

July 7, 2022

Dear Members:

The New York State Legislature completed its work on Saturday, June 4, 2022, marking the end to another busy and productive New York State Legislative Session. This was the third session conducted amidst the COVID-19 pandemic but was the first with Kathy Hochul as New York's Governor. While the 2022 Legislative Session did not come without its challenges and frustrations, the outcomes have been some of the most positive for our members we have seen in recent years.

LeadingAge NY tracked over 1,000 bills and deemed over 130 of those to be a "priority," based on their potential impact or relevance to our membership. By the close of session, the Legislature had passed approximately 1,007 pieces of legislation, with a significant flurry of activity in the final week alone. LeadingAge NY issued formal memoranda on approximately 54 bills and weighed in on dozens of others. For several bills, such as proposed increases in penalties for mandatory staff overtime, increased penalties on adult care facilities (ACFs), and further restrictions on the use of psychotropic medications, LeadingAge NY launched robust grassroots advocacy campaigns to vocalize our opposition. We also engaged in targeted advocacy to legislators sitting on key committees. Many of you, our members, joined us in this advocacy opposing harmful legislation, as well as vocalizing support for bills that would be favorable for residents, staff, and operators alike. ***Thank you for your dedicated advocacy, particularly as you continue to contend with the ongoing challenges related to COVID-19. Your time and attention to advocacy is so appreciated, and it is impactful.***

As we reflect on another Legislative Session come and gone, it is important that we take a moment to acknowledge our accomplishments, as well as our opportunities for proactive advocacy and legislative work down the line. While we celebrate our successes in preventing certain pieces of legislation such as the ACF penalties and psychotropic medications bills from being passed this year, it is important to note that those same concerning proposals are sure to come back around in 2023.

As you review the below comprehensive list of bills passed and bills that failed to advance, members are encouraged to consider how you can use this information to inform your local advocacy over the coming months. In reviewing the list of bills and their sponsors, perhaps you will notice there are lawmakers that you would like to thank for their work on certain issues, and perhaps there are lawmakers that you would like to better educate on an area of interest.

It is important to remember that advocacy is a year-round endeavor. Members are strongly encouraged to use the summer and fall to establish and build upon relationships with your lawmakers. General education about what long-term care (LTC) is, how it works, how it is funded, and what you need to provide high-quality services to your community is paramount. As you build relationships with lawmakers, it is wise to familiarize yourself with their particular interest areas and goals to identify where there may be common ground.

The importance of legislators knowing you and the role your organization plays in the community at large cannot be overstated. If you are unsure of where to begin in building stronger relationships with lawmakers, inviting them to an event or tour of your organization is an excellent start. And, of course, LeadingAge NY is readily available as a resource, organizer, and supporter of all local advocacy activities.

If you have any questions or concerns about the bills mentioned in this document or would like to discuss advocacy initiatives, please feel free to contact Sarah Daly at [sdaly@leadingageny.org](mailto:sdaly@leadingageny.org). Lastly, LeadingAge NY will continue to advocate as bills of concern that were passed by the Legislature are taken up by the Governor over the coming months.

Thank you again for your advocacy efforts and all you do for the individuals in your care. You inspire us with your work, and we hope your summer is restful and revitalizing.

- Diane Darbyshire, Vice President of Advocacy and Public Policy, LeadingAge New York
- Sarah Daly, Senior Government Relations Analyst, LeadingAge New York

**LeadingAge New York  
Legislative Bill Summary  
July 2022**

**Passed Both Houses**

These bills passed both the Assembly and Senate and will be delivered to the Governor for action.

**Private Right of Action for Nursing Home Residents**

[A.159 \(Gottfried\)/S.995 \(Hoylman\)](#)

*Summary:* Provides that a nursing home patient's right to sue for injuries can be exercised by the patient's legal representative or estate.

*Position:* [Concerns](#)

*Outcome:* Passed Assembly. Passed Senate.

**Mandatory Nurse Overtime in Home Care**

[A.181-A \(Gunther\)/S.4885-A \(Savino\)](#)

*Summary:* Adds home care visits to the existing law that no health care employer shall require a registered professional nurse or a licensed practical nurse (LPN) to work more than that nurse's regularly scheduled work hours or home care visits.

*Position:* [Oppose](#)

*Outcome:* Passed Assembly. Passed Senate.

**Penalties for Mandatory Nurse Overtime**

[A.286-A \(Gunther\)/S.1997-A \(Jackson\)](#)

*Summary:* Establishes a mechanism for a civil penalty in the event an employer violates the provisions of law that place restrictions on consecutive hours of work for nurses.

*Position:* [Oppose](#)

*Outcome:* Passed Assembly. Passed Senate.

**Coverage for Medically Fragile Children**

[A.289-C \(Gottfried\)/S.2121-C \(Rivera\)](#)

*Summary:* Amends the utilization review provisions of the Insurance and Public Health Laws by adding various requirements relating to treatments for medically fragile children. A number of provisions go beyond utilization review and impose network and payment requirements.

*Position:* No Position

*Outcome:* Passed Assembly. Passed Senate.

**Clinical Peer Reviewer**

[A.879 \(Gottfried\)/S.8113 \(Cleare\)](#)

*Summary:* Redefines the qualifications of a clinical peer reviewer that a health plan or insurer may use to deny payment for an otherwise covered benefit.

*Position:* No Position

*Outcome:* Passed Assembly. Passed Senate.

**LGBTQ Training of Nurse and Home Health Aides**

[A.1880-A \(Dinowitz\)/S.2534-A \(Rivera\)](#)

*Summary:* Requires home health aides, personal care aides, and nurse aides to receive training in working with patients of diverse sexual orientations and gender identities or expressions as part of the education and training for certification and recertification; directs the Commissioner of Health to develop curriculum.

*Position:* Support w/Recommendations

*Outcome:* Passed Assembly. Passed Senate.

**Assisted Living Residence Closures**

[A.2211 \(Simon\)/S.3932 \(Savino\)](#)

*Summary:* Specifies procedures for the closure and/or decertification of assisted living residences (ALRs).

*Position:* [Oppose](#)

*Outcome:* Passed Assembly. Passed Senate.

**SOFA Office of Older Adult Workforce Development**

[A.3403-B \(Stirpe\)/S.555-C \(May\)](#)

*Summary:* Requires the creation of an office to address the needs of older adult workers, including the creation of a centralized website with resources for older adults on job placement, career building, and job support.

*Position:* Support

*Outcome:* Passed Assembly. Passed Senate.

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**Tax Credits for Universal Visitability**

[A.3409-A \(Lavine\)/S.7365-A \(Kaplan\)](#)

*Summary:* Creates a tax credit and incentive for the retrofitting of principal residences and housing design changes that provide “universal visitability.” The bill aims to incentivize the creation of accessible and adaptable housing critical for successful aging in place.

*Position:* Support

*Outcome:* Passed Assembly. Passed Senate.

**Patient Medical Debt Protection Act**

[A.3470-C \(Gottfried\)/S.2521-C \(Rivera\)](#)

*Summary:* Requires notice to patients when a facility fee will be charged and whether the patient’s health coverage will cover the fee.

*Position:* No Position

*Outcome:* Passed Assembly. Passed Senate.

**Medicaid Coverage of Digital Therapeutics**

[A.3642 \(Rosenthal\)/S.559 \(Harckham\)](#)

*Summary:* Directs the New York State Department of Health (DOH) to request guidance from the Centers for Medicare and Medicaid Services (CMS) regarding the coverage of prescription digital therapeutics.

