AN ACT to amend the public health law, in relation to reporting COVID-19, communicable diseases and deaths caused by such communicable diseases

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

Section 1. Subdivision 1 of section 206 of the public health law is amended by adding two new paragraphs (e-1) and (e-2) to read as follows:

(e-1) ensure that the department updates its regular reporting of "Nursing Home and Adult Care Facility COVID Related Deaths Statewide" to include those COVID-19 confirmed and presumed positive cases of residents who were transferred from a nursing home or adult care facility to a hospital and died in the hospital retrospective to March first, two thousand twenty. Such update shall occur and be publicly posted within thirty days of the effective date of this subdivision;

(e-2) share aggregate reports of information collected under the department's emergency survey system known as the Health Emergency Response Data System (HERDS), or its successor, with the entities completing and submitting the HERDS surveys, in order to support such entities' situational awareness and emergency response needs as dictated by the nature of the emergency; such reports shall be shared with surveyed entities as soon as practicable after the HERDS collection, and shall be in a form and interval appropriate to the collection frequency and circumstances of the emergency; for surveys of duration less than one week, reports shall be shared as soon as practicable, but not later than one week after final collection; for surveys of duration more than one week, such reports shall be shared no less frequently than weekly during the survey period. Information from such reports may be made public by the department and shall be used to ensure the department's

EXPLANATION--Matter in italics (underscored) is new; matter in brackets [-] is old law to be omitted.
public reports required pursuant to sections twenty-one hundred one-a
and forty-one hundred forty of this chapter are accurate and timely;

§ 2. The public health law is amended by adding a new section 2101-a
to read as follows:

§ 2101-a. Communicable diseases; duty to report; transfer of individ-
uals. 1. When a communicable disease is reported by a person in charge
of a state institution, pursuant to section two thousand one hundred
five of this title, or a facility licensed under article twenty-eight of
this chapter, pursuant to the provisions of section two thousand one
hundred one of this title, the report shall include whether the individ-
ual was transferred from another institution or facility, including an
adult care facility, and identify the facility. The report shall also
include whether the individual works in a health care facility and iden-
tify the facility.

2. During a declared public health emergency, information collected by
the state and local health districts on cases of a communicable disease
associated with a declared public health emergency shall be maintained
and updated on the department's website no less frequently than once per
week to identify the number of cases of residents and staff at partic-
ular nursing homes and adult care facilities, together with information
on deaths of residents as required by section forty-one hundred forty of
this chapter.

§ 3. Section 4140 of the public health law is amended by adding a new
subdivision 4 to read as follows:

4. Where the death is confirmed or presumed to have occurred from
COVID-19, and the individual resided in a nursing home or adult care
facility at or immediately prior to such death, the commissioner and the
department of health of the city of New York and registrar of the
district in which the death occurred shall, in addition to maintaining
deaths by district, record such death as that of a nursing home or adult
care facility resident even if the individual did not die in such facil-
ity. During a declared public health emergency, such information shall
be maintained and updated on the department's website no less frequently
than once per week, together with information on cases of the communica-
tible disease associated with the public health emergency of residents and
staff as required by section twenty-one hundred one-a of this chapter.

§ 4. This act shall take effect immediately.