

# 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 Assem-  
bly, do enact as follows:

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

3 6-a. (a) Pursuant to regulations of the commissioner of health, an  
4 adult home, enriched housing facility, assisted living residence or  
5 special needs assisted living residence operator may provide for nursing  
6 services in the facility for residents of the facility, either by  
7 arrangement with a provider of nursing services or by employment, that  
8 are not continual and would not violate admission and retention stand-  
9 ards under this section, and under circumstances and subject to limita-  
10 tions provided in the regulations. An operator arranging for nursing  
11 services shall provide notice to the department of health in a form and  
12 manner required by the department.

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

20 § 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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