*Position:* No Position

*Outcome:* Passed Assembly. Passed Senate.

**Patient Rx Information and Choice Expansion Act**

[A.5411-D \(McDonald\)/S.4620-C \(Breslin\)](#)

*Summary:* Requires health plans to provide real-time, patient-specific prescription drug out-of-pocket cost details, including the cost, benefit, and coverage data as required to the enrollee, his or her health care provider, or the third party of his or her choosing.

*Position:* No Position

*Outcome:* Passed Assembly. Passed Senate.

**Nursing Home Notice of Infectious Disease**

[A.6052 \(Lunsford\)/S.1785-A \(Skoufis\)](#)

*Summary:* Requires nursing homes to notify residents and families within 12 hours of detecting an infection among residents or staff and have a plan in place for effective separation (cohorting) of residents suspected of being infectious.

*Position:* [Oppose](#)

*Outcome:* Passed Assembly. Passed Senate.

**Reserved Bed-Holds for NYS Veteran’s Homes**

[A.6551-B \(Solages\)/S.2238-B \(Brooks\)](#)

*Summary:* Allows New York State Veteran’s Homes to receive payments for 14 reserved bed days for temporary hospitalizations of residents on Medicaid. Payments will be set at 50 percent of the Medicaid rate.

*Position:* No Position

*Outcome:* Passed Assembly. Passed Senate.

**Damages for Wrongful Death**

[A.6770 \(Weinstein\)/S.74-A \(Hoylman\)](#)

*Summary:* Permits the families of wrongful death victims to recover compensation for their emotional anguish. Provides that damages for wrongful death will be exclusively for the benefit of the decedent’s surviving spouse, partner, and/or close family members. Allows the judge or jury to determine which persons qualify as close family members. Extends the statute of limitations to file a wrongful death action after the death of the decedent to three and a half years from two years.

*Position:* Oppose

*Outcome:* Passed Assembly. Passed Senate.

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Legislative Bill Summary  
July 2022**

**Passed Both Houses**

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**Confidentiality of Vaccine Information**

[A.7326-A \(Gottfried\)/S.6541-A \(Rivera\)](#)

*Summary:* Creates a new section of law requiring that vaccine providers adhere to certain security standards and prohibiting a vaccinated person's information from being used to criminalize or deport that individual. The bill also requires that providers of COVID-19 immunity "passports" only collect the minimal amount of information required to verify an individual's vaccine or test status.

*Position:* Support

*Outcome:* Passed Assembly. Passed Senate.

**Liens for Medical Debt**

[A.7363-A \(Gottfried\)/S.6522-A \(Rivera\)](#)

*Summary:* Amends the Civil Practice Law and Rules to prohibit enforcement of judgments for medical debts through liens on the debtor's primary residence or through income execution orders.

*Position:* Oppose

*Outcome:* Passed Assembly. Passed Senate.

**OMIG Audit and Review**

[A.7889-A \(Gottfried\)/S.4486-B \(Harckham\)](#)

*Summary:* Provides due process protections to health care providers and recipients in the Medicaid program when audited or reviewed by the Office of the Medicaid Inspector General (OMIG). Codifies into law procedures, practices, and standards to improve the fairness of OMIG audits and recoveries. Among other measures, requires technical defects or other minor errors to be corrected prior to any recovery being made by the inspector and requires any sampling method to be statistically valid.

*Position:* Support

*Outcome:* Passed Assembly. Passed Senate.

**Hospice in the Assisted Living Program**

[A.8006 \(Gottfried\)/S.7626 \(Rivera\)](#)

*Summary:* Allows Medicaid beneficiaries residing in Assisted Living Programs (ALPs) to access hospice services without having to transfer from the ALP.

*Position:* Support

*Outcome:* Passed Assembly. Passed Senate.

**Prohibition on Establishment of For-Profit Hospices**

[A.8472 \(Gottfried\)/S.9387 \(Krueger\)](#)

*Summary:* Prohibits the approval of new applications for establishment, construction, or increased capacity of hospices if they are to be operated, in whole or in part, by for-profit hospice entities. Existing for-profit hospices will remain approved but will not be authorized to increase capacity.

*Position:* No Position

*Outcome:* Passed Assembly. Passed Senate.

**Creation of "Supported Decision-Making"**

[A.8586-B \(Simon\)/S.7107-B \(Mannion\)](#)

*Summary:* Creates a new article of Mental Hygiene Law to establish "Supported Decision-Making" as a less restrictive alternative to guardianship for individuals with intellectual or developmental disabilities. Creates obligations and corresponding immunity from liability for third parties in order to effectuate supported decisions made in accordance with a Supported Decision-Making Agreement. Requires the Office for People with Developmental Disabilities to promulgate regulations for implementation and allows other state agencies, such as the State Office for the Aging (SOFA), to promulgate their own related regulations.

*Position:* No Position

*Outcome:* Passed Assembly. Passed Senate.

**LeadingAge New York**  
**Legislative Bill Summary**  
**July 2022**

**Passed Both Houses**

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**HEAL Act**

[A.8169-A \(Cruz\)/S.7199-A \(Gounardes\)](#)

*Summary:* Enacts the Hospital Equity and Affordability Legislation (HEAL) Act, prohibiting insurers from entering into contracts with certain anti-competitive clauses. Allows insurers to disclose price and quality information regarding negotiated rates and other discounts with health care providers.

*Position:* No Position

*Outcome:* Passed Assembly. Passed Senate.

**LTC Ombudsman Program – 2021 Chapter Amendment**

[A.8592 \(Clark\)/S.7777 \(May\)](#)

*Summary:* Modifies provisions enacted in 2021 (Chapter 759) which enacted a number of reforms to the Long-Term Care Ombudsman Program (LTCOP). Among other technical corrections, requires DOH to establish policies and procedures, rather than promulgate regulations as required by the original bill, relating to reporting and communication between LTCOP staff/volunteers and DOH.

*Position:* No Position

*Outcome:* Signed by Governor on Feb. 24, 2022.

**Veterans' Access to Certain Benefits – 2021 Chapter Amendment**

[A.8729 \(Cusick\)/S.7706 \(Harckham\)](#)

*Summary:* Amends Chapter 609 of the Laws of 2021 relating to identifying veterans seeking residence in temporary shelters, nursing homes, and ALRs. Requires the Division of Veterans' Services to encourage other temporary shelters to share information to increase veteran access to benefits by sharing information on their websites, adding relevant questions to their intake forms, and sharing Division of Veterans' Services information.

*Position:* No Position

*Outcome:* Signed by Governor on Feb. 24, 2022.

**Infection Control Audit – 2021 Chapter Amendment**

[A.8775 \(Burke\)/S.7726 \(Skoufis\)](#)

*Summary:* Modifies provisions enacted in 2021 (Chapter 768) related to the implementation of the State's annual nursing home infection control competency audits and the establishment of infection control competency standards. Among other amendments, this bill delays the commencement of the annual audits from Oct. 1, 2021 to Dec. 1, 2022 and requires the audit checklist to be consistent with CMS focused infection control survey standards used to evaluate nursing home infection control competency. The bill also clarifies that the required staffing plan to limit transmission shall include a cohorting plan based on national, state, or local public health authority recommendations.

*Position:* [Oppose](#)

*Outcome:* Signed by Governor on March 18, 2022.

**LeadingAge New York  
Legislative Bill Summary  
July 2022**

**Passed Both Houses**

These bills passed both the Assembly and Senate and will be delivered to the Governor for action.

