

STATEMENT TO
[First Reprint]
ASSEMBLY, No. 4485

with Assembly Floor Amendments
(Proposed by Assemblywoman VAINIERI HUTTLE)

ADOPTED: AUGUST 27, 2020

These Assembly amendments clarify that the bill will apply to any personal protective equipment that the State or a State entity may elect to acquire and stockpile in response to a public health emergency or for any other purpose.

The Assembly amendments provide that personal protective equipment dedicated under the bill will be made available to hospice care providers and health care service firms as well as to long-term care facilities, home health agencies, and certain community-based providers.

The Assembly amendments add language to reflect that community-based providers may employ or place direct support professionals in group homes.

The Assembly amendments clarify that the distribution of personal protective equipment from the Strategic National Supply will be subject to any federal rules, guidance, and directives as may apply.

The Assembly amendments revise the requirement for the Director of the State Office of Emergency Management to determine the percentage of personal protective equipment to be distributed under the bill to instead provide that the director is to establish a formula or other methodology for determining that percentage. The amendments further provide that, when considering average consumption rates of personal protective equipment, the formula or methodology may take into account nominal consumption rates as well as surges in consumption rates.

The Assembly amendments revise the requirements for the Commissioner of Health to collect information concerning patient and resident population counts and personal protective equipment inventory and consumption rates, to provide that the commissioner is to determine this information.

The Assembly amendments remove a requirement that the commissioner coordinate with local boards of health when implementing certain provisions of the bill and instead require the commissioner to coordinate with the Long-Term Care Emergency Operations Center, to be established pursuant to Senate Bill No. 2790 (2R) and Assembly Bill No. 4476 (2R) of 2020-2021, and the State Office of Emergency Management. The amendments further revise a requirement that the commissioner coordinate with county coordinators with the State Office of Emergency Management when implementing certain provisions of the bill to provide that the

involvement of the county coordinators will be limited to facilitating distribution of personal protective equipment. The amendments provide that other entities may also facilitate distribution.

The Assembly amendments revise the definitions of personal protective equipment and Strategic National Stockpile to reflect additional types of personal protective equipment and resources that may be available in response to a public health emergency, and remove a definition for State stockpile that is obviated by the amendments.

The Assembly amendments revise the title and synopsis of the bill to reflect the changes made by the amendments.