

# STATE OF NEW YORK

7575--B

2025-2026 Regular Sessions

## IN SENATE

April 22, 2025

Introduced by Sens. CLEARE, FERNANDEZ -- read twice and ordered printed, and when printed to be committed to the Committee on Health -- recommitted to the Committee on Health in accordance with Senate Rule 6, sec. 8 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

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,

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

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1 end-stage renal disease facilities, hospice, physician's offices, non-  
2 physician provider's offices, and laboratories;

3 (ii) "healthcare protective textiles" shall mean reusable textiles  
4 designed to protect healthcare workers, patients, and support personnel  
5 against exposure to infectious agents, bodily fluids, hazardous chemi-  
6 cals, and other clinical risks by resisting fluid and viral penetration  
7 and cross-contamination, including: underpads, lab coats, cubicle  
8 curtains, barrier gowns as classified by AAMI/ANSI PB70 liquid barrier  
9 performance levels (1-4), surgical gowns as classified by AAMI/ANSI PB70  
10 liquid barrier performance levels (1-4), and isolation gowns as classi-  
11 fied by AAMI/ANSI PB70 liquid barrier performance levels (1-4); and

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

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

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