**Antimicrobial Stewardship – 2021 Chapter Amendment**

[A.8787 \(Woerner\)/S.7717 \(Kavanagh\)](#)

*Summary:* Amends Chapter 737 of the Laws of 2021, which requires hospitals and nursing homes to implement antimicrobial stewardship programs. Also requires facilities to incorporate an ongoing process to measure the impact of these programs, including review of antimicrobial utilization data and development of response plans for high or increasing utilization.

*Position:* No Position

*Outcome:* Signed by Governor on Feb. 24, 2022.

**Housing Our Neighbors with Dignity Program – 2021 Chapter Amendment**

[A.8792 \(Reyes/S.7772 \(Gianaris\)](#)

*Summary:* Amends Chapter 396 of the Laws of 2021, “HONDA,” which allows distressed hotels and commercial spaces to be converted for use as permanent affordable and supportive housing for low-income households and those experiencing homelessness. The amendment would, among other provisions, increase the allowable Area Median Income (AMI) of prospective tenants to 60 percent and allow more flexibility to meet the required refrigerator size for the resulting units.

*Position:* No Position

*Outcome:* Passed Assembly. Passed Senate.

**Reimagining LTC Taskforce – 2021 Chapter Amendment**

[A.8798 \(Cruz\)/S.7776 \(May\)](#)

*Summary:* Modifies Chapter 758 of the Laws of 2021, which established the Long-Term Care Task Force to examine home and facility-based LTC in the state. The amendment names the Commissioner of Health as co-chair of the Task Force with the SOFA Director and requires information provided to the Task Force to be kept confidential. The amendment also changes the report due date from Dec. 1, 2021 to within six months of the effective date.

*Position:* No Position

*Outcome:* Signed by Governor on Feb. 24, 2022.

**HHA Competency Exams – 2021 Chapter Amendment**

[A.8826 \(Burdick\)/S.7888 \(Harckham\)](#)

*Summary:* Modifies provisions enacted in 2021 (Chapter 661) and requires DOH to publicly provide the contact information of DOH-approved home health aide (HHA) education or training programs, rather than requiring DOH to maintain a schedule of competency exams to be offered to out-of-state HHAs, as provided for in the original bill.

*Position:* No Position

*Outcome:* Signed by Governor on Feb. 24, 2022.



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Legislative Bill Summary  
July 2022**

**Passed Both Houses**

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**Health Equity Assessment in CON – 2021 Chapter Amendment**

[A.8834 \(Gottfried\)/S.7885 \(Rivera\)](#)

*Summary:* Amends Chapter 127 of the Laws of 2021 and clarifies that a health equity impact assessment is *not* necessary if the certificate of need (CON) application would not result in the elimination or substantial reduction, expansion, addition, or change in location of a hospital or nursing home service. Requires applicants to publish their health equity impact assessment on their website within one week.

*Position:* No Position

*Outcome:* Signed by Governor on Feb. 24, 2022.

**LTC Ombudsman Program – 2021 Chapter Amendment**

[A.8839 \(Wallace\)/S.7886 \(May\)](#)

*Summary:* Amends Chapter 705 of the Laws of 2021 as proposed in legislation A.6222/S.4377. Requires nursing homes to post the Resident Bill of Rights in the most common non-English languages. Increases the number of languages for translation from six to 10.

*Position:* No Position

*Outcome:* Signed by Governor on Feb. 24, 2022.

**Penalties for Mandatory Nurse Overtime**

[A.8874-B \(Joyner\)/S.8063-A \(Ramos\)](#)

*Summary:* Increases penalties for violations of Labor Law prohibiting hospitals, nursing homes, and other facilities from requiring nurses to work more than their regularly scheduled hours, except in the case of a health care disaster or emergency for up to 30 days. Proposed penalties would be \$1,000 for the first violation and up to \$5,000 for repeat violations occurring within three years.

*Position:* [Oppose](#)

*Outcome:* Passed Assembly. Passed Senate.

**Advanced Care Planning Campaign**

[A.8880-A \(Wallace\)/S.8205 \(Hinchey\)](#)

*Summary:* Establishes a statewide advanced care planning (ACP) campaign to promote public awareness and education about ACP tools and the benefits and availability of hospice and palliative care services.

*Position:* [Support](#)

*Outcome:* Passed Assembly. Passed Senate.

**Office of Hospice and Palliative Care Access and Quality**

[A.8881-A \(Wallace\)/S.8206-A \(Hinchey\)](#)

*Summary:* Establishes an Office of Hospice and Palliative Care Access and Quality within DOH to improve coordination and utilization of Hospice in New York State.

*Position:* [Support](#)

*Outcome:* Passed Assembly. Passed Senate.

**Health Benefits for Public Retirees**

[A.9215 \(McDonald\)/S.8192 \(Breslin\)](#)

*Summary:* Ensures that no public retiree loses their skilled nursing care benefits when they enroll in Medicare.

*Position:* Support

*Outcome:* Passed Assembly. Passed Senate.

**ACF Demographic Records**

[A.9290 \(Forrest\)/S.8813 \(Rivera\)](#)

*Summary:* Requires ACFs to include demographic information, including race or ethnicity, in certain admission and discharge records maintained by the facility.

*Position:* [Support w/Recommendations](#)

*Outcome:* Signed by Governor on June 30, 2022.

**LeadingAge New York  
Legislative Bill Summary  
July 2022**

**Passed Both Houses**

These bills passed both the Assembly and Senate and will be delivered to the Governor for action.

**Notification of Changes to Model Contract**

[A.9442 \(Gottfried\)/S.9207 \(Rivera\)](#)

*Summary:* Requires notification of changes to the model contract with managed care providers under the Medical Assistance Program on the DOH website and in the *State Register*.

*Position:* No Position

*Outcome:* Passed Assembly. Passed Senate.

**PACE Expansion**

[A.9542 \(Gottfried\)/S.8903 \(May\)](#)

*Summary:* Allows for the expansion and better use of the Program of All-Inclusive Care for the Elderly (PACE) by establishing a state PACE regulatory framework separate from other types of managed care. Streamlines the state approval process and helps clarify oversight procedures. Ensures transparency into the rate-setting process.

*Position:* [Support](#)

*Outcome:* Passed Assembly. Passed Senate.

**Physical Therapy Assistants in Home Care**

[A.9971 \(Cook\)/S.8843-A \(Stavisky\)](#)

*Summary:* Extends for four years, until 2026, provisions that authorize physical therapy assistants in home care settings to provide services without the physical presence of a supervising physical therapist.

*Position:* No Position

*Outcome:* Signed by Governor on June 30, 2022.

**State Reporting of LTC Ombudsman Program**

[A.10045-A \(Clark\)/S.8617-A \(May\)](#)

*Summary:* Enhances the annual reports prepared by the state LTCOP.

*Position:* No Position

*Outcome:* Passed Assembly. Passed Senate.

**Temporary Commission to Study Aging in Place in Mental Health Housing**

[A.10139 \(Gunther\)/S.9041 \(Brouk\)](#)

*Summary:* Establishes a nine-member Mental Health Housing Evaluation Commission for Aging in Place. The Commission would evaluate and provide recommendations related to aging in place in community-based mental health housing and submit a report to the Governor and Legislature outlining its findings and recommendations within one year after the legislation takes effect.

*Position:* No Position

*Outcome:* Passed Assembly. Passed Senate.

