



# This Week in New York

Covering New York State and City Government

A Publication of Pitta Bishop & Del Giorno LLC

June 25, 2021 Edition



## *In the News – New York State*

### **Governor Cuomo Signs Bill to Establish Safe Staffing Planning in New York's Hospitals**

*Legislation Creates Committees Composed of Registered Nurses, Licensed Practical Nurses, Ancillary Staff Members, Hospital Administrators to Create Plans to Effectively Distribute Staff Throughout General Hospitals*

Governor Andrew Cuomo has signed legislation (Chapter 155 of the Laws of 2021) establishing clinical staffing committees in general hospitals.



The staffing committees, which will be jointly composed of registered nurses, licensed practical nurses, ancillary staff members providing direct patient care, and hospital administrators, will be charged with collaboratively developing clinical staffing plans that include specific guidelines on how many patients are assigned to each nurse and how many ancillary staff are assigned to each unit.

The first plan must be adopted by the committee and submitted to the New York State Department of Health (DOH) by July 1, 2022. The legislation also creates an advisory commission to evaluate the effectiveness of the staffing committees. It was sponsored by Senator Gustavo Rivera and Assemblymember Aileen Gunther.

DOH can investigate potential violations of the plans that are not resolved by the committee and issue civil penalties for failing to comply. After the annual July 1 adoption deadline, hospitals will be required to implement the plans by the following January 1.

The advisory commission will consist of nine members, including experts in staffing standards and patient care, labor organizations representing nurses, and hospital representatives. The Governor, Assembly Speaker and Temporary President of the Senate will appoint one member in each of the three categories. The advisory commission will report on legislative actions to improve the quality of care in hospitals by October 31, 2024 and release a new report every three years afterwards.



## Chapters of the Laws of 2021

**Chapter 156 -- Sponsored by Assemblymember Gunther/Senator Rivera** -- Provides for standard minimum nursing home staffing levels by regulations promulgated by the commissioner of health.

**Chapter 155 -- Assemblymember Gunther/Senator Rivera** -- Establishes clinical staffing committees in each general hospital to develop and oversee a clinical staffing plan.

**Chapter 154 -- Sponsored by Assemblyman Bronson/Senator Kaplan** -- Provides for certain commercial small businesses to be eligible for relief under the "COVID-19 Emergency Protect Our Small Businesses Act of 2021."

**Chapter 153 -- Sponsored by Assemblyman Perry/Senator Bailey** -- Provides that the State Commission on Prosecutorial Conduct shall investigate complaints and may make a recommendation to the Governor that a prosecutor be removed; provides that the commission shall transmit its findings of fact and recommendations to the appellate division; provides that the appellate division may accept or reject such recommendations or impose a different sanction.

**Chapter 157 -- Sponsored by Senator Kaplan/M of A Dilan** -- Provides an exclusion from income for amounts received pursuant to the COVID-19 pandemic small business recovery grant program.

**Chapter 158 -- Sponsored by Senator Hoylman/M of A O'Donnell** -- Relates to enacting the "Gender Recognition Act" in relation to name change.

**Chapter 159 -- Sponsored by M of A Bronson/Senator Brouk** -- Relates to extending certain exemptions for persons employed as mental health practitioners, psychologists and social workers.



## Bills Currently in the Governor's Office

The following bills are currently being considered by Governor Andrew Cuomo:

**S4201A -- Sponsored by Senator Savino/M of A Abbate** -- Prohibits public employers from retaliating against employees for absences related to COVID-19.

**S6353A -- Sponsored by Senator Persaud/M of A Fahy** -- Allows businesses licensed by the State Liquor Authority to sell alcohol for on-site consumption to use municipal space for outdoor dining.

**S6521 -- Sponsored by Senator Savino/M of A Otis --** Authorizes the use of electronic signatures on funeral and cemetery services documents.

**S7194 – Sponsored by Senator Rivera/M of A Woerner --** Establishes an opioid settlement fund and advisory board to ensure that any settlement monies are dedicated towards substance use disorder prevention, treatment and recovery.

**S7220 – Sponsored by Senator Savino/M of A Pheffer Amato --** Increases the number of supreme court justices in eleven of the thirteen judicial districts in New York to bring all judicial districts to the full allotment permitted by the Constitution.



