Legislation Details (With Text)

File #:	Res 0360-2002	**Version:**	*	**Name:**	Instituting a requirement for a criminal history report for nursing home care services agency and hospice employees.
Type:	Resolution			**Status:**	Adopted
				In control:	Committee on Aging
On agenda:	6/26/2002				
Enactment date:				**Enactment #:**	

Title: Resolution calling on the New York State Legislature to adopt Assembly Bill A.7906 and its companion, State Senate Bill S.5215, which would amend the public health law and the social services law, in relation to instituting a requirement for a criminal history report for nursing home, home care services agency and hospice employees.

Sponsors: Gifford Miller, Michael C. Nelson, James E. Davis, Bill De Blasio, Ruben Diaz, Lewis A. Fidler, Alan J. Gerson, Melinda R. Katz, Michael E. McMahon, Hiram Monserrate, Domenic M. Recchia, Jr., Diana Reyna, James Sanders, Jr., Larry B. Seabrook, Kendall Stewart, Simcha Felder, Dennis P. Gallagher, Martin J. Golden, James S. Oddo

Indexes:

Attachments: 1. Committee Report, 2. Hearing Transcript, 3. Hearing Transcript - Stated Meeting

Date	Ver.	Action By	Action	Result
6/26/2002	*	City Council	Introduced by Council	
6/26/2002	*	City Council	Referred to Comm by Council	
9/17/2002	*	Committee on Aging	Hearing Held by Committee	
9/17/2002	*	Committee on Aging	Approved by Committee	Pass
9/25/2002	*	City Council	Approved, by Council	Pass

Res. No. 360

Resolution calling on the New York State Legislature to adopt Assembly Bill A.7906 and its companion, State Senate Bill S.5215, which would amend the public health law and the social services law, in relation to instituting a requirement for a criminal history report for nursing home, home care services agency and hospice employees.

By the Speaker (Council Member Miller) and Council Members Nelson, Davis, DeBlasio, Diaz, Fidler, Gerson, Katz, McMahon, Monserrate, Recchia, Reyna, Sanders, Seabrook, Stewart, Felder and Gallagher; also Council Members Golden and Oddo

Whereas, Incidents of patient abuse are among the most under-reported of any violent act, since the victims, who are generally infirm and suffer from disabilities, may be limited in their ability to report abuse, and may be reluctant to report abuse for fear of reprisal; and

Whereas, The New York State Attorney General's Medicaid Fraud Control Unit (MFCU) received approximately 1,500 reports of suspected abuse of nursing home residents in 2001; and

Whereas, Seniors who receive home care face similar dangers and may be more vulnerable to abuse, in that they often live alone, and there are seldom witnesses present to report mistreatment; and

Whereas, Under current law, there is very little oversight of home care services and nursing home employees, and consequently, very little protection afforded to clients who rely on these workers; and

Whereas, Because of the lack of required statutory screening of home health care and nursing home workers, individuals with criminal records can easily obtain employment in nursing homes or with home care service agencies; and

Whereas, While New York State law authorizes voluntary criminal background checks of child care workers, similar protections have not been provided to protect the vulnerable elderly and infirm population; and

Whereas, The requirement of criminal background checks for nursing home, home care and hospice employees in New York State will reduce the abuse of the elderly and infirm by providing employers with crucial information about an applicant's suitability for hire; now, therefore, be it

Resolved, That the Council of the City of New York calls on the New York State Legislature to adopt Assembly Bill A.7906 and its companion, State Senate Bill S.5215, which would amend the public health law and the social services law, in relation to instituting a requirement for a

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criminal history report for nursing home, home care services agency and hospice employees.

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