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

Section 1. Section 2801 of the public health law is amended by adding a new subdivision 12 to read as follows:

12. "Essential person" shall mean a family member, attorney in fact or health care proxy who, prior to and after the COVID-19 state disaster emergency declared pursuant to executive order two hundred two of two thousand twenty, was or regularly is present at a nursing home three or more days per week providing assistance to a resident of such nursing home. Such assistance shall include, but not be limited to, help with feeding, hygiene, mobility, dressing, emotional support and medication.

§ 2. Subdivision 3 of section 2803-c of the public health law is amended by adding a new paragraph r to read as follows:

r. Every patient shall have the right to designate one individual as an essential person. Such essential person shall act as an advocate for the resident, whose duties include, but are not be limited to, communicating with nursing home staff regarding the needs of such resident, reporting any suspected abuse or neglect on behalf of such resident, or requesting additional care or a change in the current care plan if necessary.

§ 3. Section 2803-c of the public health law is amended by adding a new subdivision 6 to read as follows:

6. a. Any individual designated as an essential person pursuant to this section shall be permitted unrestricted access and visitation to

EXPLANATION--Matter in italics (underscored) is new; matter in brackets [-] is old law to be omitted.
the resident at the nursing home in which such resident resides in order
to provide the necessary aid described pursuant to this section.

b. Throughout the duration of the COVID-19 state disaster emergency
declared pursuant to executive order two hundred two of two thousand
twenty, each nursing home shall require and provide for essential
persons to be tested for COVID-19 on a weekly basis, and each essential
person shall be required to wear adequate personal protective equipment
(PPE) at all times while on the premises of such facility. If an essential person should test positive for COVID-19, he or she shall be denied
access to the nursing home for a period of fourteen days and shall be
required to self-quarantine during such period. At the conclusion of
such fourteen-day period, such essential person shall be permitted to
return to the nursing home so long as he or she has no symptoms of and
produces a negative test result for COVID-19.

§ 4. This act shall take effect immediately, provided, however, that
paragraph b of subdivision 6 of section 2803-c of the public health law
as added by section three of this act shall expire and be deemed
repealed on the same date the COVID-19 state disaster emergency declared
pursuant to executive order 202 of 2020 has been lifted.