STATE OF NEW YORK

762--A

2025-2026 Regular Sessions

IN SENATE

(Prefiled)

January 8, 2025

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

AN ACT to amend the public health law, in relation to quality improvement and increased consumer transparency in assisted living residences

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

Section 1. Subdivision 7 of section 4656 of the public health law, as added by a chapter of the laws of 2024, amending the public health law relating to quality improvement and increased consumer transparency in assisted living residences, as proposed in legislative bills numbers S. 8865 and A. 5790-B, is amended to read as follows:

7. (a) All assisted living residences, as defined in subdivision one of section forty-six hundred fifty-one of this article, including those licensed and certified as an assisted living residence, special needs assisted living residence, or enhanced assisted living residence, shall:

(i) report annually on quality measures to be established by the department, in consultation with industry and consumer representatives, including the long-term care ombudsman or their representative, in the form and format prescribed by the department, with the first report due no later than [~~January~~] **April** fifteenth, two thousand twenty-five; and

(ii) post information, including the starting monthly service rate, range for starting rent, approved admission or residency agreement, and a consumer-friendly summary of all service fees, through a reporting system to be developed by the department, in consultation with industry and consumer representatives, that takes into account differences in licensure and certification, services, agreements and fee structures across facilities. Such information shall be posted in a conspicuous place on the facility's website and in a public space within the facili-

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

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ty and shall be made available to the public on forms developed by the department. Beginning on [~~October~~] January first, two thousand [~~twenty-four~~] twenty-five, this information shall also be reported to the department.

(b) The department shall develop a system to score the results of the assisted living quality reporting obtained pursuant to paragraph (a) of this subdivision, in consultation with industry and consumer representatives. Facilities scoring in the top quartile shall be granted the classification of advanced standing on their annual surveillance schedules.

[~~(i) Notwithstanding subparagraph one of paragraph (a) of subdivision two of section four hundred sixty-one-a of the social services law, facilities achieving an advanced standing classification shall be surveyed every eighteen months. All other facilities shall be surveyed on an unannounced basis no less than annually; provided, however, that this shall not apply to surveys, inspections or investigations based on complaints received by the department under any other provision of law.~~

~~(ii)~~] Facilities may remain on advanced standing classification provided they meet the scoring requirements in assisted living quality reporting and until such time when they do not meet such scoring requirements.

(c) Effective [~~January thirty-first~~] April thirtieth, two thousand twenty-five, the department shall post on its website the results of the assisted living quality reporting, collected pursuant to subparagraph (i) of paragraph (a) of this subdivision.

(d) No later than [~~February fifteenth~~] December thirty-first, two thousand twenty-five, the department shall report to the legislature on the development of a quality scoring system for adult care facilities, including adult homes and enriched housing providers. Such report shall examine the specific quality measures recommended and a process for information collection.

§ 2. This act shall take effect on the same date and in the same manner as a chapter of the laws of 2024, amending the public health law relating to quality improvement and increased consumer transparency in assisted living residences, as proposed in legislative bills numbers S. 8865 and A. 5790-B, takes effect.