STATE OF NEW YORK

1621

2021-2022 Regular Sessions

IN SENATE

January 14, 2021

Introduced by Sens. SANDERS, RITCHIE -- read twice and ordered printed, and when printed to be committed to the Committee on Health

AN ACT requiring the commissioner of health to ensure all nursing home residents and staff receive COVID-19 testing; 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:

Section 1. This act shall be known and may be cited as the "New York Nursing Home Protection Act of 2021".

§ 2. The commissioner of health shall create and implement a program to ensure that all staff of nursing homes throughout the state are tested twice weekly for COVID-19. Residents shall be tested for COVID-19 on a weekly basis. The department of health shall provide sufficient personal protective equipment (PPE) for all staff and residents and provide for the cost of the testing.

§ 3. For the purposes of this act, the following terms shall have the following meanings:

(a) "nursing home" shall mean a place to live where care is available for people of all ages, including children, who need twenty-four-hour nursing care and supervision outside of a hospital. Such care shall include basic care and specialized services;

(b) "nursing home resident" shall mean a person who resides in a nursing home; and

(c) "nursing home staff" shall mean a person who is employed by a nursing home.

§ 4. Necessary funding to implement the program established in section one of this act shall come from existing resources, federal funds, private sources, and appropriations from the general fund.

§ 5. This act shall take effect immediately; provided that the provisions of this act shall expire and be deemed repealed upon the expiration of the declared state of emergency relating to the novel

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

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coronavirus (COVID-19); and provided, further, that the commissioner of health shall notify the legislative bill drafting commission upon the occurrence of the expiration of the state disaster emergency declared by executive order number 202 and any further amendments or modifications, and as may be further extended pursuant to section 28 of the executive law, in order that the commission may maintain an accurate and timely effective data base of the official text of the laws of the state of New York in furtherance of effectuating the provisions of section 44 of the legislative law and section 70-b of the public officers law.