STATE OF NEW YORK

5922

2021-2022 Regular Sessions

IN SENATE

March 23, 2021

Introduced by Sens. MARTUCCI, PALUMBO, AKSHAR, BORRELLO, BOYLE, HELMING, JORDAN, MATTERA, OBERACKER, ORTT, RITCHIE, TEDISCO, WEIK -- read twice and ordered printed, and when printed to be committed to the Committee on Disabilities

AN ACT to amend the mental hygiene law, in relation to prohibiting the admission of COVID-19 positive residents to residential facilities for persons with developmental disabilities

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

Section 1. The mental hygiene law is amended by adding a new section 13.44 to read as follows:

§ 13.44 Admission of COVID-19 positive residents.

Notwithstanding any law, rule, regulation or guidance to the contrary, no residential facility for the care and treatment of persons with developmental disabilities including a family care home shall knowingly allow a resident who has tested positive for COVID-19 to enter or reenter that facility as a temporary or permanent resident unless such person provides proof of a negative test for COVID-19.

§ 2. This act shall take effect immediately.

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

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