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I N S E N A T E

February 5, 2016

Introduced by Sens. LANZA, GALLIVAN, HANNON, PERSAUD -- 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
25 obtained through public hearings held on public notice, or through other
26 appropriate methods.

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

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

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

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

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

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

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

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

33 S 6. This act shall take effect immediately.