STATE OF NEW YORK

6469

2025-2026 Regular Sessions

IN ASSEMBLY

March 5, 2025

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

AN ACT to amend the public health law, in relation to requiring healthcare 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:

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

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

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

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

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

(iii) "operating threshold" shall mean a constantly rotating stock of HPT textiles being used, returned to a laundry facility, processed by a

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

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hygienically clean certified facility, and returned to a healthcare facility for use.

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

§ 2. This act shall take effect one year after it shall have become a law.