

# STATE OF NEW YORK

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230

2019-2020 Regular Sessions

## IN SENATE

(Prefiled)

January 9, 2019

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Introduced by Sens. HOYLMAN, RIVERA -- read twice and ordered printed,  
and when printed to be committed to the Committee on Health

AN ACT to amend the public health law, in relation to authorizing  
hospice residences to care for up to 25 patients

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

1 Section 1. Subdivision 2-b of section 4002 of the public health law,  
2 as amended by chapter 205 of the laws of 2017, is amended to read as  
3 follows:

4 2-b. "Hospice residence" means a hospice operated home which is resi-  
5 dential in character and physical structure and operated for the purpose  
6 of providing more than two hospice patients but not more than sixteen  
7 hospice patients or, in cities having a population of one million or  
8 more, not more than twenty-five hospice patients, with hospice care,  
9 which may include dually certified hospice in-patient beds up to twen-  
10 ty-five percent of the hospice residence's patient capacity, or up to  
11 fifty percent of the hospice residence's patient capacity with the  
12 commissioner's approval.

13 § 2. Subdivision 1 of section 4014 of the public health law, as  
14 amended by chapter 512 of the laws of 2013, is amended to read as  
15 follows:

16 1. The commissioner is hereby authorized to establish a hospice resi-  
17 dence pilot program. Such program, subject to the rules and regulations  
18 of the commissioner, shall authorize the operation of not more than ten  
19 hospice residences operated for the purpose of providing more than two  
20 hospice patients but not more than sixteen hospice patients or, in  
21 cities having a population of one million or more, not more than twen-  
22 ty-five hospice patients, with hospice care. The locations of the  
23 hospice residence pilot program shall be geographically disbursed  
24 throughout the state and approved by the commissioner. To the extent

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

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1 that patients may access hospital or skilled nursing home care, the care  
2 plan for such patients shall provide for such care.  
3 § 3. This act shall take effect immediately and the amendments to  
4 sections 4002 and 4014 of the public health law made by sections one and  
5 two of this act shall apply to hospice residences established prior to  
6 the effective date of this act as well as those created thereafter.