STATE OF NEW YORK

5471

2023-2024 Regular Sessions

IN SENATE

March 6, 2023

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

AN ACT to amend the social services law, in relation to allowing certain adult care facilities to arrange for limited nursing services

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

Section 1. Section 461-c of the social services law is amended by adding a new subdivision 6-a to read as follows:

6-a. (a) Pursuant to regulations of the commissioner of health, an adult home, enriched housing facility, assisted living residence or special needs assisted living residence operator may provide for nursing services in the facility for residents of the facility, either by arrangement with a provider of nursing services or by employment, that are not continual and would not violate admission and retention standards under this section, and under circumstances and subject to limitations provided in the regulations. An operator arranging for nursing services shall provide notice to the department of health in a form and manner required by the department.

(b) No operator electing to provide such nursing services may represent to the public that the adult home, enriched housing facility, assisted living residence or special needs assisted living residence is an enhanced assisted living residence or offers aging in place as such terms are defined under section forty-six hundred fifty-one of article forty-six-B of the public health law, except as otherwise permitted by law.

§ 2. This act shall take effect immediately.

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

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