# STATE OF NEW YORK

9034

# IN ASSEMBLY

January 16, 2018

Introduced by M. of A. GOTTFRIED -- read once and referred to the Committee on Health

AN ACT to amend the social services law, in relation to reporting deaths and felony crimes in certain adult care facilities

**The People of the State of New York, represented in Senate and Assembly, do enact as follows:**

Section 1. Section 461-m of the social services law, as amended by a chapter of the laws of 2017, amending the social services law relating to death and felony crime reports in certain adult care facilities, as proposed in legislative bills numbers S. 787-A and A. 2702, is amended to read as follows:

§ 461-m. Death and felony crime reporting. The operator of an adult home, enriched housing program or residence for adults shall have an affirmative duty to report any death, or attempted suicide of a resident to the department of health within twenty-four hours of its occurrence, and shall also have an affirmative duty to report to an appropriate law enforcement authority if the operator discovers an incident that the operator believes or reasonably should believe would constitute a felony crime against a resident of such facility as soon as possible, or in any event within twenty-four hours. In addition, [~~any~~] the operator [~~of a facility defined in section four hundred eighty-eight of this chapter that is subject to this section,~~] shall[~~, in addition,~~] send any reports involving a resident who had at any time received services from a mental hygiene service provider to the justice center for the protection of people with special needs [~~within twenty-four hours of the occurrence of the death or attempted suicide or of the discovery of an incident that the operator believed or reasonably should have believed to be a felony crime~~].

§ 2. This act shall take effect on the same date and in the same manner as a chapter of the laws of 2017, amending the social services law relating to death and felony crime reports in certain adult care facilities, as proposed in legislative bills numbers S. 787-A and A. 2702, takes effect.

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

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