STATE OF NEW YORK

627

2023-2024 Regular Sessions

IN ASSEMBLY

January 10, 2023

Introduced by M. of A. LUNSFORD -- read once and referred to the Committee on Health

AN ACT to amend the public health law, in relation to infection control planning in residential health care facilities

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

Section 1. Clause (A) of subparagraph (i) of paragraph (a) of subdivision 12 of section 2803 of the public health law, as amended by a chapter of the laws of 2022 amending the public health law relating to requiring infection updates and infection control planning in residential health care facilities, as proposed in legislative bills numbers S. 1785-A and A. 6052, is amended to read as follows:

(A) to update authorized family members and [~~guardians~~] **resident representatives** of infected residents at least once per day and upon a change in a resident's condition and at least once a week to update all residents and authorized families and [~~guardians~~] **resident representatives** on the number of infections and deaths at the facility, and to update all residents, authorized family members, and [~~guardians of residents~~] **resident representatives** at the facility [~~within twelve hours of~~] **not later than five o'clock p.m. the next calendar day following** the detection of [~~the presence of an~~] **a confirmed** infection [~~by~~] **of** a resident or staff member, **or at such earlier time as guidance from the federal centers for Medicaid and medicare services or centers for disease control and prevention may provide,** by electronic or such other means as may be selected by each resident, authorized family member or [~~guardian~~] **resident representative**; and

§ 2. Clause (C) of subparagraph (ii) of paragraph (a) of subdivision 12 of section 2803 of the public health law, as added by a chapter of the laws of 2022 amending the public health law relating to requiring infection updates and infection control planning in residential health

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

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care facilities, as proposed in legislative bills numbers S. 1785-A and A. 6052, is amended to read as follows:

(C) a plan or procedure [~~designating a separate cohort area~~], consistent with any guidance issued by the federal centers for Medicaid and medicare services or centers for disease control and prevention, for placement or grouping of residents within a facility to reduce transmission of the pandemic disease during an infectious disease outbreak in the residential health care facility [~~for the separation of residents that are suspected of being infectious, including the creation of a designated infectious disease care unit~~]; and

§ 3. This act shall take effect on the same date and in the same manner as a chapter of the laws of 2022 amending the public health law relating to requiring infection updates and infection control planning in residential health care facilities, as proposed in legislative bills numbers S. 1785-A and A. 6052, takes effect.