

STATE OF NEW YORK

10543

IN ASSEMBLY

March 11, 2026

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

AN ACT to amend the public health law, in relation to requiring health-care facilities to maintain a fifty percent operating threshold of certain reusable healthcare protective textiles in their inventory

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

1 Section 1. Section 2803 of the public health law is amended by adding
2 a new subdivision 15 to read as follows:

3 15. (a) The commissioner shall ensure that all healthcare facilities
4 as defined in paragraph (b) of this subdivision possess and maintain an
5 operating threshold of at least fifty percent of all healthcare protec-
6 tive textiles (HPT) as provided by a hygienically clean laundry service
7 provider; provided, however, that upon request, the department may grant
8 an extension or reprieve, at its sole and exclusive discretion if the
9 healthcare facility demonstrates, to the commissioner's satisfaction,
10 that such healthcare facility's inability to meet such requirement is
11 solely attributable to supply chain issues that are beyond the hospi-
12 tal's control and purchasing HPT at market rates would facilitate price
13 gouging by HPT vendors.

14 (b) For purposes of this subdivision, the following terms shall have
15 the following meanings:

16 (i) "healthcare facility" shall mean hospitals, skilled nursing facil-
17 ities, outpatient care centers, long-term care facilities, physical
18 therapy centers, comprehensive outpatient rehabilitation facilities,
19 end-stage renal disease facilities, hospice, physician's offices, non-
20 physician provider's offices, and laboratories;

21 (ii) "healthcare protective textiles" shall mean all types of barrier
22 garments, incontinence pads and barrier curtains; and

23 (iii) "operating threshold" shall mean a constantly rotating stock of
24 HPT textiles being used, returned to a laundry facility, processed by a
25 hygienically clean certified facility, and returned to a healthcare
26 facility for use.

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

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1 (c) Failure to possess and maintain such a supply of HPT may result in
2 a fine to be determined by the department; provided, however, that no
3 such revocation or suspension shall be ordered unless the department has
4 provided the healthcare facility with a thirty-day grace period, to
5 achieve compliance with the requirements of paragraph (a) of this subdi-
6 vision.

7 § 2. This act shall take effect on the one hundred eightieth day after
8 it shall have become a law.