## Governor Cuomo Announces Administration Appointments

**Christian Jackstadt** has been promoted to Deputy Director of State Operations. He previously served as Director of Agency and Enterprise Operations. Prior to joining the Governor's office, Mr. Jackstadt served in numerous roles in the New York State Office of General Services. Mr. Jackstadt holds a Bachelor's degree in economics from Syracuse University.

**Angela Profeta** has been appointed Deputy Secretary for Health. Prior to joining the administration, Dr. Profeta was Chief Strategy Officer for CityMD and Summit Medical Group and worked as a consultant for Gold Health Strategies supporting health systems and physician groups in strategy, managed care contracting and value-based transformation. She was a founding member of Manna Project International in Nicaragua and a fellow at the U.S. Department of Health and Human Services. Angela holds a Ph.D. in Public Administration from New York University, a Master of Public Health from Columbia University, and a B.A. from Vanderbilt University.

**Molly Reilly** has been appointed Deputy Secretary for General Government and Technology. Ms. Reilly most recently served as Assistant Secretary for Upstate Intergovernmental Affairs and the Resiliency and Economic Development Program Manager. She received a Master's degree in Political Science from the Nelson A. Rockefeller College of Public Affairs and Policy at SUNY Albany and a Bachelor's degree in Political Science from Le Moyne College.

**Christopher Tavella** has been appointed Interim Deputy Secretary for Human Services and Mental Hygiene. Prior to joining the Governor's office, Mr. Tavella served as executive deputy commissioner of the New York State Office of Mental Health and served as deputy commissioner and director of the division of quality management at OMH. Mr. Tavella holds Ph.D and Master's degrees in clinical psychology from Fordham University and a Bachelor's degree in Psychology from Queens College.

**Blaise DiBernardo-Hover** has been appointed Acting Deputy Secretary for Transportation. Prior to joining the Governor's office, she served as Deputy Commissioner for Strategy and Innovation at the New York State Department of Motor Vehicles and as Deputy General Counsel and Special Counsel for Ethics, Risk and Compliance at the New York State Thruway Authority. Ms. DiBernardo-Hover holds a J.D. from Albany Law School of Union University and a Bachelors degree in political science from the University of Rochester.

**Tina Kim** has been appointed Assistant Secretary for Health. Prior to joining the administration, Ms. Kim led New York City's COVID-19 pandemic response operation, coordinating multi-agency efforts most recently as Chief of Staff for the New York City Test and Trace Corps. Prior to that, Ms. Kim was Senior Advisor for Health Care Delivery in the Office of the Mayor of New York City. She holds a Master's degree in public health from the Johns Hopkins Bloomberg School of Public Health and a Bachelor's degree in women's studies from the University of California, Los Angeles.

**Jane Wiesenberg** has been promoted to Assistant Secretary for Economic Development. She previously served as policy advisor for economic development. Ms. Wiesenberg holds a Bachelor's degree in government from Colby College.

**Rachel Baker** has been promoted to Assistant Secretary for Health. She previously served as an Excelsior Service Fellow. She holds a Master of Public Administration degree from Syracuse University and a Bachelor's degree from Union College.

**Charlene Cordero** has been promoted to Assistant Secretary for Public Safety. She previously served as Senior Policy Advisor for Public Safety and Excelsior Service Fellow in the Executive Chamber and the New York State Intelligence Center. Ms. Cordero holds a Master of Public Administration and a Master of Arts in International Relations from Syracuse University.

**Kyle Schneps** has been appointed Special Advisor for Pandemic Response and State Operations. Mr. Schneps holds two Masters degrees in International Affairs and Public Health Emergency Management from Columbia University.

**Michael Pellegrino** has been appointed Special Advisor for State Operations. He holds a Master's degree in applied economics from Johns Hopkins University and a Bachelor's degree in International Affairs from The George Washington University.

**Steve Lukens** has been appointed Special Advisor for Arts and Entertainment Recovery. Prior to joining the administration, Mr. Lukens worked as a Company Manager overseeing productions on Broadway and international tours. Mr. Lukens holds a Master's degree in Public Policy and Management from Carnegie Mellon University and a Bachelor's degree in Theatre from Northwestern University.

