STATE OF NEW YORK

7575

2025-2026 Regular Sessions

IN SENATE

April 22, 2025

Introduced by Sen. CLEARE -- read twice and ordered printed, and when printed to be committed 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:

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 reusable personal protective equipment (PPE) 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 PPE at market rates would facilitate price gouging by PPE 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) "personal protective equipment (PPE)" shall mean any protective textile which is available in reusable format, where deemed feasible and acceptable, consistent with federal Centers for Disease Control guidance; and

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

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

(c) Failure to possess and maintain such a supply of PPE 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.