STATE OF NEW YORK

3293

2023-2024 Regular Sessions

IN SENATE

January 30, 2023

Introduced by Sen. MYRIE -- 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 authorizing the attorney general to investigate and take action against in response to actions improvident or prejudicial to the interests of the public or occupants of nursing homes that are under the supervision of the commissioner of health

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

Section 1. Section 2862 of the public health law is amended by adding a new subdivision 5 to read as follows:

5. The attorney general shall have the power to commence an action or proceeding in the supreme court of the state of New York, if, upon information or belief, the attorney general is of the opinion that a company has been, is, or is about to do anything improvident or prejudicial to the interests of the public or occupants of nursing homes under the supervision of the commissioner. The attorney general shall be granted the ability to inspect, under the power of subpoena, nursing home premises and relevant company documents for the sole purpose of establishing whether any improvident or prejudicial actions to the public or occupants, as described in this subdivision, have occurred, are occurring or imminently will occur. Nothing in this subdivision shall be construed to limit the powers of the commissioner.

§ 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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