**Shams Tarek** has been appointed Deputy Director of Communications. Prior to joining the Governor's office, Mr. Tarek served in multiple roles at the Metropolitan Transportation Authority, including deputy communications director. Mr. Tarek holds a Bachelor's degree in English literature from Pace University.

**Jade Kraft** has been promoted to Deputy Communications Director for Albany. Mrs. Kraft previously served as Deputy Press Secretary in the Executive Chamber, as well as Public Information Specialist for the New York State Liquor Authority. Mrs. Kraft holds a dual Bachelor's Degree in Political Science and Broadcast and Digital Journalism from Syracuse University.

**Jason Gough** has been appointed Deputy Communications Director for Economic Development. Mr. Gough holds a Bachelor's degree in atmospheric sciences and meteorology from the University of Maryland.

**George Cymon** has been promoted to Deputy Communications Director for Transportation. He previously held the role of Deputy Press Secretary. He holds Master's degrees in public relations and international relations from Syracuse University and a Bachelor's degree in history from the University of Connecticut.

**Jennifer Claire Scott, CSEP**, has been appointed Senior Events Manager. Prior to joining the administration, Ms. Scott, a Certified Special Event Professional, served as senior production manager at Empire Force Events. She has a Bachelor's degree in sociology based human relations from Connecticut College.

**Seth Wolfson** has been appointed Events and Advance Manager. Prior to joining the administration, Mr. Wolfson worked as a freelance production manager. He has served as national advance and trip lead for the presidential campaigns of Elizabeth Warren, Michael Bloomberg and Hillary Clinton.

**Michelle G. Pérez** has been appointed Events and Advance Manager. She brings to the administration over 15 years of event production and operations experience, most recently as Executive Producer and President of MGP Productions. She studied Film & Media Studies at Hunter College.

**Emily Badalamente** has been promoted to Senior Policy Advisor for Human Services and Mental Hygiene. She previously served as an Excelsior Fellow for the human services and mental hygiene portfolio. She holds a Master of Public Administration degree from the University of Albany and a Bachelor's degree in political science from the State University of New York at Oneonta.

**Katelyn O'Leary** has been promoted to Senior Policy Advisor for Energy and Environment. She previously served in the administration as Policy Advisor for the Governor's Policy Team and the Lake Ontario Resiliency & Economic Development Initiative Team. She holds a Bachelor's degree in Political Science from the State University of New York at Oneonta.

**Starina Peg Giordano** has been appointed Special Assistant for Events and Advance. She holds a Bachelor of Arts degree in political science and sociology from McGill University and has studied at the Paris Institute of Political Studies.



# In the News – City

## NYC Voters Have Spoken

As polls closed on Tuesday night and New York City completed the 2021 primary election, it became clear that many competitive races across the City would be decided by the new ranked-choice system.

Under ranked-choice voting, voters in primary and special elections are able to rank up to five candidates for any covered election in order of preference. If a candidate obtains over 50% of the votes cast in the first round, they win and counting stops. If no candidate gets more than 50% in the first round, then the candidate with the lowest votes is eliminated and their votes are redistributed to the voter's next preferred candidate.

Currently, only a small number of races could be considered certain, with a mathematically impossible change in the top-ranked candidate. No results are actually “final” according to the NYC Board of Elections (BOE). There are a number of outstanding absentee ballots that have not yet been counted and could swing an election in favor of another candidate, even before the additional rounds of counting begin.

On June 29th, the BOE will publish the results of unofficial preliminary rankings, before taking into account absentee, military, special, and affidavit ballots. The update of tallies with absentees is anticipated on July 6th. The final RCV results are anticipated on July 12th.

