STATE OF NEW YORK

6611

2021-2022 Regular Sessions

IN SENATE

May 10, 2021

Introduced by Sen. MAY -- (at request of the Department of Health) -- read twice and ordered printed, and when printed to be committed to the Committee on Health

AN ACT to amend the public health law, in relation to quality improvement and increased consumer transparency in assisted living residences

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

Section 1. Section 4656 of the public health law, as added by chapter 2 of the laws of 2004, is amended by adding a new subdivision 9 to read as follows:

9. Assisted Living Quality Improvement Standards. (a) All assisted living residences, as defined in subdivision one of section forty-six hundred fifty-one of this article, including those licensed and certified as an assisted living residence, special needs assisted living residence, or enhanced assisted living residence, shall:

(i) report annually on quality measures to be established by the department, in the form and format prescribed by the department, with the first report due January thirty-first, two thousand twenty-three; and

(ii) post the monthly service rate, staffing complement, approved admission or residency agreement, and a consumer-friendly summary of all service fees on the facility's website and in a public space within the facility. Such information shall be made available to the public on forms provided by the department. Beginning on January thirty-first, two thousand twenty-three, this information shall also be reported to the department.

(b) The department shall score the results of the assisted living quality reporting obtained pursuant to paragraph (a) of this subdivision. Top scoring facilities shall be granted the classification of Advanced Standing on their annual surveillance schedules.

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

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(i) Facilities achieving an advanced standing classification shall be surveyed every eighteen to twenty-four months.

(ii) Facilities may remain on advanced standing classification provided they meet the scoring requirements in aggregate assisted living quality reporting.

(c) (i) Effective January thirty-first, two thousand twenty-three, the department shall post on its website the results of the assisted living quality reporting, collected pursuant to subparagraph (i) of paragraph (a) of this subdivision.

(ii) Effective January first, two thousand twenty-four, the department shall post on its website the information reported pursuant to subparagraph (ii) of paragraph (a) of this subdivision.

(d) The department shall develop regulations to establish a definition of memory care services, requirements for an assisted living residence to publicly advertise as providing memory care services, and specific training protocols required of all staff serving the defined population. Such regulations shall apply to any assisted living residence, special needs assisted living residence, or enhanced assisted living residence, as defined in subdivision one of section forty-six hundred fifty-one of this article.

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