



NEW YORK STATE SENATOR

Pete Harckham

## Harckham, Senate Advance Legislation to Improve Oversight and Care at Nursing Homes

PETE HARCKHAM February 22, 2021

| ISSUE: **SENIORS, NURSING HOMES, ASSISTED LIVING FACILITIES**



Albany, NY – New York State Senator Pete Harckham and members of the State Senate advanced a package of 11 different bills today to better support and protect nursing home residents.

“This new legislation, aimed at improving the quality of long-term care, includes developing regulations that will allow compassionate care-giving visitors at facilities in the state,” said

Harckham, who co-sponsored the visitation bill and several others in the package. “It is essential that we consider the emotional well-being of nursing home residents and their loved ones while assuring the safety of everyone concerned and yet providing opportunities for in-person visits.”

Harckham spoke on the Senate floor today in support of the compassionate care-giving bill, S.614B.

The action taken today by Harckham and the Senate is a continuation of efforts made to safeguard residents of New York since the beginning of the coronavirus pandemic last year. The legislation passed today will establish a direct patient care spending ratio for nursing homes, provide greater transparency in terms of violations at facilities and require state health officials to conduct more thorough inspections.

The legislation passed by the Senate includes:

- \* Patient Care Ratio Reporting: S.4336A directs the Commissioner of Health to establish a “Direct Patient Care Ratio” that would require all nursing homes to spend at least 70% of a facility’s revenue on direct patient care.
- \* Publication of Nursing Home Ratings: S.553 requires that the most recent Center for Medicare and Medicaid Services (CMS) rating of every nursing home be prominently displayed on the home page of the Department of Health's website and at each nursing home facility's website and displayed at the facility for view by the general public.
- \* Reimagining Long-Term Care Task Force: S.598B enacts the “Reimagining Long-Term Care Task Force” to create a task force studying the state of both home-based and facility-based long-term care services in the state, and to make recommendations on potential models of improvement to long-term care services for older New Yorkers.
- \* Long-Term Care Ombudsman Program Reform Act: S.612A creates “The Long-term Care Ombudsman Program Reform Act” by expanding the current program to be more accessible

and available to seniors and their families, while promoting the volunteer advocate program, and improve interactions between DOH and the Ombudsman program regarding complaints.

- \* Allowing Compassionate Care-Giving Visitors: S.614B creates a standardized program to allow personal care and compassionate care visitors at nursing homes.

- \* Infection Inspection Audit: S.1783 directs the Department of Health to establish and implement an infection control inspection audit and checklist for residential care facilities.

- \* Quality Assurance Committees: S.1784A requires adult care facilities to include "quality assurance committees" in their quality assurance plans

- \* Requirements for Transfer, Discharge and Voluntary Discharge: S.3058 creates requirements for the transfer, discharge and voluntary discharge of residents from residential healthcare facilities

- \* Standards for Ownership of Nursing Homes: S.4893 requires more review of ownership of nursing homes through the certificate of need process—including consideration of past violations at other facilities by owners—and requires more notice to the public during the Certificate of Need (CON) process.

- \* Department of Health Death Records: S.3061A requires the Department of Health to record Covid-19 deaths of nursing home residents who died in hospitals to be recorded as a “nursing home” death, and require the Department of Health to update and share data it receives with hospitals and nursing homes on communicable diseases.

- \* Transparency of Violations: S.3185 requires residential health care facilities to disclose in writing to potential residents and their family members the website where a list of violations and other actions taken against the facility can be found.

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#### RELATED LEGISLATION

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## 2021-S614B

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- Introduced
- - In Committee Assembly
  - In Committee Senate
- - On Floor Calendar Assembly
  - On Floor Calendar Senate
- - Passed Assembly
  - Passed Senate
- Delivered to Governor
- Signed By Governor
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Provides for the authorization and regulation of visitation of compassionate care-giving visitors at nursing homes and residential health care facilities

January 04, 2021

Signed by Governor

Sponsored by Rachel May

Do you support this bill?

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