The candidates on this chart are the top-ranked candidate their races, according to the reported results of early voting and primary day voting. This chart does not include candidates who were uncontested in their primaries. The winners of these primaries, as well as candidates in uncontested races, will move forward to the general election.

| Office/District | Leading Candidate     | Vote%         | Lead   |
|-----------------|-----------------------|---------------|--------|
| Mayor           | D Adams, Eric L.      | 31.66%        | 9.44%  |
| Mayor           | R Sliwa, Curtis       | <b>68.92%</b> | 42.02% |
| Pub. Ad.        | D Williams, Jumaane   | <b>70.34%</b> | 49.30% |
| Comptroller     | D Lander, Brad        | 31.31%        | 8.77%  |
| BP, Bronx       | D Gibson, Vanessa L.  | 39.23%        | 4.95%  |
| BP, Bk          | D Reynoso, Antonio    | 28.16%        | 9.01%  |
| BP, Man.        | D Levine, Mark D.     | 28.67%        | 3.01%  |
| BP, Queens      | D Richards, Donovan   | 41.53%        | 1.33%  |
| BP, SI          | R Fossella, Vito J    | 42.21%        | 1.20%  |
| BP, SI          | D Murphy, Mark        | 46.23%        | 25.27% |
| CD 1            | D Marte, Christopher  | 40.14%        | 22.69% |
| CD 2            | D Rivera, Carlina L   | <b>72.65%</b> | 46.04% |
| CD 3            | D Bottcher, Erik      | 47.20%        | 32.20% |
| CD 5            | D Menin, Julie        | 33.93%        | 10.55% |
| CD 6            | D Brewer, Gale        | <b>53.74%</b> | 38.75% |
| CD 7            | D Abreu, Shaun        | 27.35%        | 15.52% |
| CD 8            | D Ayala, Diana        | <b>56.18%</b> | 26.98% |
| CD 9            | D Perkins, Bill       | 20.60%        | 1.27%  |
| CD 10           | D De La Rosa, Carmen  | 39.89%        | 11.40% |
| CD 11           | D Dinowitz, Eric      | 42.27%        | 14.80% |
| CD 12           | D Riley, Kevin C.     | 49.40%        | 21.39% |
| CD 13           | D Velazquez, Marjorie | <b>56.15%</b> | 29.30% |
| CD 14           | D Sanchez, Pierina A. | 38.39%        | 17.51% |
| CD 15           | D Feliz, Oswald       | 39.48%        | 19.73% |
| CD 15           | R Rivera-Diaz, Ariel  | 48.20%        | 5.03%  |
| CD 16           | D Stevens, Althea     | <b>50.23%</b> | 29.45% |

|       |   |                          |        |        |
|-------|---|--------------------------|--------|--------|
| CD 17 | D | Salamanca, Jr., Rafael   | 59.98% | 20.74% |
| CD 18 | D | Farias, Amanda           | 27.39% | 0.93%  |
| CD 19 | D | Avella, Tony             | 37.10% | 7.20%  |
| CD 19 | R | Paladino, Vickie         | 52.70% | 6.74%  |
| CD 19 | C | Sakelos, John-Alexander  | 88.07% | 79.81% |
| CD 20 | D | Ung, Sandra              | 24.28% | 7.59%  |
| CD 21 | D | Moya, Francisco          | 52.16% | 33.61% |
| CD 22 | D | Caban, Tiffany L.        | 49.32% | 23.06% |
| CD 23 | D | Lee, Linda               | 31.20% | 4.83%  |
| CD 23 | R | Reilly, James F.         | 66.22% | 36.80% |
| CD 24 | D | Gennaro, James           | 59.69% | 36.96% |
| CD 24 | R | Rosen, Timothy           | 59.35% | 23.06% |
| CD 25 | D | Krishnan, Shekar         | 30.80% | 13.10% |
| CD 26 | D | Won, Julie               | 18.47% | 0.82%  |
| CD 27 | D | Williams, Nantasha       | 35.55% | 23.69% |
| CD 28 | D | Adams, Adrienne          | 56.14% | 31.96% |
| CD 29 | D | Schulman, Lynn C.        | 22.07% | 1.47%  |
| CD 30 | D | Holden, Robert           | 53.04% | 6.51%  |
| CD 31 | D | Brooks-Powers, Selvena N | 68.16% | 49.62% |

