STATE OF NEW YORK

8933--A

IN SENATE

April 1, 2024

Introduced by Sen. HINCHEY -- read twice and ordered printed, and when printed to be committed to the Committee on Health -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the social services law, in relation to notice of adult care facility closure requirements

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

Section 1. The social services law is amended by adding a new section 461-v to read as follows:

§ 461-v. Closure of adult care facilities. 1. In the event that the department revokes or suspends or intends to revoke or suspend or otherwise limit the operating certificate for an adult care facility, the following shall apply:

(a) The department shall provide copies of all written materials pertaining to the action including, but not limited to, the hearing notice and notice of charges served upon the operator of such facility to the governor, the office of the state comptroller, the office of the New York state attorney general, and the members of the state assembly and the state senate representing the municipality in which the facility is located.

(b) Copies of all written materials shall also be concurrently delivered to the chief executive officer and the presiding officer of the local legislative body of each county, except a county wholly contained within a city, town or village in which the facility is located and, in a city with a population of one million or more, also to the community board in whose district the facility is located.

2. (a) Except as provided in paragraph (b) of this subdivision, the written materials provided in subdivision one of this section shall not be subject to disclosure under article six of the public officers law.

(b) During the thirty-day period prior to the hearing date, the department shall post on its website:

(i) a summary of the violations at the adult care facility;

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

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(ii) an explanation of the groups or individuals likely to be impacted by the closure; and

(iii) a summary of the facility operator's plan to ensure continued care for all residents to be impacted.

§ 2. This act shall take effect on the first of April next succeeding the date on which it shall have become a law and shall apply to all closures of adult care facilities occurring on or after such effective date and to all closures of adult care facilities pending on and after such effective date. Effective immediately, the addition, amendment and/or repeal of any rule or regulation necessary for the implementation of this act on its effective date are authorized to be made and completed on or before such effective date.