

June 30, 2015

Colleagues:

The 2015 Legislative Session wrapped up last week with lawmakers remaining in Albany through Friday, June 26, to reach agreement on a host of issues, including rent regulation laws, New York City's 421-a tax abatement program, extension of the real property tax cap, and the creation of the Education Investment Tax Credit. All in all, we are very pleased with the outcome of this session. As you will see below, several of the bills we supported passed both houses of the Legislature and nearly all the bills we opposed were defeated. We would not have had these successes if it weren't for your advocacy efforts – **thank you for all of your help!**

For your convenience, we have developed this document as a guide to the most significant health, housing and long term care legislation that LeadingAge New York followed over the course of the Legislative Session. If you have any questions or concerns about the bills mentioned in this document or would like to discuss any advocacy initiatives, please do not hesitate to contact your Public Policy and Advocacy team at 518-867-8383.

As always, we will keep you posted with any legislative updates. Again, thank you for your advocacy efforts – our successes would not have been possible without you!

Have a great summer,

Ami

**LeadingAge New York's
Legislative Bill Summary
June 2015**

Legislation That Passed Both Houses

These bills have passed both the Senate and Assembly, and are waiting to be signed into law by the Governor.

Assault on Persons Providing Direct Care

[A.1034-A \(Gunther\)- S.3621-A \(Funke\)](#)

Summary: Enhances the criminal penalty for an individual that causes physical injury to a direct patient care worker in a hospital or residential health care facility setting.

Position: *No Position*

CCRC Continuing Care at Home Contracts

[A.4490 \(Schimminger\)-S.3547 \(Ranzenhofer\)](#)

Summary: Relates to the ability of CCRCs to offer seniors additional service options. The changes in this bill are necessary in order to allow for the effective implementation of Chapter 549 of 2014.

Position: Verbally support

CHHA Episodic Payment

[A.8171 \(Gottfried\)-S.5878 \(Hannon\)](#)

Summary: This bill would amend the CHHA episodic payment system rebasing language.

Position: [Support](#)

Collaborative Drug Therapy Management

[A.5805-A \(McDonald\)- S.4857-A \(LaValle\)](#)

Summary: Authorizes pharmacists to perform collaborative drug therapy management.

Position: [Support](#)

E-Prescribing Delay

[A.4274 \(McDonald\)-S.2486 \(Hannon\)](#)

Summary: Delays the requirement that prescribers use electronic prescriptions.

Position: [Support](#)

EQUAL Funding

[A.7502 \(Gottfried\)-S.5356](#)

Summary: Relates to the use of EQUAL program funds for adult care facilities.

Position: Verbally support

Good Standing

[A.7681-A \(Gottfried\)-S.5356-A \(Hannon\)](#)

Summary: Provides for a streamlined application

process for affiliates of licensed operators of adult care facilities and assisted living facilities.

Position: Verbally support

Hospice Isolated Patients

[A.2150 \(Gottfried\)-S.1153 \(Hannon\)](#)

Summary: Authorizes an attending physician to make decisions regarding hospice on behalf of an incapable adult without a surrogate.

Position: [Support](#)

Social Adult Day Care Program Regulations

[A.5352 \(Cymbrowitz\) - S.3923 \(Savino\)](#)

Summary: Subjects all Social Adult Day Care Programs to oversight and regulations promulgated by the State Office for the Aging, removing the requirement that a program must receive funding from SOFA in order to be subject to the regulations.

Position: Verbally Support

TBI/NHTD Waiver Delay

[A.7598 \(Gottfried\)-S.5535 \(Hannon\)](#)

Summary: Relates to the transition of traumatic brain injury waiver and nursing home transition and diversion waiver program services to Medicaid managed care programs. This bill passed in the Assembly, and was referred to Senate Rules; however, as a result of the legislation, the Department of Health issued a letter stating that the delay of the TBI/NHTD populations will be delayed until Jan. 1, 2017.

Position: [Support](#)

Workplace Violence Policies

[A.7721 \(Peoples-Stokes\) – S.5130 \(Martins\)](#)

Summary: Expressly requires nonprofits corporations that receive 50% of their revenue from government entities to implement programs to prevent workplace violence.