**Disclosure of Compensation to Applicants and Employees**

[A.10477 \(Joyner\)/S.9427-A \(Ramos\)](#)

*Summary:* Prohibits employers, employment agencies, employees, or agents thereof from advertising a job, promotion, or transfer opportunity without disclosing the compensation or range of compensation and the job description for such job, promotion, or transfer opportunity that can or will be performed. Requires employers to maintain records to comply with these provisions. Lastly, the bill expressly does not preempt or supersede any local law, rule, or ordinance (e.g., current New York City (NYC) law).

*Position:* No Position

*Outcome:* Passed Assembly. Passed Senate.



**LeadingAge New York  
Legislative Bill Summary  
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**Passed Both Houses**

These bills passed both the Assembly and Senate and will be delivered to the Governor for action.

**Workplace Safety Committees**

**[A.10492 \(Reyes\)/S.9450 \(Gianaris\)](#)**

*Summary:* Requires employers to recognize within five business days the establishment of a workplace safety committee created pursuant to the HERO Act. Violations would result in a civil penalty of not less than \$50 per day until the violation is remedied.

*Position:* No Position.

*Outcome:* Passed Assembly. Passed Senate.

**Legislation Failing to Advance to the Governor**

The following bills were priority tracked by LeadingAge NY and failed to pass both houses of the Legislature during the 2022 session.

**TBI Access to DD Services**

**[A.124 \(Gottfried\)](#)**

*Summary:* Authorizes the integration of individuals with traumatic brain injuries (TBI) sustained after age 21 into certified developmental disabilities (DD) programs.

*Position:* [Support](#)

*Outcome:* Remained in Assembly Health Committee.

**Consecutive Hours for Non-Nursing Direct Care**

**[A.136 \(Gunther\)](#)**

*Summary:* Includes non-nursing direct care staff in provisions of law relating to restrictions on consecutive hours of work.

*Position:* Concerns

*Outcome:* Remained in Assembly Labor Committee.

**Quality Innovation and Improvement Through Home Care**

**[A.139 \(Gottfried\)](#)**

*Summary:* Establishes the program of health care quality innovation and improvement through home care. The bill would promote a new quality measurement and analytical tool and guidelines/special trainings for staff.

*Position:* Support

*Outcome:* Remained in Assembly Health Committee.

**Community Paramedicine**

**[A.151 \(Gottfried\)/S.1590 \(Rivera\)](#)**

*Summary:* Authorizes emergency medical technicians (EMTs) or advanced EMTs, acting as part of a collaborative program with other health care providers, to offer community paramedicine services within their existing scope of practice.

*Position:* Oppose

*Outcome:* Remained in Assembly Health Committee. Advanced to Senate Floor Calendar.

## **Payments to HCBS**

### [A.161 \(Gottfried\)/S.2526 \(Rivera\)](#)

*Summary:* Amends the Public Health Law to assure that Medicaid managed care plans pass through in whole the money provided by the state to finance the incremental advancements in minimum wage.

*Position:* No Position

*Outcome:* *Remained in Assembly and Senate Health Committees.*

## **RN at EALRs and SNALRs**

### [A.171 \(Gottfried\)](#)

*Summary:* Requires a registered nurse (RN) to be on staff at facilities certified for enhanced assisted living (EALRs) or special needs assisted living (SNALRs).

*Position:* [Oppose](#)

*Outcome:* *Remained in Assembly Health Committee.*

## **PPE Payments for Home Care**

### [A.179 \(Gottfried\)/S.2543 \(Rivera\)](#)

*Summary:* Requires Managed Long Term Care Plans (MLTCs) to reimburse home care agencies and fiscal intermediaries (FIs) for personal protective equipment (PPE) costs and a 90-day inventory.

*Position:* [Concerns](#)

*Outcome:* *Advanced and remained in Assembly Ways and Means Committee. Advanced and remained in Senate Finance Committee.*

## **TBI/NHTD Managed Care Carve-Out**

### [A.192 \(Gottfried\)/S.1577 \(Rivera\)](#)

*Summary:* Allows individuals receiving TBI and Nursing Home Transition and Diversion (NHTD) waiver services to continue to receive such services outside of managed care programs.

*Position:* [Support](#)

*Outcome:* *Passed Senate. Advanced and remained in Assembly Ways and Means Committee.*

## **Safety Violations in ACFs**

### [A.196-C \(Gottfried\)/S.1576-C \(Rivera\)](#)

*Summary:* Requires an annual audit of facilities that receive funds under the Enhancing the Quality of Adult Living (EQUAL) program, increases maximum civil penalties for ACF violations from \$1,000 per day to \$5,000 per violation per day, and authorizes a pre-hearing suspension or limitation of an ACF's operating certificate in cases of imminent danger to residents.

*Position:* [Oppose](#)

*Outcome:* *Remained in Senate Health Committee. Advanced and remained on Assembly Floor Calendar.*

## **Automatic Dispensing Machines**

### [A.215 \(Gottfried\)](#)

*Summary:* Permits the storing of prescribed drugs that have been lawfully dispensed by a pharmacist, intended only for a nursing home resident, in an automatic dispensing machine within the nursing facility.

*Position:* Support

*Outcome:* *Remained in Assembly Higher Education Committee.*

## **Increase in Nursing Home Civil Penalties**

### [A.232-C \(Gottfried\)](#)

*Summary:* Raises the maximum penalties for violations of the Public Health Law. Authorizes amounts collected from nursing homes in excess of \$10,000 per violation.

*Position:* [Oppose](#)

*Outcome:* *Advanced and remained on Assembly Floor Calendar.*

## **Publication of HERDS Data**

### [A.244-A \(Gottfried\)](#)

*Summary:* Creates the Health Emergency Response Data System (HERDS) and requires DOH to disclose, within seven days of its receipt, the aggregate data from HERDS reports submitted during public health emergencies (PHEs) to the entities reporting, government entities, and the public.

*Position:* [Concerns](#)

*Outcome:* *Passed Assembly.*

### **Adult Vaccine Registry and Reporting**

[A.279-A \(Gottfried\)/S.75-A \(Hoylman\)](#)

*Summary:* Requires health care providers who administer any vaccines to a person 19 years of age or older to report all such vaccinations to the New York State DOH, or, for health care providers located in NYC, the NYC DOH. Provides that individuals may opt out from their vaccination being reported to the registry.

*Position:* Support

*Outcome:* Advanced and remained on Assembly Floor Calendar. Remained in Senate Health Committee.

### **Rates of Payment for Certified Home Health Agencies**

[A.293 \(Gottfried\)/S.2117 \(Rivera\)](#)

*Summary:* Authorizes DOH to provide a 10 percent increase in the base episodic payment and in the individual rates for services exempt from episodic payments. Establishes minimum standards and a minimum benchmark for home care services payments.

*Position:* No Position

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

### **Essential Caregivers in Nursing Homes**

[A.3113 \(Kim\)](#)

[A.6109 \(Miller\)](#)

[A.1070 \(Buttenschon\)/S.3879 \(Griffo\)](#)

*Summary:* Allows residents to designate an essential person who would be permitted to be present and provide aid at a nursing home.

*Position:* Concerns

*Outcome:* All three bills remained in Assembly and Senate Health Committees.

### **Overtime for CNAs**

[A.363 \(Gunther\)](#)

*Summary:* Includes certified nursing assistants (CNAs) in provisions of law relating to restrictions on consecutive hours of work.

*Position:* [Oppose](#)

*Outcome:* Remained in Assembly Labor Committee.

### **Insurance Coverage of Home Health Care**

[A.380 \(Cahill\)](#)

*Summary:* Amends Insurance Law to include out-of-home services such as transition from a hospital, nursing facility, or other institutional setting to the home within home care insurance coverage.

