



NEW YORK STATE SENATOR

Robert G. Ortt

Ortt Announces Package of Senior Care Legislation

ROBERT G. ORTT December 27, 2018

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Today, Senator Rob Ortt (R,C,I,Ref-North Tonawanda) presented a package of bills aimed at protecting senior citizens and improving care standards in nursing homes around New York State. This collection of legislation was constructed with the assistance of local senior citizen advocacy groups and families who have met with the senator over the last few weeks. Several disturbing stories reported by local media outlets also played a role in the crafting of these bills.

“Since I have been in office, the quality of care in the nursing homes across our state has been a persistent issue and it has continually gone unaddressed,” said Sen. Ortt. “While there are a number of facilities that continue to provide great care for our seniors, we have seen far too many cases of unacceptable care. This legislation is aimed at ensuring that those establishments we trust to take care of our aging parents are doing so to the highest standard.”

“I am deeply concerned with the system that is currently tasked with protecting the most vulnerable in our society,” said Kelly Bentley, Family Council Chairwoman, The Villages of Orleans Nursing Home and Rehabilitation Center. “It is our responsibility to protect our most vulnerable, and in order to do so, we must revamp the system that is in place. Our elderly are not just dollar signs for the investors that are buying nursing facilities at alarming rates. They are human beings who deserve to be treated with dignity and respect.”

The first bill of this package would increase the Department of Health’s regulatory enforcement capability. It would require the presence of Independent Quality Monitors in failing nursing homes to enforce compliance with corrective plans. The bill also authorizes DOH to enter a nursing facility whenever the Department of Health feels conditions in the facility could pose a danger to residents and increases fines on nursing homes who do not meet state standards.

The second bill announced would make nursing home inspections unpredictable by requiring that 40 percent of nursing home inspections are performed outside of business hours including nights, weekends, and holidays. The bill also bars Department of Health employees from giving any form of advance notice to a nursing home before inspection.

Finally, the third bill of this package would prevent owners of a nursing home from purchasing new nursing homes while any of their currently owned facilities are facing

violations or compliance issues. Also included in this bill is a two-year probation period between coming into compliance of a violation and the acquisition of a new facility.

“We must hold our nursing homes to a higher standard,” said Ortt. “By increasing regulatory oversight, we are improving lives and work environments for all parties involved. The way a community treats its elderly speaks volumes about its values. Our seniors deserve the best care possible.”

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