|          |   |                     |        |        |
|----------|---|---------------------|--------|--------|
| CD 32    | R | Ariola, Joann       | 82.08% | 65.12% |
| CD 32    | D | Singh, Felicia      | 36.23% | 1.27%  |
| CD 33    | D | Restler, Lincoln    | 48.22% | 26.30% |
| CD 34    | D | Gutierrez, Jennifer | 79.74% | 71.33% |
| CD 35    | D | Hudson, Crystal     | 38.49% | 4.04%  |
| CD 36    | D | Ossé, Chi Nurse     | 37.23% | 14.37% |
| CD 37    | D | Sandy               | 51.58% | 27.54% |
| CD 38    | D | Aviles, Alexa       | 43.46% | 24.88% |
| CD 39    | D | Hanif, Shahana      | 32.42% | 9.90%  |
| CD 40    | D | Joseph, Rita C.     | 25.23% | 4.92%  |
| CD 41    | D | Mealy, Darlene      | 57.30% | 15.20% |
| CD 42    | D | Barron, Charles     | 47.38% | 10.61% |
| CD 45    | D | Louis, Farah        | 75.57% | 55.90% |
| CD 46    | D | Narcisse, Mercedes  | 35.78% | 19.32% |
| CD 47    | D | Kagan, Ari          | 42.65% | 8.75%  |
| CD 48    | D | Saperstein, Steven  | 31.15% | 2.69%  |
| CD 49    | D | Hanks, Kamillah M   | 25.05% | 3.93%  |
| CD 50    | R | Carr, David         | 34.27% | 6.86%  |
| DA, Man. | D | Bragg, Alvin        | 33.84% | 3.42%  |



## Rent Guidelines Board Votes to Freeze Rents on One-Year Leases for First Six Months

The Rent Guidelines Board on Wednesday approved a partial rent freeze on certain New York City rent-regulated apartments, voting 5-4 to freeze rents on all one-year leases for the first six months.

A 1.5 percent rent hike would be allowed for the remaining six months. Rents on two-year leases would be permitted to increase up to 2.5 percent.

## **SUMMARY OF GUIDELINES ADOPTED ON JUNE 23, 2021**

This summary of the Rent Guidelines Board guidelines is solely for the informal use of the public and should not be substituted for the full text of the Apartment and Loft Order 53 and Hotel Order 51. The full text of these orders will be made available at a later date and, when available, can be obtained from the website [nyc.gov/rgb](http://nyc.gov/rgb) or by calling 212-669-7480.

### **RENT STABILIZED APARTMENT GUIDELINES**

Together with such further adjustments as may be authorized by law, the annual adjustment for leases for apartments shall be:

- For a one-year lease commencing on or after **October 1, 2021** and on or before **September 30, 2022**:
  - **0%** for the first 6 months of the lease and
  - **1.5%** for the remaining 6 months of the lease.
- For a two-year lease commencing on or after **October 1, 2021** and on or before **September 30, 2022**: **2.5%**

### **RENT STABILIZED LOFT GUIDELINES**

- For **one**-year increase periods commencing on or after **October 1, 2021** and on or before **September 30, 2022**:
  - **0%** for the first 6 months and
  - **1.5%** for the remaining 6 months.
- For **two**-year increase periods commencing on or after **October 1, 2021** and on or before **September 30, 2022**: **2.5%**

## ***Briefs***

### **NY's State of Emergency Ends**

Governor Andrew Cuomo brought an end to New York's [COVID-19 State of Emergency](#) on Thursday. It has been in place since March 7, 2020.

Federal CDC guidance will remain in effect, which includes masks for unvaccinated individuals, as well as all riders on public transit and in certain settings, such as health care, nursing homes, correctional facilities, and homeless shelters. State and local government health departments will still be able to ensure mask rules and other health precautions are adhered to in those settings.

At midnight Thursday, the various Executive Orders that the Governor issued to assist state agencies, local governments, and hospitals respond to the pandemic were lifted, as well as those directing business operations.



## **Governor Signs Legislation to Establish Nursing Home Staffing Levels**

Legislation (Chapter 156 of the Laws of 2021) establishing standards for nursing homes minimum staffing levels has been signed into law by Governor Andrew Cuomo.