*Position:* Support

*Outcome:* Remained in Assembly Insurance Committee.

### **Filming of Medical Treatments**

[A.520-A \(Braunstein\)](#)

[S.484-A \(Krueger\)](#)

*Summary:* Requires a medical facility or related services to obtain express prior written consent before the making and/or broadcasting of visual images of a patient's medical treatment.

*Position:* Concerns

*Outcome:* Passed Assembly. Passed Senate. Not Same-As Bills.

### **DFS-Compliant Cybersecurity Policy for CCRCs**

[A.749 \(Cahill\)](#)

*Summary:* Permits continuing care retirement communities (CCRCs) to adopt written cybersecurity policies and self-certify that such policies are not inconsistent with the goals of the cybersecurity regulations promulgated by the Department of Financial Services (DFS) in 2017.

*Position:* [Support](#)

*Outcome:* Remained in Assembly Insurance Committee.

### **SSI Increase for ACFs**

[A.821 \(Pheffer Amato\)](#)

[S.4400 \(Serino\)](#)

*Summary:* Increases the state portion of the Supplemental Security Income (SSI) Congregate Care Level 3 rate to enable ACFs to continue to care for SSI recipients.

*Position:* [Support](#)

*Outcome:* Remained in Assembly and Senate Social Services Committees.

**HCBS Eligibility Look-Back Period**

[A.833-A \(Gottfried\)/S.2542-A \(Rivera\)](#)

*Summary:* Relates to the definition of the “look-back period” for the determination of eligibility of an individual for medical assistance benefits and exempts certain assets used on the individual’s behalf.

*Position:* No Position

*Outcome:* Advanced and remained in Assembly Ways and Means Committee. Passed Senate.

**Nursing Home-MLTC Rural Demonstration**

[A.882 \(Jones\)/S.5345 \(Stec\)](#)

*Summary:* Authorizes the Commissioner of Health to allow, in one or more rural areas, one or more MLTC plans to enroll Medicaid beneficiaries and retain existing enrollees who are permanently placed in a nursing home on a demonstration basis.

*Position:* [Support](#)

*Outcome:* Remained in Assembly and Senate Health Committees.

**Publication of Nursing Home Inspection Results**

[A.1010-A \(Bronson\)/S.2022-A \(May\)](#)

*Summary:* Requires DOH to publish the results of nursing home inspections on their website within 30 days.

*Position:* [Concerns](#)

*Outcome:* Passed Assembly. Remained in Senate Health Committee.

**Increase in Reserved Bed Holds**

[A.1053 \(Cahill\)](#)

*Summary:* Increases the number of days within a 12-month period that a facility may receive reimbursement for a reserved bed from 10 days to 25 days.

*Position:* No Position

*Outcome:* Remained in Assembly Health Committee.

**Capital Funding for Assisted Living Programs**

[A.1342 \(Magnarelli\)](#)

*Summary:* Adds the ALP as an eligible provider type under the Vital Access Provider (VAP) program.

*Position:* [Support](#)

*Outcome:* Remained in Assembly Health Committee.

**ACF and Nursing Home Closure Commission**

[A.1944 \(Simon\)](#)

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

*Position:* [Oppose](#)

*Outcome:* Remained in Assembly Aging Committee.

**Duty to Report Incidents**

[A.2060-A \(Barrett\)/S.3410 \(Brouk\)](#)

*Summary:* Allows a mandated reporter to refrain from filing an incident report when the reportable incident has already been reported to the register.

*Position:* Support

*Outcome:* Passed Assembly. Advanced and remained on Senate Floor Calendar.

**Notice of Assisted Living Facility Changes**

[A.2100 \(Rosenthal\)](#)

*Summary:* Requires assisted living facilities to notify residents of changes to medical and support services 180 days prior to such changes taking effect.

*Position:* Oppose

*Outcome:* Remained in Assembly Health Committee.

**COVID-19 Testing of Nursing Home Residents**

[A.2218 \(Jacobson\)/S.1177 \(May\)](#)

*Summary:* Requires nursing homes to test all residents for COVID-19 every 30 days and within seven days after a staff member or resident tests positive. This requirement would apply during the state of emergency and for 60 days thereafter.

*Position:* Oppose

*Outcome:* Remained in Assembly and Senate Health Committees.

## **Mandatory Reporting in ACFs**

### **[A.2420 \(Aubry\)](#)**

*Summary:* Establishes mandatory reporting requirements for mentally or physically incapacitated persons and affords them the same protections currently afforded to minors in New York State.

*Position:* Concerns

*Outcome:* Remained in Assembly Health Committee.

## **Nursing Home Closures**

### **[A.2432 \(Niou\)/S.2847 \(Kavanagh\)](#)**

*Summary:* Amends the Public Health Law to strengthen oversight over nursing homes by creating a transparent process when nursing homes are threatened in NYC.

*Position:* No Position

*Outcome:* Advanced to Assembly Ways and Means Committee. Remained in Senate Health Committee.

## **Violations in Residential Care Programs**

### **[A.2536 \(Weinstein\)/S.3523-A \(Parker\)](#)**

*Summary:* Prevents the use of property guardianships under Article 81 of the Mental Hygiene Law by nursing homes and other providers to pursue payment from incapable residents for their services, when the residents or their representatives fail to pay for such services.

*Position:* [Support Intent](#)

*Outcome:* Advanced and remained on Assembly Floor Calendar. Remained in Senate Mental Health Committee.

## **Nursing Home Outbreak Requirements**

### **[A.3131-A \(Kim\)/S.1080-A \(Gounardes\)](#)**

*Summary:* Creates new requirements for DOH and nursing homes in the context of a disaster emergency that involves a disease outbreak. These new requirements pertain to visitation and fatality rates.

*Position:* [Concerns](#)

*Outcome:* Advanced and remained on Assembly Floor Calendar. Remained in Senate Health Committee.

## **COVID-19 Pandemic Response in Nursing Homes**

### **[A.3162 \(Kim\)/S.2067 \(Tedisco\)](#)**

*Summary:* Establishes an independent, bipartisan state commission to fully investigate the deaths of 6,200 New Yorkers who died from COVID-19 in state-regulated nursing homes.

*Position:* No Position

*Outcome:* Remained in Assembly and Senate Health Committees.

## **Transition to Adulthood for Children with Medical Fragility**

### **[A.3235 \(Sayegh\)/S.1029 \(Stewart-Cousins\)](#)**

*Summary:* Aids in the transition to adulthood for children with medical fragility living in pediatric nursing homes and other settings.

*Position:* Support

*Outcome:* Remained in Assembly and Senate Health Committees.

## **Affordable Senior Housing and Services Program**

### **[A.3531 \(Cymbrowitz\)/S.3006 \(Kavanagh\)](#)**

*Summary:* Establishes an Affordable Senior Housing and Services Program with its own rules and scoring criteria and provides for optional basic healthy aging services for senior housing residents.

*Position:* [Support](#)

*Outcome:* Remained in Assembly and Senate Housing Committees.

## **Affordable Independent Senior Housing Assistance Program**

### **[A.3612 \(Cymbrowitz\)/S.3129 \(Kavanagh\)](#)**

*Summary:* Establishes an Affordable Independent Senior Housing Assistance Program to complement the state's historic commitment of \$125 million for senior housing capital and create a cost-effective model for seniors to age in place.

*Position:* [Support](#)

*Outcome:* Remained in Assembly and Senate Housing Committees.

