

STATE OF NEW YORK

8633--B

IN SENATE

June 26, 2020

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

AN ACT in relation to enacting the "reimagining long-term care task force" to create a task force to study the state of long-term care services in this state

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

1 Section 1. Short title. This act shall be known and may be cited as
2 the "reimagining long-term care task force act".
3 § 2. Reimagining long-term care task force; duties. There is hereby
4 created the reimagining long-term care task force. Such task force shall
5 study the state of long-term care services, options and challenges for
6 older New Yorkers and reimagine how the state can better meet the exist-
7 ing and projected needs of such New Yorkers in ways that prioritize
8 safety and affordability, and enhance the quality of life for those in
9 need of such care. In carrying out its task, the task force shall
10 consider the full continuum of care available to older New Yorkers,
11 including, but not limited to, community-based services, consumer-di-
12 rected services, independent living, assisted living and skilled-nursing
13 facility care. The task force shall study the limitations currently
14 hampering quality care, both in home-based and facility-based settings,
15 and consider potential models for improvement. In addition, the task
16 force shall study the challenges and issues generated by the coronavirus
17 pandemic, including, but not limited to, infection control protocols and
18 enforcement, staffing shortages, lack of federally mandated crisis
19 plans, visitation bans, and other factors that exacerbated the
20 pandemic's toll on residents and staff of skilled nursing and other
21 adult-care facilities. The task force shall utilize the findings of its
22 study on the impact of the coronavirus pandemic to formulate recommenda-

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

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1 tions on how such skilled nursing and other adult-care facilities, as
2 well as home care service agencies, can better care for and protect the
3 overall well-being of residents and clients in any future emergency.

4 § 3. Membership. 1. The reimagining long-term care task force shall
5 consist of 22 members as follows:

- 6 (a) the director of the office for the aging, or his or her designee;
- 7 (b) the commissioner of health, or his or her designee;
- 8 (c) the commissioner of labor, or his or her designee;
- 9 (d) the commissioner of the office for people with developmental disa-
10 bilities, or his or her designee;
- 11 (e) two members appointed by the governor;
- 12 (f) two members appointed by the temporary president of the senate;
- 13 (g) two members appointed by the speaker of the assembly;
- 14 (h) one member appointed by the minority leader of the senate;
- 15 (i) one member appointed by the minority leader of the assembly;
- 16 (j) one representative of the AARP;
- 17 (k) one representative of New York Caring Majority;
- 18 (l) one representative of the Home Care Association of New York State
19 (HCA-NYS);
- 20 (m) one representative of the Long Term Care Community Coalition;
- 21 (n) one representative of 1199;
- 22 (o) one representative of the New York State Nurses Association;
- 23 (p) one representative of LeadingAge;
- 24 (q) one representative of Healthcare Association of New York State
25 (HANYS);
- 26 (r) one representative of the Association on Aging in New York; and
- 27 (s) one representative of the Empire State Association of Assisted
28 Living.

29 2. Members of the task force shall broadly represent long-term care
30 and senior-related interests, including persons with expertise in senior
31 or long-term care advocacy, persons with expertise in addressing racial
32 disparities in senior or long-term care, home care and facility based
33 service providers, health care workers, community-based services,
34 consumer-directed services, associations for seniors, health care asso-
35 ciations, elder law representatives, and/or representatives of senior
36 housing, including skilled nursing, independent facilities and services,
37 assisted living facilities and services, and naturally occurring retire-
38 ment communities.

39 3. The director of the office for the aging, or his or her designee,
40 shall serve as chairperson of the task force.

41 4. No member of the task force shall be disqualified from holding any
42 other public office or employment, nor shall he or she forfeit any such
43 office or employment by reason of his or her appointment pursuant to
44 this act, notwithstanding the provisions of any general, special or
45 local law, ordinance or city charter.

46 5. The members of the task force shall receive no compensation for
47 their services, but shall be allowed their actual and necessary expenses
48 incurred in the performance of their duties pursuant to this act.

49 § 4. Assistance from state and local agencies. All departments and
50 agencies of the state or subdivisions thereof, and local governments of
51 this state shall, at the request of the chairperson, provide the task
52 force such facilities, assistance and data to enable the task force to
53 carry out its duties pursuant to this act.

54 § 5. Reports. 1. The task force shall report the findings of its study
55 with respect to the coronavirus pandemic to the governor, the temporary
56 president of the senate and the speaker of the assembly, on or before

1 December 1, 2020. Such report shall include recommendations for further
2 action and legislation.

3 2. The task force shall report the findings of its full study to the
4 governor, the temporary president of the senate and the speaker of the
5 assembly, on or before May 1, 2021. Such report shall include recommen-
6 dations for further action and legislation.

7 § 6. This act shall take effect immediately.