Position: Verbally Oppose

Legislation That Failed to Advance

These bills have passed either the Assembly or Senate or remained in committee.

Staffing Ratios

[A.1548 \(Gottfried\)-S.782 \(Hannon\)](#)

Summary: Enacts the "Safe Staffing for Quality Care Act."

Position: Oppose

Outcome: Remained on the Assembly Floor Calendar, and in Senate Health.

Prior Approval for Supportive Housing in NYC

[A.2553-A \(Benedetto\)-S. 4542-A \(Klein\)](#)

Summary: Requires the New York city planning commission to hold a public community forum prior to approving the location or continued operation of a supportive housing facility or social services center.

Position: [Oppose](#)

Outcome: Passed the Senate, remained in Assembly Rules.

Advanced Home Health Aide

[A.7188 \(Glick\)-S.5855 \(Parker\)](#)

Summary: Authorizes certain advanced home health aides to perform certain advanced tasks under the supervision of a registered nurse.

Position: Verbally Oppose due to onerous nurse staffing ratios included in the bill

Outcome: Remained in Senate Health.

Guardianship

[A.6510-A \(Weinstein\)-S.4642-A \(Golden\)](#)

Summary: Prevents the use of the guardianship law for the primary purpose of bill collection and would correct erroneous cross references to the power of attorney law.

Position: Verbally Oppose

Outcome: Passed Assembly, remained on Senate Calendar.

Antipsychotics

[A.7351 \(Gottfried\)](#)

Summary: Relates to the use of psychotropic medications in nursing homes and adult care facilities.

Position: Verbally oppose

Outcome: Passed Assembly

Supplemental Security Income Rate Increase

[A.7393-A \(Brindisi\)-S.5151-A \(Little\)](#)

Summary: Increases the amount recipients of enhanced residential care may maintain in a personal allowance account and payments to the aged, blind and disabled.

Position: Verbally support

Outcome: Reported to Assembly Ways & Means and Senate Finance.

Community Paramedicine

[A.7503 \(Gottfried\)-S. 5481 \(Hannon\)](#)

Summary: Relates to community paramedicine services

provided by emergency medical providers.

Position: Verbally support with amendments

Outcome: Passed Assembly, remained on Senate Calendar.

House Calls

[A.7714 \(Gottfried\)-S.5522 \(Hannon\)](#)

Summary: Authorize hospital out-patient clinics and diagnostic and treatment centers to render services to patients by means of making house calls to their place of residence.

Position: Verbally support with amendments

Outcome: Passed Assembly, remained on Senate Calendar.

Hours Worked by Nurses

[A.1127 \(Gunther\)-S.3100 \(Ritchie\)](#)

Summary: Relates to hours worked by nurses.

Position: [Oppose](#)

Outcome: Remained in Assembly Labor and Senate Labor.

Nursing Home Diversion

[A.415 \(Gottfried\)](#)

Summary: Subjects nursing homes not providing basic standards of care to nursing home diversion.

Position: [Oppose](#)

Outcome: Remained in Assembly Health.

Air Conditioner Fees

[S.351 \(Diaz\)](#)

Summary: Directs the commissioner of health to establish a schedule of fees for the use, maintenance and repair of air conditioners used by residents of adult homes.

Position: [Oppose](#)

Outcome: Remained in Senate Health.

RN at EALRs and SNALRs

[A.2141 \(Gottfried\)-S.1049 \(Montgomery\)](#)

Summary: Relates to requiring a registered nurse on staff at facilities certified for enhanced assisted living or special needs assisted living.

Position: [Oppose](#)

Outcome: Remained in Assembly Health and Senate Aging.

Violations in Residential Care Programs

[A.5201 \(Gottfried\)-S.1662 \(Grisanti\)](#)

Summary: Relates to penalties for violations relating to residential care programs for adults.

Position: [Oppose](#)

Outcome: Remained in Assembly Health and Senate Finance.

Universal Design Incentive

[A.1276 \(Lavine\)-S.2967-A \(DeFrancisco\)](#)

Summary: Requires to the universal design incentive.

Position: [Support](#)

Outcome: This bill passed in the Senate and was reported to Assembly Rules.