



STATE OF NEW YORK
EXECUTIVE CHAMBER
ALBANY 12224

APPROVAL #34
CHAPTER #662

December 7, 2022

MEMORANDUM filed with Assembly Bill 6052, entitled:

“AN ACT to amend the public health law, in relation to requiring infection updates and infection control planning in residential health care facilities”

A P P R O V E D

This legislation requires residential health care facilities, as part of their mandated pandemic emergency plans, to update all residents and family members or guardians of residents within twelve hours of detection of an infectious disease in a resident or staff member. The bill would also require the facilities to develop a plan or procedure designating a separate cohort area during an infectious disease outbreak.

This bill builds upon critical safety measures we have enacted as a result of lessons learned during the Covid-19 pandemic. However, as drafted, the notification process established by the bill is overly burdensome and could prevent the bill's goals from being accomplished. . To address this issue, I have reached an agreement with the Legislature to allow the residential care facilities to contact all residents and their representatives by no later than 5:00PM on the day following the detection of an infectious disease, or at any earlier time in accordance with federal guidance. This balances the needs of all residents and their loved ones to be informed during an infectious disease outbreak with the operational and responsibilities of residential healthcare facilities during emergency situations.

The Legislature has also agreed to require residential health care facilities to develop cohorting plans consistent with any guidance issued by the Centers for Medicaid and Medicare Services or the Centers for Disease Control and Prevention. As we have seen during the Covid-19 pandemic, it is vital that health care providers strictly adhere to any safety protocols established by the federal government, and these amendments will ensure compliance with federal guidance in these facilities that serve as homes for our most vulnerable New Yorkers. Based upon these agreements I am signing this bill.

This bill is approved.

Ruth Hochul