

# STATE OF NEW YORK

1784--A

Cal. No. 352

2021-2022 Regular Sessions

## IN SENATE

January 15, 2021

Introduced by Sens. SKOUFIS, BIAGGI, MAY, RIVERA -- read twice and ordered printed, and when printed to be committed to the Committee on Health -- reported favorably from said committee, ordered to first report, amended on first report, ordered to a second report and ordered reprinted, retaining its place in the order of second report

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:

1 Section 1. Paragraph (c) of subdivision 2 of section 461-a of the  
2 social services law, as amended by chapter 735 of the laws of 1994, is  
3 amended to read as follows:  
4 (c) An inspection report shall be made of each inspection which shall  
5 clearly identify and indicate in detail each area of operation, includ-  
6 ing, but not limited to, the premises, equipment, personnel, resident  
7 care and services, and whether each such area of operation or any of its  
8 component parts is or is not in compliance with the regulations of the  
9 department and all other applicable requirements. It also shall identify  
10 those areas of operation or any of its component parts found not in  
11 compliance as a result of failure in systemic practices and procedures.  
12 The operator shall be notified of the results of the inspection in a  
13 manner to be determined by regulations of the department. Such notifica-  
14 tion shall contain directions as may be appropriate as to the manner and  
15 time in which compliance with applicable requirements of law or regu-  
16 lations of the department shall be effected. The department shall also  
17 require the operator of an adult home or residence for adults to devel-  
18 op, biannually update and implement plans for quality assurance activ-  
19 ities for each area of operation. Quality assurance activities include  
20 but are not limited to, development and maintenance of performance stan-

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

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1 dards including infection control, measurement of adherence to such  
2 standards and to applicable state and local laws and regulations, iden-  
3 tification of performance failures, design, and implementation of  
4 corrective action. Each plan must also include the creation of a quali-  
5 ty improvement committee that is charged with meeting periodically, at  
6 least once every six months, to review summary findings from monitoring  
7 implementation of the facility's plan, evaluating the effectiveness of  
8 corrective action policies, and identifying trends and improvement  
9 activities. While reviewing facility performance, the committee shall  
10 not examine personally identifiable resident incidents. Such committee  
11 shall include the administrator or operator of the facility, the resi-  
12 dent council president or other resident representative, and represen-  
13 tatives from frontline employees from each area of operation.

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