

STATE OF NEW YORK

5842

2021-2022 Regular Sessions

IN ASSEMBLY

February 26, 2021

Introduced by M. of A. GOTTFRIED -- read once and referred to the
Committee on Health

AN ACT to amend the public health law, in relation to the establishment,
incorporation, construction, or increase in capacity of for-profit
nursing homes

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

1 Section 1. The public health law is amended by adding a new section
2 2802-c to read as follows:

3 § 2802-c. No additional or expanded for-profit nursing homes. 1.
4 Notwithstanding any provision of this article to the contrary, the
5 commissioner and the council shall not approve or take any action that
6 would establish, incorporate or approve the construction of any for-pro-
7 fit nursing home or increase the resident capacity of any for-profit
8 nursing home.

9 2. However, with respect to a facility that was established, incorpo-
10 rated or approved for construction as a for-profit nursing home prior to
11 the effective date of this section, this section shall not bar further
12 action relating to the establishment, incorporation or construction of
13 that facility, provided that the action does not approve or result in an
14 increase in the resident capacity of that nursing home.

15 3. As used in this section, "for-profit nursing home" means a nursing
16 home owned or operated, in whole or in part, by a for-profit entity.

17 § 2. This act shall take effect immediately.

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

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