

STATE OF NEW YORK

6601--B

2021-2022 Regular Sessions

IN SENATE

May 10, 2021

Introduced by Sen. COONEY -- read twice and ordered printed, and when printed to be committed to the Committee on Health -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the public health law, in relation to requiring COVID-19 testing of certain employees at nursing homes, residential health care facilities, assisted living facilities and enhanced assisted living facilities; and providing for the repeal of such provisions upon expiration thereof

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

1 Section 1. The public health law is amended by adding a new section
2 2805-aa to read as follows:

3 § 2805-aa. COVID-19 testing. 1. Every nursing home and residential
4 health care facility shall, at least once a week, test every employee
5 whose scope of employment includes contact with residents at such nurs-
6 ing home or residential health care facility for COVID-19. If such
7 employee has not received the full set of vaccinations for COVID-19,
8 such testing shall occur at least twice a week.

9 2. Every nursing home and residential health care facility shall, at
10 least once a month, test every employee whose scope of employment does
11 not include contact with residents at such nursing home or residential
12 health care facility for COVID-19. If such employee has not received
13 the full set of vaccinations for COVID-19, such testing shall occur at
14 least twice a month.

15 § 2. Section 4656 of the public health law, as added by chapter 2 of
16 the laws of 2004, is amended by adding a new subdivision 9 to read as
17 follows:

18 9. a. Every assisted living operator shall, at least once a week, test
19 every employee whose scope of employment includes contact with residents

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

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1 at such assisted living residence for COVID-19. If such employee has
2 not received the full set of vaccinations for COVID-19, such testing
3 shall occur at least twice a week.

4 b. Every assisted living operator shall, at least once a month, test
5 every employee whose scope of employment does not include contact with
6 residents at such assisted living residence for COVID-19. If such
7 employee has not received the full set of vaccinations for COVID-19,
8 such testing shall occur at least twice a month.

9 § 3. This act shall take effect immediately; provided that the
10 provisions of this act shall expire and be deemed repealed upon the
11 expiration of the declared state of disaster emergency relating to the
12 novel coronavirus (COVID-19); and provided, further, that the commis-
13 sioner of health shall notify the legislative bill drafting commission
14 upon the occurrence of the expiration of the state disaster emergency
15 declared by executive order number 202 and any further amendments or
16 modifications, and as may be further extended pursuant to section 28 of
17 the executive law, in order that the commission may maintain an accurate
18 and timely effective data base of the official text of the laws of the
19 state of New York in furtherance of effectuating the provisions of
20 section 44 of the legislative law and section 70-b of the public offi-
21 cers law.