

June 20, 2014

Colleagues:

The 2014 Legislative Session is wrapping up today. The Senate is in town an extra day to debate their remaining priority legislation and the Assembly adjourned in the wee hours of the morning. We are expecting the Senate to adjourn later this evening. For your convenience, we have developed this document as a guide to the health, housing and long term care legislation that LeadingAge New York followed over the course of the Legislative Session.

All in all, we are very pleased with the outcome of this session and would not have reached our goals if it weren't for your advocacy efforts – **thank you for all of your help!** Right now we are waiting for our CCRC Continuing Care at Home legislation, which passed both houses, to be [approved by the Governor](#). The Legislature also passed legislation that would delay the implementation for criminal history record checks of prospective employees of adult homes, enriched housing programs or residences for adults. Read more about the criminal history record check bill [here](#).

Many of the bills we opposed, including nurse staffing ratios, failed to advance this year. Nurse staffing ratio legislation made its way through to the Assembly Ways & Means Committee where it died – this happened last year, as well. The bill did not move at all through the Senate since its introduction in January. It's most likely that this bill will be taken up again next year. Thank you to all of our members who took part in numerous advocacy initiatives throughout the year to help us defeat this bill. In total, 102 letters in opposition were sent to members of the Legislature.

In addition to our own priorities, the Legislature and Gov. Cuomo had their own. In the final days of session, the Senate and Assembly worked incredibly hard to get their legislation, along with the Governor's priority legislation, through each house, including the historic passage of the State's new [medical marijuana program](#) and legislation to address the State's growing heroin and opioid epidemic. Other priorities including a women's rights agenda; Common Core; and Mixed Martial Arts legislation were unable to be passed in both houses – we expect to see these issues brought up again in 2015.

Lawmakers were also unable to come to agreement on legislation pertaining to the Advanced Home Health Aide (AHHA). [Legislation was introduced](#) earlier this week following a program bill put forth by the Governor that would authorize advanced home health aides to perform certain advanced tasks as determined by the commissioners of education and health. LeadingAge NY supports the legislation and will work with the Legislature next year to see it passed.

In addition to the bills mentioned above, there were also a number of appointments that were approved by the Senate to the Public Health and Health Planning Council (PHHPC), including:

- Tom Holt, president/CEO of Lutheran Social Services Group in Jamestown and also a member of LeadingAge NY;
- Ellen E. Grant, PhD, second deputy mayor for the city of Buffalo;
- Glenn A. Martin, MD, director of medical informatics for Queens Health Network;
- Ellen L. Rautenberg, MHS president & CEO of Public Health Solutions;
- Peter G. Robinson, MPH of the University of Rochester Medical Center.

Now that lawmakers will be returning to their districts, we encourage you to meet with them throughout the remainder of the year – invite them to your organizations to meet your residents and caregivers, and thank them for their hard work in helping us pass and defeat our priority legislation. Please also keep an eye on your inbox for information about the 2014 Partners in Quality Awards Program, giving you the opportunity to thank your lawmakers for their hard work throughout the year.

If you have any questions or concerns about the bills mentioned in this document or would like to discuss any advocacy initiatives, please don't 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 made possible without you!

Have a great summer,

Ami & Alyssa

LeadingAge New York's Legislative Bill Summary June 2014

Passed Both Houses

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

CCRC Continuing Care at Home Contracts

[A.4611-B \(Schimminger\)-S.2118-B \(Ranzenhofer\)](#)

Summary: Relates to the ability off CCRCs to offer seniors additional service options.

Position: [Support](#)

Outcome: This bill passed both the Assembly and Senate, and awaits action by the Governor.

Criminal History in ACFs

[A.5476-D \(Gottfried\)-S.4926 -C \(Hannon\)](#)

Summary: Requires the review of the criminal history of prospective employees of adult homes, enriched housing programs or residences for adults; extends effectiveness.

Position: [Support](#)

Outcome: This bill passed both the Assembly and Senate, and awaits action by the Governor.

ER Management Plans for Home Care/Hospice

[A.6530-B \(Cusick\)-S.4719-B \(Lanza\)](#)

Summary: Requires counties and cities with a population of one million or more to prepare comprehensive emergency management plans.

Position: [Support](#)

Outcome: This bill passed both the Assembly and Senate, and awaits action by the Governor.

Legislation Failing to Advance to the Governor

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

Mandatory Reporting of Abuse in ACFs

[A.525 \(Magnarelli\)](#)

Summary: Establishes mandatory reporting of alleged incidents of abuse, mistreatment or neglect of residents in adult care facilities.

Position: [Oppose](#)

Outcome: Remained in Assembly Codes.

Parking Permits

[A.1258 \(Colton\)-S.1868 \(Stavisky\)](#)

Summary: Permits licensed physician, visiting nurse, nurse, physical therapist or chiropractor to park where parking is prohibited if vehicle is identified by special placard.

Position: [Support](#)

Outcome: Remained in Assembly and Senate Transportation.

Overtime for Certified Nursing Assistants

[A.1403 \(Gunther\)-S.1054 \(Maziarz\)](#)

Summary: Puts restrictions on the number of consecutive hours a CNA can work.

Position: [Oppose](#)

Outcome: Remained in Assembly and Senate Labor.

Hours Worked by Nurses

[A.1632 \(Gunther\)-S.1673 \(Grisanti\)](#)

Summary: Relates to hours worked by nurses.

