATIONS THAT PROVIDE HOSPICE SERVICES, other interested  
24    groups and the general public. Such advice and assistance may be

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

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1 obtained through public hearings held on public notice, or through other  
2 appropriate methods.

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

7 (17) continued operation of governments of political subdivisions;  
8 [and]

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

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

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

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

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

35 S 6. This act shall take effect immediately.