STATE OF NEW YORK

3922--A

2021-2022 Regular Sessions

IN ASSEMBLY

January 29, 2021

Introduced by M. of A. CRUZ -- read once and referred to the Committee on Aging -- 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:

Section 1. Short title. This act shall be known and may be cited as the "reimagining long-term care task force act".

§ 2. Reimagining long-term care task force; duties. There is hereby created the reimagining long-term care task force. Such task force shall study the state of long-term care services, options and challenges for older New Yorkers and reimagine how the state can better meet the existing and projected needs of such New Yorkers in ways that prioritize safety and affordability, and enhance the quality of life for those in need of such care. In carrying out its task, the task force shall consider the full continuum of care available to older New Yorkers, including, but not limited to, community-based services, consumer-directed services, culturally and linguistically relevant healthcare, independent living, assisted living and skilled-nursing facility care. The task force shall study the limitations currently hampering quality care, both in home-based and facility-based settings, and consider potential models for improvement. In addition, the task force shall study the challenges and issues generated by the coronavirus pandemic, including, but not limited to, infection control protocols and enforcement, staffing shortages, lack of federally mandated crisis plans, visitation bans, and other factors that exacerbated the pandemic's toll on residents and staff of skilled nursing and other adult-care facilities. The task force shall utilize the findings of its study on the impact of the coronavirus pandemic to formulate recommendations on how such

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

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

§ 3. Membership. 1. The reimagining long-term care task force shall consist of 26 members as follows:

(a) the director of the office for the aging, or his or her designee;

(b) the commissioner of health, or his or her designee;

(c) the commissioner of labor, or his or her designee;

(d) the commissioner of the office for people with developmental disabilities, or his or her designee;

(e) two members appointed by the governor;

(f) two members appointed by the temporary president of the senate;

(g) two members appointed by the speaker of the assembly;

(h) one member appointed by the minority leader of the senate;

(i) one member appointed by the minority leader of the assembly;

(j) one representative of the AARP;

(k) one representative of New York Caring Majority;

(l) one representative of the Home Care Association of New York State (HCA-NYS);

(m) one representative of the Long Term Care Community Coalition;

(n) one representative of 1199;

(o) one representative of the New York State Nurses Association;

(p) one representative of LeadingAge;

(q) one representative of Healthcare Association of New York State (HANYS);

(r) one representative of the Association on Aging in New York; and

(s) one representative of the Empire State Association of Assisted Living;

(t) one representative of the New York State Health Facilities Association/New York State Center for Assisted Living;

(u) one representative of the New York Medical Directors Association;

(v) one representative of the New York Chapter of the American College of Physicians Geriatrics Committee; and

(w) one representative of Argentum New York.

2. Members of the task force shall broadly represent long-term care and senior-related interests, including persons with expertise in senior or long-term care advocacy, persons with expertise in addressing disparities based on race, ethnicity, sexual orientation, gender identity, and disability in senior or long-term care, home care and facility based service providers, health care workers, community-based services, consumer-directed services, associations for seniors, health care associations, elder law representatives, and/or representatives of senior housing, including skilled nursing, independent facilities and services, assisted living facilities and services, and naturally occurring retirement communities.

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

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

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

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

§ 5. Reports. 1. The task force shall report the findings of its study with respect to the coronavirus pandemic to the governor, the temporary president of the senate and the speaker of the assembly, on or before December 1, 2021. Such report shall include recommendations for further action and legislation.

2. The task force shall report the findings of its full study to the governor, the temporary president of the senate and the speaker of the assembly, on or before May 1, 2022. Such report shall include recommendations for further action and legislation.

§ 6. This act shall take effect immediately.