STATE OF NEW YORK

2022

2021-2022 Regular Sessions

IN SENATE

January 16, 2021

Introduced by Sen. MAY -- read twice and ordered printed, and when printed to be committed to the Committee on Health

AN ACT directing the department of health to make publicly available the results of all inspections conducted by such department in nursing homes and other residential health care facilities in the state during the COVID-19 state disaster emergency and to conduct a comparative study of practices utilized in nursing homes and other residential health care facilities in the state during the pendency of the COVID-19 state disaster emergency and identify best practices for ensuring the containment and prevention of future outbreaks of COVID-19 in residential health care facilities

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

Section 1. a. Within thirty days after the effective date of this section, the department of health shall publish on its website, in a location accessible to the public, the results of all inspections conducted by such department in nursing homes and other residential health care facilities in the state during the COVID-19 state disaster emergency declared pursuant to Executive Order No. 202 on March 7, 2020. Such reports shall be published in their entirety; provided, however, that any portion of a report that contains patient-identifying information shall be redacted. In the event that information in a report is redacted, such department shall note on its website the reason for the redaction.

b. During the pendency of the COVID-19 state disaster emergency declared pursuant to Executive Order No. 202 of 2020, the department of health shall release the results of all future inspections conducted by such department in nursing homes in the state within thirty days of the completion of such report. Such reports shall be published in their entirety; provided, however, that any portion of a report that contains patient-identifying information shall be redacted. In the event that

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

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information in a report is redacted, such department shall note on its website the reason for the redaction.

§ 2. The department of health shall conduct a comparative study of practices utilized in nursing homes and other residential health care facilities in the state during the pendency of the COVID-19 state disaster emergency declared pursuant to Executive Order No. 202 of 2020 to protect employees and residents from infection. Such department shall perform a detailed analysis of infection control measures implemented at each facility, staffing levels and other staffing issues, and the success of the facility in maintaining a good quality of life for residents of the facility. Such department shall identify best practices for ensuring the containment and prevention of future outbreaks of COVID-19 in residential health care facilities. On or before December 15, 2021, such department shall prepare a report of its findings and publish such report on its website, in a location accessible to the public.

§ 3. As used in this act:

a. "nursing home" means a nursing home as defined in subdivision 1 of section 2895-a of the public health law; and

b. "residential health care facility" means a residential health care facility as defined in subdivision 3 of section 2801 of the public health law.

§ 4. This act shall take effect immediately.