Under the new law, sponsored by Senator Gustavo Rivera and M. of A. Aileen Gunther, at minimum, nursing home staffing standards would have to include 3.5 hours of nursing care per resident per day. Of this 3.5 hours, at least 2.2 would need to be provided by nursing assistants and at least 1.1 would need to be provided by licensed practical nurses (LPNs) or registered nurses (RNs).

The State Health Commissioner is charged with establishing regulations on civil penalties for noncompliance. DOH would have to consider mitigating factors such as disasters and emergencies, as well as frequency and nature of non-compliance, and labor supply shortages when issuing penalties.

## **NY Provides \$25 Million in Child Care Scholarships for Essential Workers**

New York State will provide \$25 million in child care scholarships to all essential workers starting this week, according to Governor Andrew Cuomo.

Essential workers include first responders such as health care providers, pharmaceutical staff, law enforcement, firefighters, transportation workers, food delivery workers, grocery store employees and others. This is the first in a series of new investments to support working families and the child care industry through the federal Coronavirus Response and Relief Supplemental Appropriations Act and American Rescue Plan Act.

Child care costs will be covered for essential staff whose income is less than 300 percent of the federal poverty level (or \$79,500 for a family of four) and will be paid up to market rate for each region statewide for children aged six weeks through 12 years. Families currently receiving child care scholarships under the Coronavirus Aid, Relief and Economic Security Act are strongly encouraged to also apply for this new funding opportunity.

To streamline the application and funding process, parents will apply for funding through a single online application, and providers will be paid directly on behalf of the parent. Applications will be processed and awarded on a first-come, first-served basis. For more information and to apply for the funding, please click [here](#).

## **New York City to Cut Red Tape for Small Businesses**

*Program cuts processing time by 50%; guarantees 48-hour response to all small business inquiries*

Mayor Bill de Blasio and NYC Department of Small Business Services (SBS) Commissioner Jonnel Doris this week launched NYC Business Quick Start, a concierge service aimed at cutting red tape and making “New York City the easiest place in the United States to open or reopen a small business.”

NYC Business Quick Start will provide small businesses a sole point of contact to help navigate City regulations, as well as a public dashboard. The program guarantees a 48-hour response to all small business inquiries and will cut processing time by 50 percent.

The City expects 50,000 small businesses to benefit from the NYC Business Quick Start and its predecessor SBS business-assistance programs.

NYC Business Quick Start is a collaboration between 100 City personnel across a host of agencies, including SBS, Department of Buildings (DOB), Department of Environmental Protection (DEP), Department of Health and Mental Hygiene (DOHMH), and the New York City Fire Department (FDNY).

## **Full Restoration of Staten Island Ferry Service**

Mayor Bill de Blasio, Department of Transportation Commissioner Hank Gutman, and Staten Island Borough President James Oddo this week announced the full restoration of round-the-clock 30-minute Staten Island Ferry service effective August 16<sup>th</sup>.

The new service schedules additional trips, all originating from St. George Ferry Terminal, starting at 12:30 a.m. on August 16. Other restored trips will depart on the half-hour from 1:30-4:30 a.m. on weekdays and 12:30-6:30 a.m. on weekends. Prior to the activation of full service in August, DOT will hire and train new personnel required for these additional trips.

# ***Coming Up***

## ***New York State***

***No Meetings Scheduled***

## ***New York City***

***Monday, June 28<sup>th</sup>***

***Committee on Mental Health, Disabilities and Addiction***, Remote Hearing (Virtual Room 2), 11 a.m.  
***Oversight - Coordinating City Agencies to Address Serious Mental Illness.***

***Tuesday, June 29<sup>th</sup>***

***Committees on Education & Youth Services***, Remote Hearing (Virtual Room 2), 10 a.m.  
***DOE's Summer Rising and Fall 2021 Student Academic Achievement Plan.***

***Wednesday, June 30<sup>th</sup>***

***Committee on Housing and Buildings***, Remote Hearing (Virtual Room 1), 10 a.m.

***Committee on Small Business***, Remote Hearing (Virtual Room 1), 11 a.m.

**“We believe in the ideas of family, mutuality,  
the sharing of benefits and burdens  
for the good of all, feeling one another’s pain,  
sharing one another’s blessing  
recognizing that at the heart of the matter  
we are bound to each other.”  
-Mario M. Cuomo-**

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