

STATE OF NEW YORK

8003

IN SENATE

January 5, 2024

Introduced by Sen. CLEARE -- read twice and ordered printed, and when printed to be committed to the Committee on Rules

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
26 relating to the reporting and resolution of issues at residential care
27 facilities, as proposed in legislative bills numbers S. 7211 and A.
28 7218, takes effect.

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

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