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

6692--B

I N S E N A T E

February 5, 2016

Introduced by Sens. LANZA, CROCI, GALLIVAN, HANNON, PERSAUD, STAVISKY -- read twice and ordered printed, and when printed to be committed to the Committee on Veterans, Homeland Security and Military Affairs -- reported favorably from said committee and committed to the Committee on Finance -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

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:

Section 1. Subdivision 1 of section 23 of the executive law, as amended by section 4 of part B of chapter 56 of the laws of 2010, is amended to read as follows:

1. Each county, except those contained within the city of New York, and each CITY WITH A POPULATION OF ONE MILLION OR MORE, SHALL PREPARE A COMPREHENSIVE EMERGENCY MANAGEMENT PLAN. EACH city WITH A POPULATION OF LESS THAN ONE MILLION, town and village is authorized to prepare A comprehensive emergency management [plans] PLAN. The disaster preparedness commission shall provide assistance and advice for the development of such plans. [City] EACH CITY WITH A POPULATION OF LESS THAN ONE MILLION, town and village [plans] PLAN shall be coordinated with the county plan.

S 2. Subdivision 5 of section 23 of the executive law, as amended by section 4 of part B of chapter 56 of the laws of 2010, is amended to read as follows:

5. In preparing such plans, cooperation, advice and assistance shall be sought from local government officials, regional and local planning agencies, police agencies, fire departments and fire companies, local emergency management agencies, commercial and volunteer ambulance services, health and social services officials, community action agencies, the chief administrator of the courts, organizations for the elderly and the handicapped, AGENCIES AND ORGANIZATIONS THAT PROVIDE

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

LBD01699-11-6

HOME HEALTH CARE SERVICES, AGENCIES AND ORGANIZATIONS THAT PROVIDE HOSPICE SERVICES, other interested groups and the general public. Such advice and assistance may be obtained through public hearings held on public notice, or through other appropriate AND PRACTICAL methods.

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

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

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

(19) PROCEDURES FOR ALLOWING ACCESS BY PHYSICIANS, NURSES, OTHER MEDICAL PROFESSIONALS, PERSONNEL OF CERTIFIED HOME HEALTH AGENCIES, LONG TERM HOME HEALTH CARE PROGRAMS OR LICENSED HOME CARE SERVICES AGENCIES GOVERNED UNDER ARTICLE THIRTY-SIX OF THE PUBLIC HEALTH LAW, AND PERSONNEL OF HOSPICES CERTIFIED PURSUANT TO ARTICLE FORTY OF THE PUBLIC HEALTH LAW OR ANY OTHER PERSONNEL DEEMED NECESSARY TO PROVIDE VITAL HEALTH CARE TO INDIVIDUALS IN THEIR CARE; SUCH PROCEDURES SHALL ALSO ADDRESS HOW SUCH PROFESSIONALS AND PERSONNEL WILL BE REQUIRED TO BE IDENTIFIED IN ORDER TO GAIN ACCESS TO AREAS WHERE ACCESS HAS OTHERWISE BEEN RESTRICTED OR SUBJECT TO CURFEW IN DECLARED EMERGENCIES. SUCH PROCEDURES SHALL ENSURE THAT ACCESS BY SUCH PROFESSIONALS AND PERSONNEL IN AREAS WHERE ACCESS HAS OTHERWISE BEEN RESTRICTED OR SUBJECT TO CURFEW SHALL NOT BE CONSTRUED TO PROHIBIT LOCAL EMERGENCY MANAGEMENT OFFICIALS FROM DENYING SUCH ACCESS WHEN IN THEIR DISCRETION CONDITIONS NECESSITATE SUCH A DENIAL.

S 4. Each county, and each city with a population of one million or more, that on the effective date of this act has already prepared a comprehensive emergency management plan shall revise such plan in the event such revisions are needed to comply with the provisions of this act, and shall submit such revised plan to the division of homeland security and emergency services on or before the one hundred eightieth day after the effective date of this act.

S 5. This act shall take effect immediately.