**Unpredictable Nursing Home Inspection Act**

[A.3618 \(Hawley\)/S.2704 \(Ortt\)](#)

*Summary:* Requires DOH to conduct 40 percent of its inspections on nursing homes outside of business hours and requires the Department to submit an annual nursing home inspection report to the Governor and Attorney General.

*Position:* Oppose

*Outcome:* Remained in Assembly and Senate Health Committees.

**Nursing Home Ownership**

[A.3622 \(Hawley\)/S.2705 \(Ortt\)](#)

*Summary:* Provides for the disclosure of current medical facility ownership and partnerships prior to the purchase of a nursing home. Prohibits owners and operators of medical facilities cited for health inspection violations from purchasing additional nursing homes until the existing facility has been in compliance for two years. Prohibits nursing home operators that sell a facility from purchasing another facility for two years.

*Position:* No Position

*Outcome:* Remained in Assembly and Senate Health Committees.

**ADHCs Operated by ACFs**

[A.3623 \(Cymbrowitz\)](#)

*Summary:* Authorizes an ACF possessing a valid operating certificate to apply to operate an adult day health care (ADHC) program. To receive such approval, the ACF would be required to comply with the ADHC program requirements as set forth in 10 NYCRR Part 425.

*Position:* No Position

*Outcome:* Remained in Assembly Health Committee.

**Independent Senior Housing Resident Freedom of Choice Act**

[A.3626 \(Cymbrowitz\)](#)

*Summary:* Clarifies that individuals living in senior housing have the right to access and obtain the same services that they would if they were an individual residing in the community, from the provider of their choosing.

*Position:* [Support](#)

*Outcome:* Remained in Assembly Aging Committee.

**Private Duty Nursing**

[A.4073 \(Abinanti\)/S.238 \(Thomas\)](#)

*Summary:* Provides a mechanism for a Medicaid recipient who is authorized to receive in-home private duty nursing services to receive such services from a relative who is a registered professional nurse.

*Position:* No Position

*Outcome:* Passed Senate. Advanced and remained in Assembly Ways and Means Committee.

**Criminal History Record Checks for ACF Employees**

[A.4276 \(Jensen\)](#)

*Summary:* Provides for criminal history background checks of supportive maintenance employees in ACFs and assisted living facilities, similar to checks completed on nursing home employees.

*Position:* [Oppose](#)

*Outcome:* Remained in Assembly Health Committee.

**TBI Medical Assistance Eligibility**

[A.4309 \(Gottfried\)](#)

*Summary:* Provides eligibility for medical assistance for personal care services for persons with TBI, DD, cognitive impairments, blindness, or visual impairment.

*Position:* [Support](#)

*Outcome:* Remained in Assembly Ways and Means Committee.



**Medical Aid in Dying Act**

[A.4321-A \(Paulin\)/S.6471 \(Savino\)](#)

*Summary:* Allows mentally competent, terminally ill individuals with a life expectancy of less than six months to request life-ending medication from their physician.

*Position:* No Position

*Outcome:* Remained in Assembly and Senate Health Committees.

**Medication Aides in St. Lawrence County Nursing Homes**

[A.4375 \(Walczyk\)/S.1156 \(Ritchie\)](#)

*Summary:* Authorizes a demonstration program to test the use of medication technicians in nursing homes in St. Lawrence County.

*Position:* [Support](#)

*Outcome:* Remained in Assembly and Senate Higher Education Committees.

**Residential Demonstration Program for Persons with Advanced Needs**

[A.4656-B \(Gottfried\)/S.4546-B \(Rivera\)](#)

*Summary:* Establishes a residential demonstration program to provide medical, nursing, and social supports to persons with severe cognitive and behavioral dysfunction.

*Position:* No Position

*Outcome:* Advanced and remained in Assembly Rules Committee. Advanced and remained in Senate Finance Committee.

**Infection Control Cohorting**

[A.4980 \(Gottfried\)](#)

*Summary:* Requires nursing homes to establish and implement a plan or procedure designating a separate cohort area during an infectious disease outbreak as part of their pandemic emergency plan.

*Position:* No Position

*Outcome:* Remained in Assembly Health Committee.

**Video Communication Devices in Nursing Homes**

[A.5283 \(Davila\)](#)

*Summary:* Requires that both hospitals and nursing homes provide video communication devices to patients during any time when visitor access is limited.

*Position:* Concerns

*Outcome:* Remained in Assembly Health Committee.

**DOH Reporting of COVID-19 Cases**

[A.5446 \(Lawler\)/S.4029 \(Serino\)](#)

*Summary:* Requires DOH to compile and post weekly on its website, in a conspicuous location and format capable of download in a spreadsheet, data on the total number of confirmed cases and deaths of COVID-19 in nursing homes, the total number of individuals transferred from a nursing home to a hospital due to COVID-19, and COVID-19 patients discharged from a hospital to a nursing home. Such data shall be compiled and posted by county, date, nursing home, and hospital and shall include data since March 1, 2020.

*Position:* No Position

*Outcome:* Remained in Assembly and Senate Health Committees.

**Automatic Dispensing Machines**

[A.5512-A \(Dinowitz\)/S.4102-A \(Savino\)](#)

*Summary:* Permits the use of Automated Dispensing Devices (ADDs) within nursing homes and hospices. Provides that the ADD shall remain property of a pharmacy licensed in New York State, which will maintain all controls, required recordkeeping, and obtain all licensing required by state and federal laws.

*Position:* Support

*Outcome:* Passed Senate. Remained in Assembly Higher Education Committee.

**State Food Standards for Public Entities**

[A.5682-A \(Gottfried\)/S.4644-A \(Biaggi\)](#)

*Summary:* Adds “State Food Standards” to the Public Health Law and requires DOH to develop food standards for all food bought, sold, served, and promoted by state agencies and on state property.

*Position:* Concerns

*Outcome:* Advanced and remained in Assembly Ways and Means Committee. Advanced and remained on Senate Floor Calendar.

**Antipsychotic Use in Nursing Homes and ACFs**

[A.5841-B \(Gottfried\)/S.2103-B \(Sepulveda\)](#)

*Summary:* Requires an enhanced level of informed consent before psychotropic medications can be prescribed for patients residing in nursing homes or ACFs.

*Position:* [Oppose](#)

*Outcome:* Passed Assembly. Remained in Senate Health Committee.

**New For-Profit Nursing Home Licenses**

[A.5842 \(Gottfried\)/S.5269 \(Rivera\)](#)

*Summary:* Prohibits all future establishment or expansion of bed capacity of a nursing home owned or operated, in whole or part, by a for-profit entity.

*Position:* No Position

*Outcome:* Passed Assembly. Remained in Senate Health Committee.

**Prohibition of Termination of Tenancy for Seniors**

[A.5970 \(Burdick\)/S.1106 \(Stewart-Cousins\)](#)

*Summary:* Places limitations on a landlord’s ability to terminate the tenancy of seniors residing in certain housing facilities.

*Position:* [Oppose](#)

*Outcome:* Remained in Assembly and Senate Aging Committees.

**MLTC Plan Ownership**

[A.6034 \(Pichardo\)](#)

*Summary:* Amends the Public Health Law’s definition of “eligible applicant” for certification as an MLTC plan to require eligible insurers and health maintenance organizations to be not-for-profit. An exception would recognize entities already certified.

*Position:* Support

*Outcome:* Remained in Assembly Health Committee.

**New York Health Act**

[A.6058 \(Gottfried\)/S.5474 \(Rivera\)](#)

*Summary:* Creates a universal single payer health plan – New York Health – to provide comprehensive health coverage for all New Yorkers.

