STATE OF NEW YORK

7165

2021-2022 Regular Sessions

IN SENATE

June 4, 2021

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

AN ACT requiring the commissioner of health to ensure all home health aides and certified nurse aides employed by home care services agencies receive COVID-19 testing and that such agencies report COVID-19 infection rates to the commissioner; 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. The commissioner of health shall create and implement a program to ensure that all home health aides and certified nurse aides employed by home care services agencies, as defined in section 3602 of the public health law, throughout the state are tested not less than every ten days for COVID-19. The department of health shall provide sufficient personal protective equipment (PPE) for the implementation of such testing and shall provide for the cost of such testing.

§ 2. Home care services agencies shall be required to report to the commissioner of health, no less than every ten days, the COVID-19 infection rate among employees and the COVID-19 infection rate among clients served by such employees.

§ 3. Necessary funding to implement the program established in section one of this act shall come from existing resources, federal funds, and appropriations from the general fund.

§ 4. This act shall take effect on the thirtieth day after it shall have become a law; provided that the provisions of this act shall expire and be deemed repealed upon expiration of the declared state of emergency relating to the novel coronavirus (COVID-19); and provided, further, that the commissioner of health shall notify the legislative bill drafting commission upon the occurrence of the expiration of the state disaster emergency declared by executive order number 202 and any further amendments or modifications, and as may be further extended pursuant to

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

LBD09510-03-1

section 28 of the executive law, in order that the commission may maintain an accurate and timely effective data base of the official text of the laws of the state of New York in furtherance of effectuating the provisions of section 44 of the legislative law and section 70-b of the public officers law.