STATE OF NEW YORK

7116

2021-2022 Regular Sessions

IN ASSEMBLY

April 22, 2021

Introduced by M. of A. BYRNE -- read once and referred to the Committee on Governmental Operations

AN ACT to amend the executive law, in relation to enacting the act to reveal the truth about COVID-19 in nursing homes

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 "act to reveal the truth about COVID-19 in nursing homes".

§ 2. The executive law is amended by adding a new section 55-a to read as follows:

§ 55-a. 1. The state inspector general is authorized and directed to contract with a firm or academic entity to conduct a statistical analysis on the spread of COVID-19 in nursing homes. Such firm or academic entity shall be independent from the state government or any agency thereof.

2. Such statistical analysis shall include the following information:

(a) the numbers and rates of mortality for all nursing home residents;

(b) the effect that state policies, including but not limited to the department of health's policy to deny readmission or admission to a nursing home solely based on a confirmed or suspected diagnosis of COVID-19; and

(c) any conclusions or recommendations on whether state and/or federal policies were helpful or harmful in protecting elderly residents of the state from COVID-19.

3. The analysis shall break down its findings by county, and, where large numbers of cases have arisen, by facility. Prior to being published, such analysis shall be peer-reviewed by at least three separate independent firms or academic entities. Such separate independent firms or academic entities shall be independent from the state government or any agency thereof.

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

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4. The department of health shall provide to the firm or academic entity conducting the statistical analysis all information requested by such firm or academic entity to conduct the above analysis.

5. The analysis shall be provided in writing to the state inspector general, the governor, the commissioner of the department of health, the attorney general, the speaker of the assembly, the senate majority leader, the assembly minority leader, and the senate minority leader. The state inspector general and the commissioner of the department of health shall publish such analysis on their respective state agency websites for the public to access and review.

6. The state inspector general shall contract, complete, and publish this analysis no later than three hundred sixty days from the date this section takes effect.

§ 3. This act shall take effect immediately.