



Memorandum in Support

ELDER LAW AND SPECIAL NEEDS SECTION

Elder #13

June 1, 2022

S. 8813

By: Senator Rivera

A. 9290

By: M. of A. Forrest

Senate Committee: 3rd Reading

Assembly Committee: Passed

Effective Date: Immediately

AN ACT to amend the social services law, in relation to requiring adult care facilities to include certain demographic information in certain records maintained by the facility

THE ELDER LAW AND SPECIAL NEEDS SECTION SUPPORTS THIS LEGISLATION

The New York State Bar Association Elder Law and Special Needs Section, supports the bill known as A.9290/S8813, which will ensure that adult care facilities collect and report race and ethnicity data pertaining to residents and assisted living program participants at their facilities.

Multiple studies have been conducted that reflect racial and ethnicity disparities in adult care facilities. The pandemic has drawn heightened attention to this issue, because an extremely high percentage of the deaths that occurred in Nursing Homes from Covid-19 were residents of color.¹ Overall, factors such as education, healthcare costs, and lack of access to healthcare continue to plague this population of residents and affect them disproportionately.

Adult Care Facilities and Assisted Living Programs in New York State are currently required to report some demographic information on a quarterly basis. This information includes the age and sex of the residents, but does not include race and ethnicity. The collection of race and ethnicity data is essential in identifying racial disparities in health care, which include the aforementioned issues of education, healthcare costs, and lack of access to care.

This data is already collected quarterly from Nursing Homes. The additional collection of this data from Adult Care Facilities and Assisted Living Programs will improve the provision and the quality of the care and services that these facilities provide. Based on the forgoing, the Section **SUPPORTS** this legislation.

¹ <https://www.npr.org/2020/04/22/841463120/in-new-york-nursing-homes-death-comes-to-facilities-with-more-people-of-color>, accessed on May 5, 2022; <https://www.nytimes.com/2020/05/21/us/coronavirus-nursing-homes-racial-disparity.html>, accessed on May 5, 2022.