



NEW YORK STATE SENATOR

Pamela Helming

## A Statement from Senator Pam Helming On the Need to Protect Patients With Clara's Law

SENATOR PAM HELMING January 17, 2019

| ISSUE: **CLARA'S LAW**

*“We need to pass Clara's Law to protect those in nursing homes and hospitals from abuse. No one should be victimized at the hands of those who are entrusted with caring for the most vulnerable in our society. That is why I am currently working to gain additional co-sponsors for this important legislation. I am hopeful that the new Senate Majority will allow this bill to come to the floor for a vote this session. Enacting Clara's Law will help prevent future tragedy and sends a strong message that New York State will hold abusers accountable. As State Senator, I will continue to work closely with Mrs. Bowman's husband, Ed, to get this legislation passed. There are staffing issues at most nursing homes, which potentially leads to neglect of our most vulnerable citizens. Currently, we are working to address these issues through a number of workforce development initiatives and legislation, and we have been in contact with the Department of Health to ask for their assistance in investigating and addressing these concerns.*”

*“All too often, those in nursing homes and hospitals are victims of sexual abuse, which is why this legislation is necessary. The local media recently highlighted a story from Arizona where a 29-year-old woman who is in a persistent vegetative state gave birth. She had lived in a nursing home for more than 20 years and is unable to communicate. This case is currently under investigation and highlights the need to enact Clara's Law. In 2017, CNN analyzed data from the federal government and found that more than 1,000 nursing homes were cited for mishandling or failing to prevent alleged cases of sexual abuse from 2013-2016.”*

### **Legislation Background**

This legislation is named after the late Clara Mae Bowman, who was sexually abused by an intensive care unit nurse at a Florida hospital in 2006. Her abuser resigned from the hospital amid the allegations and went to work at another hospital where he later abused another

patient. That hospital was not aware of the allegations when they hired him. This legislation is necessary to stop health care workers who have abused patients from moving to other hospitals or health care facilities without those facilities knowing their background.