STATE OF NEW YORK

2929

2023-2024 Regular Sessions

IN SENATE

January 25, 2023

Introduced by Sen. RIVERA -- 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 the establishment, incorporation, construction, or increase in capacity of for-profit nursing homes

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

Section 1. The public health law is amended by adding a new section 2802-c to read as follows:

§ 2802-c. No additional or expanded for-profit nursing homes. 1. Notwithstanding any provision of this article to the contrary, the commissioner and the council shall not approve or take any action that would establish, incorporate or approve the construction of any for-profit nursing home or increase the resident capacity of any for-profit nursing home.

2. However, with respect to a facility that was established, incorporated or approved for construction as a for-profit nursing home prior to the effective date of this section, this section shall not bar further action relating to the establishment, incorporation or construction of that facility, provided that the action does not approve or result in an increase in the resident capacity of that nursing home.

3. As used in this section, "for-profit nursing home" means a nursing home owned or operated, in whole or in part, by a for-profit entity.

§ 2. This act shall take effect immediately.

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

LBD05261-01-3