Position: [Oppose](#)

Outcome: Remained in Assembly Labor and Senate Labor.

Personal Expense Allowance

[A.1980 \(Titus\)](#)

Summary: Relates to the personal expense allowance for residents of residential health care facilities receiving or eligible to receive supplemental security income payments.

Position: [Support](#)

Outcome: Remained in Assembly Social Services.

Petition for Temporary or Permanent Receivership

[A.2368-A \(Weinstein\)](#)

Summary: Establishes a cause of action by residents of adult facilities to petition for temporary or permanent receivership.

Position: [Oppose](#)

Outcome: Remained on the Assembly Calendar.

CHRC Maintenance Workers

[A.2759 \(Reilich\)](#)

Summary: Relates to criminal history records of

maintenance employees in adult residential health and assisted living facilities.

Position: [Oppose](#)

Outcome: Remained in Assembly Health.

Nursing Home Diversion

[A.3139 \(Gottfried\)](#)

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

Position: [Oppose](#)

Outcome: Removed from Assembly Health Committee Agenda.

Telemedicine/Telehealth Task Force

[A.3330 \(Morelle\)](#)

Summary: Enacts the "New York State Telehealth/Telemedicine Development Act."

Position: [Support](#)

Outcome: Remained in Assembly Health.

Managed Long Term Care Plans

[A.3781-C \(Gottfried\)](#)

Summary: Relates to MLTCPs not being controlled or owned by for-profit HMOs or insurers.

Position: [Support](#)

Outcome: Remained on the Assembly calendar.

Air Conditioner Fees

[A.4306-A \(Brennan\)-S.5607-A \(Diaz\)](#)

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 on the Assembly calendar and in Senate Health.

Uniform Training Curriculum in ACFs

[A.4467 \(Gottfried\)-S.1663 \(Grisanti\)](#)

Summary: Relates to the adult care facilities training program.

Position: [Oppose](#)

Outcome: Remained in Assembly Ways and Means and in Senate Health.

LTHHCP Enhancement

[A.4472 \(Gottfried\)](#)

Summary: Relates to long term home health care program enhancement.

Position: [Support](#)

Outcome: Remained in Assembly Health.

Death and Felony Crimes Reporting in ACFs

[A.5147-A \(Gottfried\)-S.5893 \(Rivera\)](#)

Summary: Relates to death and felony crime reports in certain ACFs.

Position: [Oppose](#)

Outcome: Passed Assembly and remained in Senate Social Services.

RN at EALRs and SNALRs

[A.5168-A \(Gottfried\)-S.1417-A \(Montgomery\)](#)

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 on Assembly Calendar and in 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.

Home Health Care Costs

[A.5353-A \(Gottfried\)-S.6447 \(Rivera\)](#)

Summary: Provides for the exclusion of certain costs associated with home health care.

Position: [Support](#)

Outcome: Remained in Assembly and Senate Health.

AEDs in Assisted Living Facilities

[A.5957-A \(Englebright\)](#)

Summary: Relates to automated defibrillator requirements.

Position: [Oppose](#)

Outcome: Remained in Assembly Health.

Staffing Ratios

[A.6571 \(Gottfried\)-S.3691-A \(Hannon\)](#)

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

Position: [Oppose](#)

Outcome: Remained in Assembly Ways and Means and Senate Health.

Universal Design Incentive

[A.7537-B \(Lavine\)-S. 3956-C \(Grisanti\)](#)

Summary: Requires to the universal design incentive.

Position: [Support](#)

Outcome: This bill passed in the Senate and remained in Assembly Ways and Means.

Social Adult Day Care Program Regulations

[A.7736-A \(Millman\)](#)

Summary: Relates to rules and regulations pertaining to the operation of social adult day care programs.

Position: Verbally support

Outcome: Passed in the Assembly

Closure Commission

[A.9134 \(Millman\)-S.6855 \(Parker\)](#)

Summary: Creates a temporary state commission to study and investigate the effects of closures of long term care facilities on the residents of such facilities and their families.

Position: [Oppose](#)

Outcome: Remained in Assembly Ways & Means and Senate Aging

Living Wage Adjustment

[S.1262 \(Perkins\)](#)

Summary: Relates to the living wage adjustment of personal care service workers

Position: [Support](#)

Outcome: Remained in Senate Health

Telehealth/Telemedicine Development and Grant

[S.4023-B \(Valesky\)](#)

Summary: Promotes the development, provision and accessibility of telehealth/telemedicine services; establishes a development and research grant fund.

Position: [Support](#)

Outcome: Remained in Senate Health

Surrogate Decision-Making Improvement Acts (SDMIAs)

[-A.9548 \(Gunther\)- S.7152 \(Hannon\)](#)

[-A.9549 \(Gunther\)- S.7157 \(Hannon\)](#)

[-A.9566-A \(Rosenthal\)- S.7154 \(Hannon\)](#)

[-A.9647 \(Clark\)-S.7151 \(Hannon\)](#)

[-A.9648 \(Gottfried\)-S.7156 \(Hannon\)](#)

[-A.9670 \(Pretlow\)-S.7155 \(Hannon\)](#)

[-A.9671 \(Pretlow\)- S.7153 \(Hannon\)](#)

Summary: A number of bills pertaining to the SDMIAs draw upon experience under the Family Health Care Decisions Act and related laws, and make modest but important adjustments that clarify, improve and coordinate New York's various surrogate decision-making laws.

Position: [Support](#)

Outcome: Click on the bill numbers above