

STATE OF NEW YORK

8839

IN ASSEMBLY

January 13, 2022

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

AN ACT to amend the public health law, in relation to posting of information relating to the long-term care ombudsman program; and to amend a chapter of the laws of 2021, amending the public health law relating to requiring translations of a patient's rights; and relating to the posting of information relating to the long-term care ombudsman program, as proposed in legislative bills numbers S. 4377 and A. 6222, in relation to the effectiveness thereof

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

1 Section 1. Subdivision 6 of section 2803-c of the public health law,
2 as added by a chapter of the laws of 2021 amending the public health law
3 relating to requiring translations of a patient's rights; and relating
4 to the posting of information relating to the long-term care ombudsman
5 program, as proposed in legislative bills numbers S. 4377 and A. 6222,
6 is amended to read as follows:

7 6. The department shall translate and make available to all facilities
8 the statement in the [~~six~~] ten most common non-English languages spoken
9 by individuals with limited-English proficiency in New York state as
10 based on the most recent United States census. Each facility shall post
11 and make available copies of said statement for residents under subdivi-
12 sions one, two, and four of this section.

13 § 2. Section 2803-c-1 of the public health law, as added by a chapter
14 of the laws of 2021 amending the public health law relating to requiring
15 translations of a patient's rights; and relating to the posting of
16 information relating to the long-term care ombudsman program, as
17 proposed in legislative bills numbers S. 4377 and A. 6222, is amended to
18 read as follows:

19 § 2803-c-1. Rights of patients in certain medical facilities; long-
20 term care ombudsman program. [~~The commissioner shall require that every~~]
21 1. Each nursing home and residential health care facility providing
22 health related service, as defined in subdivisions two and three and
23 paragraph (b) of subdivision four of section twenty-eight hundred one of

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

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1 this article, [~~prominently~~] shall post in [~~each resident's room,~~] a
2 conspicuous place or places where notices to residents are customarily
3 posted, and shall provide each member of the facility's staff, and each
4 patient and their appointed personal representative at or prior to the
5 time of admission to the facility, or at the time of the represen-
6 tative's appointment, the following contact information:

7 (a) contact information for the state and relevant regional [~~offices~~]
8 office of the [~~long-term~~] long-term care ombudsman program as provided
9 for in section two hundred eighteen of the elder law[, ~~as well as~~
10 ~~contact information for the facility representative~~]; and

11 (b) contact information for the department's nursing home complaint
12 hotline.

13 [~~Such nursing~~] 2. Nursing homes and residential health care facilities
14 shall [~~also~~] provide updated contact information for the state and rele-
15 vant regional offices [~~and facility representatives~~] of the long-term
16 care ombudsman program to all residents and their [~~families~~] appointed
17 personal representatives twice a year.

18 § 3. Section 3 of a chapter of the laws of 2021, amending the public
19 health law relating to requiring translations of a patient's rights; and
20 relating to the posting of information relating to the long-term care
21 ombudsman program, as proposed in legislative bills numbers S. 4377 and
22 A. 6222, is amended to read as follows:

23 § 3. This act shall take effect [~~immediately provided, however, that~~
24 ~~the provisions of section two of this act shall take effect~~] on the one
25 hundred twentieth day after it shall have become a law.

26 § 4. This act shall take effect immediately, provided, however,
27 sections one and two of this act shall take effect on the same date and
28 in the same manner as a chapter of the laws of 2021 amending the public
29 health law relating to requiring translations of a patient's rights; and
30 relating to the posting of information relating to the long-term care
31 ombudsman program, as proposed in legislative bills numbers S. 4377 and
32 A. 6222, takes effect.