STATE OF NEW YORK

6915

2021-2022 Regular Sessions

IN SENATE

May 20, 2021

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

AN ACT enacting the "Protecting Our Nursing Homes Act of 2021" to establish a program to provide funding for nursing homes to purchase personal protective equipment, provide for the cost of COVID-19 testing, and to increase staffing; 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. Short title. This act shall be known and may be cited as the "Protecting Our Nursing Homes Act of 2021".

§ 2. 1. For the purposes of this act:

a. "Nursing home" shall mean a facility pursuant to subdivision two of section 2801 of the public health law or an adult care facility subject to the provisions of title two of article seven of the social services law.

b. "Personal protective clothing and equipment" shall mean personal protective clothing and equipment worn for protection against illness from infectious disease or materials or to help prevent or reduce the spread of infectious disease or illness, including, but not limited to, isolation gowns and coveralls, gloves, facemasks, face shields, goggles, and any other clothing or equipment determined by the commissioner of health to be effective in protecting the wearer against illness from infectious disease or materials or to help prevent or reduce the spread of infectious disease or illness.

2. The commissioner of health is hereby authorized and directed to establish and implement a program to provide nursing homes with funds: to purchase personal protective equipment; to provide for the cost of COVID-19 testing for nursing home residents and employees; to hire and train additional staff in response to the COVID-19 pandemic; or to make

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

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any purchase directly related to improving pandemic response within a nursing home.

3. Such program shall be provided no less than $100,000,000 of monies from remaining and future federal funds provided for COVID-19 relief, including, but not limited to, monies that have been allocated to the state of New York by the federal Coronavirus Aid, Relief, and Economic Security (CARES) Act of 2020 (P.L. 116-136) and HR133 that have not otherwise been obligated, to provide nursing homes with funds to purchase personal protective equipment or hire additional staff.

4. Any unit of local government that received funding from the federal Coronavirus Aid, Relief, and Economic Security (CARES) Act of 2020 (P.L. 116-136) or which receive future federal funding for COVID-19 relief shall create a program to provide nursing homes with funds to purchase personal protective equipment, provide for the cost of COVID-19 testing for nursing home residents and employees, or hire and train additional staff, with a funding level proportional to the size of the state program, and the funding they received from the CARES Act or subsequent COVID-19 relief funding.

§ 3. This act shall take effect immediately and shall expire July 31, 2022, when upon such date the provisions of this act shall be deemed repealed.