

# 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:

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

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

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

24 § 2. This act shall take effect on the same date and in the same  
25 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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1 relating to the reporting and resolution of issues at residential care  
2 facilities, as proposed in legislative bills numbers S. 7211 and A.  
3 7218, takes effect.