STATE OF NEW YORK

8520

IN ASSEMBLY

January 5, 2024

Introduced by M. of A. KIM -- read once and referred to the Committee on Aging

AN ACT to amend the public health law, in relation to requiring the department of health to provide the state long-term care ombudsman with a report on the status of any issues identified by residential health care facility staff or volunteers of the long-term care ombudsman program

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

Section 1. Subparagraph (ii) of paragraph (a) of subdivision 14 of section 2803 of the public health law, as amended by a chapter of the laws of 2023 amending the public health law relating to the reporting and resolution of issues at residential care facilities, as proposed in legislative bills numbers S. 7211 and A. 7218, is amended and a new paragraph (c) is added to read as follows:

(ii) timely and regular resolution to any such issues reported to the department pursuant to subparagraph (i) of this paragraph. No later than sixty days after the receipt of any such issue, the department shall provide the [~~staff or volunteer who reported such issue~~] **state long-term care ombudsman** a report on the status of such issue. Following the initial report, the department shall provide additional reports to [~~such staff or volunteer~~] **the state long-term care ombudsman** no less than every [~~sixty~~] **ninety** days thereafter until such issue is resolved. Upon resolution of such issue, the department shall provide a timely report to [~~such staff or volunteer and~~] the state long-term care ombudsman indicating the manner in which the issue was resolved; and

(c) As used in this subdivision: (i) "resolution" shall mean closure of a complaint by the department, whether closed as substantiated or unsubstantiated; and (ii) "status" shall mean whether the complaint has been assigned to department staff for investigation, whether the complaint remains open under active investigation, or whether the complaint has reached resolution.

§ 2. This act shall take effect on the same date and in the same manner as a chapter of the laws of 2023 amending the public health law

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

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relating to the reporting and resolution of issues at residential care facilities, as proposed in legislative bills numbers S. 7211 and A. 7218, takes effect.