# STATE OF NEW YORK

5846

2021-2022 Regular Sessions

# IN ASSEMBLY

February 26, 2021

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

AN ACT to amend the social services law, in relation to requiring adult care facilities to include quality improvement committees and include a focus on infection control in such facilities' quality assurance plans

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

Section 1. Paragraph (c) of subdivision 2 of section 461-a of the social services law, as amended by chapter 735 of the laws of 1994, is amended to read as follows:

(c) An inspection report shall be made of each inspection which shall clearly identify and indicate in detail each area of operation, including, but not limited to, the premises, equipment, personnel, resident care and services, and whether each such area of operation or any of its component parts is or is not in compliance with the regulations of the department and all other applicable requirements. It also shall identify those areas of operation or any of its component parts found not in compliance as a result of failure in systemic practices and procedures. The operator shall be notified of the results of the inspection in a manner to be determined by regulations of the department. Such notification shall contain directions as may be appropriate as to the manner and time in which compliance with applicable requirements of law or regulations of the department shall be effected. The department shall also require the operator of an adult home or residence for adults to develop, biannually update and implement plans for quality assurance activities for each area of operation. Quality assurance activities include but are not limited to, development and maintenance of performance standards **including infection control**, measurement of adherence to such standards and to applicable state and local laws and regulations, identification of performance failures, design, and implementation of

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

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corrective action. **Each plan must also include the creation of a quality improvement committee that is charged with meeting periodically, at least once every six months, to review summary findings from monitoring implementation of the facility's plan, evaluating the effectiveness of corrective action policies, and identifying trends and improvement activities. While reviewing facility performance, the committee shall not examine personally identifiable resident incidents. Such committee shall include the administrator or operator of the facility, the resident council president or other resident representative, and representatives from frontline employees from each area of operation.**

§ 2. This act shall take effect on the ninetieth day after it shall have become a law.