*Position:* No Position

*Outcome:* Advanced and remained in Assembly Ways and Means Committee. Remained in Senate Health Committee.

**COVID-19 Testing of Home Health Aides**

[A.6180-A \(Anderson\)/S.7165 \(Sanders\)](#)

*Summary:* Requires that HHAs and CNAs employed by home care agencies be tested for COVID-19 within every 10 days. Requires agencies to report to DOH, within every 10 days, the COVID-19 infection rate among employees and the COVID-19 infection rate among clients served by such employees.

*Position:* Oppose

*Outcome:* Advanced and remained in Assembly Ways and Means Committee. Remained in Senate Health Committee.

### **Delivery of Telehealth Services**

[A.6256 \(Woerner\)/S.5505 \(Rivera\)](#)

*Summary:* Requires patient consent for the use of telehealth services, requires that the reimbursement rate for the delivery of such services shall be the same as if such services were delivered in person, and requires that health care plans ensure that enrollees have access to all covered services.

*Position:* Support

*Outcome:* Remained in Assembly Insurance Committee. Advanced and remained in Senate Finance Committee. Similar proposal included in final SFY 2022-23 budget.

### **Fair Pay for Home Care**

[A.6329 \(Gottfried\)/S.5374 \(May\)](#)

*Summary:* Establishes a base wage rate for home care workers at 150 percent of the current minimum wage or other set minimum rate, and additional benefit portions of the minimum rate separate from the cash portion. Directs DOH to set regional minimum rates of reimbursement for home care aides under Medicaid and managed care plans.

*Position:* [Oppose](#)

*Outcome:* Advanced and remained in Assembly Ways and Means Committee. Remained in Senate Health Committee. Similar proposal included in final SFY 2022-23 budget.

### **Nursing Home Virtual Visitation Act**

[A.6350 \(Stirpe\)/S.597 \(May\)](#)

*Summary:* Establishes certain provisions to enhance the ability of nursing home residents and their families to connect virtually by allowing the installation of remote monitoring and video conferencing equipment.

*Position:* Concerns

*Outcome:* Remained in Assembly and Senate Health Committees.

### **Reporting of Communicable Diseases**

[A.6610 \(Bichotte\)/S.3061-A \(Rivera\)](#)

*Summary:* Requires that DOH update its regular reporting of "Nursing Home and Adult Care Facility COVID Related Deaths Statewide" to include those COVID-19 confirmed and presumed positive cases of residents who were transferred from a nursing home or ACF to a hospital and died in the hospital retrospective to March 1, 2020.

*Position:* Oppose

*Outcome:* Remained in Assembly and Senate Health Committees.

### **Hospital and Nursing Home Funding Reduction Information for Elected Officials**

[A.6886 \(Pheffer Amato\)/S.5670 \(Sanders\)](#)

*Summary:* Requires that any information or data used by the Governor, the Division of the Budget (DOB), DOH, or any other relevant state agency to justify reductions in funding to hospitals or nursing homes be made available to state elected officials prior to any vote or reduction in appropriations.

*Position:* No Position

*Outcome:* Remained in Assembly Ways and Means Committee. Advanced and remained on Senate Floor Calendar.

### **RESPECT Nurses Act**

[A.7128-A \(Gunther\)/S.8175-A \(Reichlin-Melnick\)](#)

*Summary:* Enacts the Recruit, Empower, Support, Pay, Educate, Connect, and Train (RESPECT) Nurses Act. Provides for scholarships, loan forgiveness, clinical training opportunities for nurses, and opportunities for nurses licensed in other states to practice in New York State.

*Position:* Support w/Recommendations

*Outcome:* Remained in Assembly and Senate Higher Education Committees.

### **LHCSA Services for Medicaid Recipients**

[A.7304 \(Gottfried\)/S.6640 \(May\)](#)

*Summary:* Restores the right of a qualified licensed home care services agency (LHCSA) to serve Medicaid enrollees.

*Position:* [Support](#)

*Outcome:* Advanced and remained in Assembly Ways and Means Committee. Remained in Senate Health Committee.

### **ACFs and Temporary Operators**

[A.7532 \(Gottfried\)/S.5008 \(Reichlin-Melnick\)](#)

*Summary:* Establishes a cause of action by residents of ACFs to petition for appointment of a temporary operator.

*Position:* [Concerns](#)

*Outcome:* Advanced and remained on Assembly Floor Calendar. Remained in Senate Health Committee.

### **Home Care Jobs Innovation Program**

[A.7540 \(Kim\)/S.4222 \(May\)](#)

*Summary:* Establishes the Home Care Jobs Innovation Program, which would grant awards to projects to support innovative programs that support recruiting and retention efforts within the home care workforce.

*Position:* Support

*Outcome:* Remained in Assembly Health Committee. Advanced and remained in Senate Finance Committee.

### **Justice Center Registry**

[A.7682-A \(Fernandez\)/S.7106-A \(Mannion\)](#)

*Summary:* Adds entities to the list of facilities and providers required to check the register of substantiated category one cases of abuse or neglect maintained by the Justice Center prior to hiring individuals.

*Position:* Oppose

*Outcome:* Passed Senate. Advanced and remained in Assembly Codes Committee.

### **Nurse Clinical Training Via Simulation**

[A.7767-A \(Lupardo\)/S.6717-A \(Stavisky\)](#)

*Summary:* Allows for at least one-third of required clinical training and competency for licensing as a registered professional nurse, LPN, and nurse practitioner to be completed through simulation experience.

*Position:* Support

*Outcome:* Passed Senate. Remained in Assembly Higher Education Committee.

### **LGBTQ LTC Resident Bill of Rights**

[A.7807 \(Bronson\)/S.85 \(Hoylman\)](#)

*Summary:* Establishes the lesbian, gay, bisexual, and transgender LTC facility residents' bill of rights.

*Position:* Concerns

*Outcome:* Remained in Assembly Aging Committee. Advanced and remained on Senate Floor Calendar.

### **New Licensure and Oversight Structure for PACE**

[A.7903 \(Gottfried\)](#)

[S.6664-A \(May\)](#)

*Summary:* Establishes a new licensure and oversight structure for PACE programs in New York.

*Position:* [Support](#)

*Outcome:* Remained in Assembly Health Committee. Advanced and remained on Senate Floor Calendar.

### **Nursing Home Quality and Safety Study**

[A.8168 \(Kim\)/S.7219 \(May\)](#)

*Summary:* Establishes the nursing home resident quality and safety study to study the implementation of a globally recognized frailty index score methodology in nursing homes.

*Position:* No Position

*Outcome:* Remained in Assembly and Senate Health Committees.

### **Grants for HCBS Mentorship Programs**

[A.8229 \(Gottfried\)](#)

*Summary:* Provides grants to home care service agencies and not-for-profit entities for providing mentor support for home care service workers.

*Position:* Support

*Outcome:* Remained in Assembly Health Committee.

**Personal Caregiving Visitation Outside of Public Health Emergency**

[A.8370 \(Bronson\)/S.7346 \(May\)](#)

*Summary:* Amends enacted laws of 2021 to allow for personal caregiving visitation regardless of state PHE status.

*Position:* Concerns

*Outcome:* Remained in Assembly and Senate Health Committees.

**Private Duty Nursing for Medically Fragile Adults**

[A.8671 \(Stirpe\)/S.7513 \(Mayer\)](#)

*Summary:* Provides increased rates for private duty nursing services that are provided to medically fragile adults to ensure adequate access to such services. Applies to private duty nursing services provided by fee-for-service private duty nursing providers.

