STATE OF NEW YORK

9028--A

IN SENATE

October 5, 2020

Introduced by Sens. SKOUFIS, RIVERA, MAY -- read twice and ordered printed, and when printed to be committed to the Committee on Rules -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the social services law, in relation to requiring adult care facilities to include quality assurance committees and include a focus on infection control in such facilities' quality assurance plans

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

Section 1. Paragraph (c) of subdivision 2 of section 461-a of the social services law, as amended by chapter 735 of the laws of 1994, is amended to read as follows:

(c) An inspection report shall be made of each inspection which shall clearly identify and indicate in detail each area of operation, including, but not limited to, the premises, equipment, personnel, resident care and services, and whether each such area of operation or any of its component parts is or is not in compliance with the regulations of the department and all other applicable requirements. It also shall identify those areas of operation or any of its component parts found not in compliance as a result of failure in systemic practices and procedures. The operator shall be notified of the results of the inspection in a manner to be determined by regulations of the department. Such notification shall contain directions as may be appropriate as to the manner and time in which compliance with applicable requirements of law or regulations of the department shall be effected. The department shall also require the operator of an adult home or residence for adults to develop, biannually update and implement plans for quality assurance activities for each area of operation. Quality assurance activities include but are not limited to, development and maintenance of performance standards **including infection control**, measurement of adherence to such standards and to applicable state and local laws and regulations, identification of performance failures, design, and implementation of corrective action. **Each plan must also include the creation of a quality assurance committee that is charged with meeting periodically to review**

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

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findings from monitoring activities, evaluating the effectiveness of corrective actions, and identifying trends and improvement activities. Such committee shall include the administrator or operator of the facility, the resident council president or other resident representative, representatives of family members of residents, and representatives from frontline employees from each area of operation.

§ 2. This act shall take effect on the ninetieth day after it shall have become a law.