STATE OF NEW YORK

230

2019-2020 Regular Sessions

IN SENATE

(Prefiled)

January 9, 2019

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 Assembly, do enact as follows:

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

2-b. "Hospice residence" means a hospice operated home which is residential in character and physical structure and operated for the purpose of providing more than two hospice patients but not more than sixteen hospice patients **or, in cities having a population of one million or more, not more than twenty-five hospice patients,** with hospice care, which may include dually certified hospice in-patient beds up to twenty-five percent of the hospice residence's patient capacity, or up to fifty percent of the hospice residence's patient capacity with the commissioner's approval.

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

1. The commissioner is hereby authorized to establish a hospice residence pilot program. Such program, subject to the rules and regulations of the commissioner, shall authorize the operation of not more than ten hospice residences operated for the purpose of providing more than two hospice patients but not more than sixteen hospice patients **or, in cities having a population of one million or more, not more than twenty-five hospice patients,** with hospice care. The locations of the hospice residence pilot program shall be geographically disbursed 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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that patients may access hospital or skilled nursing home care, the care plan for such patients shall provide for such care.

§ 3. This act shall take effect immediately and the amendments to sections 4002 and 4014 of the public health law made by sections one and two of this act shall apply to hospice residences established prior to the effective date of this act as well as those created thereafter.