

3482--B

2015-2016 Regular Sessions

I N S E N A T E

February 10, 2015

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 -- 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:

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

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

LBD01699-07-5

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

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

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

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

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

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

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

34 a. the establishment of a curfew and the prohibition and control of
35 pedestrian and vehicular traffic, except essential emergency vehicles
36 and personnel, AND IN A MANNER CONSISTENT WITH ANY APPLICABLE LOCAL
37 COMPREHENSIVE EMERGENCY MANAGEMENT PLAN;

38 S 6. This act shall take effect immediately.