



NEW YORK STATE SENATOR

Daniel L. Squadron

Squadron, Niou, Electeds, Community Announce "Rivington Act"

DANIEL L. SQUADRON September 30, 2016

| ISSUE: **LOWER EAST SIDE, RIVINGTON HOUSE, CB3, NURSING HOME, HEALTH CARE**



Squadron/Niou Proposal Creates Community Process for Proposed Nursing Home Closures Electeds, Community, Advos Highlight Need For Reform In Wake of Rivington House Closure

NEW YORK – Today, State Senator Daniel Squadron and Assembly Democratic nominee Yuh-Line Niou announced the “Rivington Act” to require stronger protections for local nursing homes and a clear community process when nursing homes are threatened, along with Assemblymember Jo Anne Simon. The bill comes in response to the appalling deed restriction removal and closure of Rivington House.

Squadron/Niou's "Rivington Act" (draft attached) would require that community health needs are met and create a public and transparent process when nursing homes are threatened. The "Rivington Act" is based on Squadron/Assemblymember Simon's Local Input in Community Healthcare (LICH) Act ([S2500A/A6417A](#)), which creates a similar process for at-risk hospitals.

"When community health needs are replaced with profiteering, the system has clearly flatlined," said **State Senator Daniel Squadron**. "The process at Rivington House process left communities without a voice, without notice, and without a nursing home. The Rivington Act is a critical component of ensuring our state protects the public interest at nursing homes. I thank Assembly Democratic nominee Yuh-Line Niou, Assemblymember Simon, Borough President Brewer, Councilmember Chin, CB3, Neighbors to Save Rivington House, and my colleagues."

"The loss of Rivington House betrayed our essential responsibility to provide quality care for seniors and in the process destroyed an important public health facility for the neighborhood. The Rivington Act will be a major step forward for protecting local communities by ensuring that community needs and input are never ignored again in the name of political expediency," said **Assembly Democratic nominee Yuh-Line Niou**.

"Like the closure of LICH, the closure of Rivington House has exposed wide gaps in the social safety net, imperiling our most vulnerable citizens. The Rivington Act will strengthen protections and mandate that when closures do occur, they are done in the light of day, with community input so that the residents, their families and the public can have confidence that the affected individuals' healthcare needs can be met. I am proud to stand with Senator Squadron and Democratic Assembly nominee Yuh-Line Niou to introduce this important legislation," said **Assemblymember Jo Anne Simon**.

“The Rivington House debacle highlights just how critical nursing homes are to neighborhoods across our City, and we cannot let another disappear without oversight,” **New York City Comptroller Scott M. Stringer** said. “If one of these healthcare facilities is going to close, community members voices must be heard. I applaud Senator Squadron, Assembly-candidate Niou, and Assemblymember Simon for their efforts to prevent another closure like Rivington House from ever happening again.”

“Local nursing homes are vital service providers and what happened to Rivington House is deeply troubling. This measure would help protect community interest in similar future situations and I applaud its introduction,” said **Rep. Nydia M. Velázquez (D-NY)**.

“As we try to figure out what happened with Rivington House’s deed restrictions and how to prevent it from happening again, there is a more general problem we need to confront: our healthcare facilities are under threat,” said **Manhattan Borough President Gale A. Brewer**. “We need better legal safeguards against the inappropriate closure of these vital institutions. I thank Senator Squadron and Democratic Assembly nominee Niou for pursuing action on this issue at the state level.”

“ I am gladdened by this State effort to address the issues that led to the sale of a prized community healthcare facility for luxury condos. We need stronger protections from not just the City, but the State to ensure that what happened at Rivington House never happens again. I thank Senator Squadron for taking the lead on this legislative effort in Albany, and to local Assembly members for their support,” said **City Councilmember Margaret Chin**.

“Families rely and depend on nursing homes to ensure our loved ones have the care they need. We can’t allow them to secretly close, and leave seniors out in the cold with no notice and no place to go,” said **City Councilmember Brad Lander**. “Thank you to State Senator Daniel Squadron, Assembly nominee Yuh-Line Niou, and Assemblymember Jo Anne Simon for

proposing legislation today to ensure communities get the notification and proper closure process they need when nursing homes close. This is a strong first step, and I'm hopeful we can continue to improve closure processes for other facilities housing older New Yorkers, – including assisted living homes like Prospect Park Residence in my district.”

“The closure of Rivington House was a big blow to our community. The Rivington Act would help ensure that Community Boards and local community members have a voice in these processes. Thank you to Senator Squadron for announcing this state legislation,” said **Manhattan Community Board 3 Chair, Jamie Rogers.**

“In the last decade, The Lower East Side has seen many changes in which we've had little or no say - the loss of Rivington House is just the most recent example. When the doors to Rivington House closed, our community lost 150,000 square feet of skilled nursing home space that the many older adults in our area desperately need. It is important that the community is made aware of any such closures in the future so that we can provide feedback, ensuring that our needs will still be addressed. We're disappointed that the community's united efforts to express our unanimous support for continued nursing home services --- made loudly and many months before this deal took place --- were completely up-ended, without any transparency. Not only do we want to see a change going forward with regard to other buildings, we want to understand that every single possible avenue is explored for returning this building to the community for this use,” said **Melissa Aase, University Settlement Executive Director.**

“Neighbors to Save Rivington House is gratified that Senator Squadron and his co-authors are proposing the Rivington Act. Our vulnerable neighbors were treated inhumanely. This act should help other people currently (or in the future) resident in either nursing homes or assisted living facilities. It is critical that NY State provide more protection to this fragile population, without it they currently have little protection and inadequate notification of

potential facility closures. We hope that the NY State Legislature will pass the Rivington Act promptly,” said **Tessa Huxley, of Neighbors to Save Rivington House.**

The “Rivington Act” would strengthen oversight by creating a transparent process when nursing homes are threatened, and requiring the State Department of Health (DOH) to ensure local community needs can adequately be met before approving any closure. State DOH would be required to:

- Produce a public report within 30 days of any closure application, including the impacts of a potential closure.
- Reject any closure application if community health needs cannot be adequately met.
- Consider recommendations submitted by the community and local officials before approving any closure.
- Make a complete copy of the final approved closure plan available online before any closing occurs, and describe changes made as a result of the community process.

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