*Position:* Support

*Outcome:* Advanced and remained in Assembly Ways and Means Committee. Remained in Senate Health Committee.

**Changes to Independent Assessment of Person-Centered Service Plans**

[A.9023 \(Gottfried\)](#)

*Summary:* Repeals the existing “independent assessor” provisions in Social Services Law §365-a(10) and replaces them with a new requirement to contract with an independent assessor that would both conduct assessments and develop person-centered service plans.

*Position:* [Oppose](#)

*Outcome:* Advanced and remained in Assembly Ways and Means Committee.

**New York Home Care First Act**

[A.9148 \(Gottfried\)/S.8295 \(Rivera\)](#)

*Summary:* Provides in statute a proactive policy, reimbursement, and operational approach to support the availability and utilization of home care services in the state. Ensures that Medicaid rate adjustments account for the recent minimum wage increase for home care aides, workforce payments for home care nurses and therapists, and employee supports for aides to ensure solid recruitment and retention of workers. Ensures that home care providers can continue to engage in telehealth activities to augment and support the delivery of home care.

*Position:* [Support](#)

*Outcome:* Advanced and remained in Assembly Ways and Means and Senate Finance Committees.

**ACF Character and Competence Review**

[A.9321-A \(Forrest\)/S.9260 \(Rivera\)](#)

*Summary:* Requires DOH to solicit and consider public comment as a part of the character and competence review process for new ACFs or applications for change in ownership of an ACF.

*Position:* Concerns

*Outcome:* Remained in Assembly Health and Senate Social Services Committees.

**Nursing Home Survey Posting**

[A.9552 \(Dinowitz\)/S.8490 \(Sanders\)](#)

*Summary:* Requires nursing homes to post their CMS rating and ratings for health inspections, staffing, and quality measures on the home page of any website maintained by such facility and on any website or webpage relating to such facility. Each nursing home shall also conspicuously post these ratings in the facility so that they are visible to the general public and to residents.

*Position:* Concerns

*Outcome:* Remained in Assembly and Senate Health Committees.

### **Role of the Nurse in ACFs**

[A.9575 \(Solages\)/S.1593 \(Rivera\)](#)

*Summary:* Allows ACF and assisted living settings to directly employ LPNs or RNs in order to provide nursing services.

*Position:* [Support](#)

*Outcome:* Remained in Assembly Health Committee. Advanced and remained on Senate Floor Calendar.

### **“Feeling Rural Good” License Plates**

[A.9748 \(Santabarbara\)/S.8616 \(May\)](#)

*Summary:* Authorizes the New York State Department of Motor Vehicles (DMV) to issue “Feeling Rural Good” license plates for which DMV would collect, in addition to the regular vehicle registration fee, a surcharge for each plate that DMV would then deposit in a special fund that DOH could use to fund rural health care provider programs designed to address a range of factors that influence rural health care outcomes.

*Position:* [Support](#)

*Outcome:* Remained in Assembly Transportation Committee. Advanced and remained on Senate Floor Calendar.

### **Frontline Worker Assistance Act**

[A.9928-A \(Solages\)/S.6782-B \(Reichlin-Melnick\)](#)

*Summary:* Enacts the “Frontline Worker Assistance Act” to establish a \$1,000 tax credit for public employees performing their duties while remaining at their worksite or job location during the COVID-19 pandemic who have not received additional compensation pursuant to a federal, state, or local award, grant, or retention payment.

*Position:* Support

*Outcome:* Remained in Assembly Ways and Means and Senate Budget and Revenue Committees.

### **Non-Emergency Medical Transportation in MLTC**

[A.9944 \(Gottfried\)/S.8806 \(Rivera\)](#)

*Summary:* Reinstates the MLTC non-emergency medical transportation (NEMT) benefit back into MLTC.

*Position:* Support

*Outcome:* Remained in Assembly Health Committee. Advanced and remained in Senate Rules Committee.

### **Quality Incentive for Managed Care Providers**

[A.10031 \(Gottfried\)/S.7594-A \(Mannion\)](#)

*Summary:* Establishes a quality incentive program funded at 1 percent of total annual premiums or \$300 million, whichever is greater. Directs the Commissioner of Health to consult with managed care plans and other relevant stakeholders in establishing the criteria for distribution of funds under the program.

*Position:* Support w/Recommendations

*Outcome:* Passed Senate. Remained in Assembly Health Committee.

### **Additions to Health Care Worker Bonus Eligibility**

[A.10458 \(Joyner\)/S.9476 \(Kaplan\)](#)

*Summary:* Clarifies that HHAs, personal care aides, home attendants, and individuals performing consumer directed personal assistance are included in the bonuses for frontline health care workers provided for in the Fiscal Year (FY) 2023 Budget.

*Position:* Concerns

*Outcome:* Remained in Assembly Health and Senate Rules Committees.

### **Physical Therapy Staffing in Nursing Homes**

[A.10515 \(Hevesi\)](#)

*Summary:* Amends the Public Health Law to include physical therapists, physical therapist assistants, occupational therapists, occupational therapy assistants, and recreational therapists within the existing nursing home staffing standard requirements.

*Position:* No Position

*Outcome:* Remained in Assembly Health Committee.



### **Emergency Evacuation Plans**

#### **[S.1104 \(Stewart-Cousins\)](#)**

*Summary:* Requires high-rise property owners to develop an emergency evacuation plan for residents with disabilities, and for the plan to include not only procedures for evacuating individuals with disabilities, but also a list of those individuals, including the floor and room number of their unit, as well as the creation of accessible and clearly identifiable “areas of rescue” throughout the building.

*Position:* Concerns

*Outcome:* Passed Senate.

### **Personal Needs Allowance for Nursing Home Residents**

#### **[S.1687 \(Ritchie\)](#)**

*Summary:* Increases the monthly personal needs allowance for nursing home residents who are receiving or eligible to receive additional state payments.

*Position:* [Support](#)

*Outcome:* Remained in Senate Health Committee.

### **Personal Care Services for Individuals with TBI or DD**

#### **[S.3055-A \(Rivera\)](#)**

*Summary:* Clarifies that provisions protecting eligibility for personal care at home afforded to persons with dementia or Alzheimer’s in recently enacted legislation extend as well to persons with TBI, cognitive impairments, DD, blindness, or visual impairment.

*Position:* [Support](#)

*Outcome:* Remained in Senate Health Committee.

### **PHHPC Review of Nursing Homes**

#### **[S.3060 \(Rivera\)](#)**

*Summary:* Prohibits the Public Health and Health Planning Council (PHHPC) from approving a change in ownership or sponsorship of a facility that does not meet certain specific quality metrics.

*Position:* No Position

*Outcome:* Remained in Senate Health Committee.

### **Assisted Living Reporting and Transparency**

#### **[S.6611 \(May\)](#)**

*Summary:* Enables DOH to establish publicly reported quality standards for ALRs, EALRs, and SNALRs and requires that these quality measures be reported annually.

*Position:* [Oppose](#)

*Outcome:* Remained in Senate Health Committee.

### **Reimbursement for ALP Capital Costs**

#### **[S.8437 \(Reichlin-Melnick\)](#)**

*Summary:* Expands eligibility for the reimbursement of capital costs for ALPs. Allows for the reimbursement of substantial capital improvements with a minimum cost of \$40,000 per resident bed, when at least 85 percent of residents are Medicaid-eligible and 85 percent of the total beds are licensed for the ALP.

*Position:* Support

*Outcome:* Remained in Senate Health Committee.