

BUSINESS IN

WEEKLY WEBINAR SERIES

2025

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Your Host



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Today's Agenda

Kerry Langan – (12:00 p.m.)

- Welcome and Agenda

Samuel Wiles – (12 – 12:06 p.m.)

- New York State's Effort to Replace the NLRB is Enjoined

Kaydeen Maitland – (12:05 – 12:15 p.m.)

- CMS SNF Revalidation : What Changed and What to Do Now

Timothy Bouffard – (12:15 – 12:25 p.m.) under the guidance of Kerry W. Langan

- New York State Requirements for College and University Policy Disclosures Involving Student Drug and Alcohol Violations and Health Emergencies

Anthony Levitskiy – (12:25 – 12:30 p.m.)

- The Constitutionality of New York's Relief for Employers Unaware of Weekly Pay Provision in the New York Labor Law

Kerry Langan – (12:30 p.m.)

- Questions / Wrap Up

New York State's Effort to Replace the NLRB is Enjoined



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CMS SNF Revalidation : What Changed and What to Do Now



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CMS SNF Revalidation Update



CMS has indefinitely suspended the mandatory off cycle SNF provider enrollment revalidation deadline

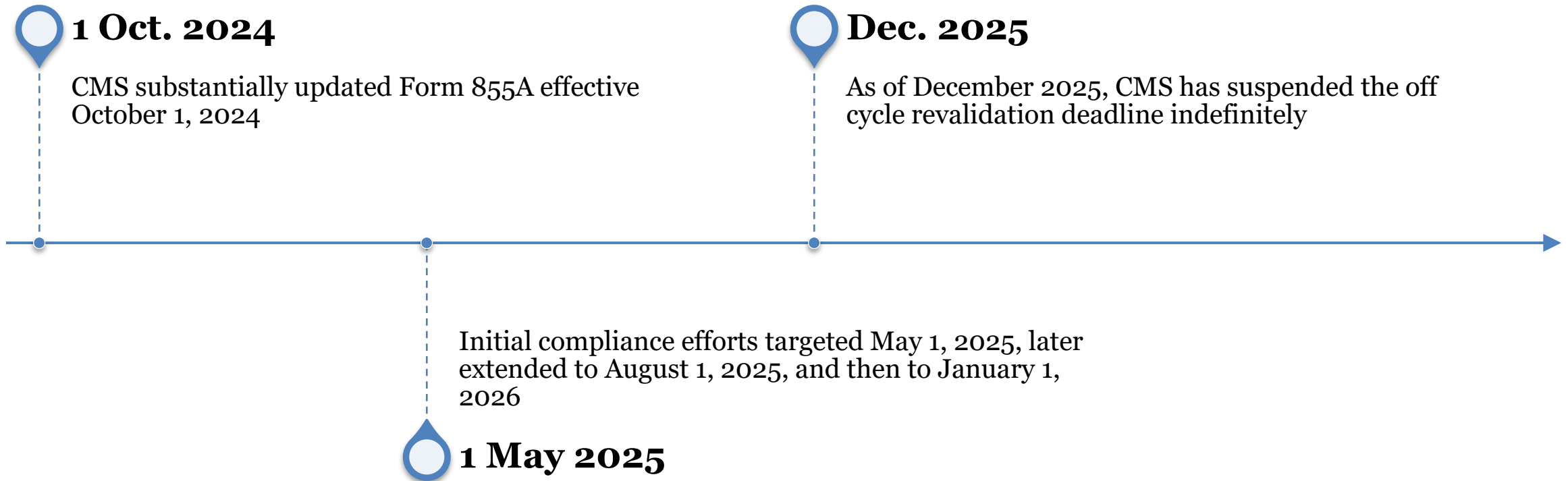


Prior deadline had been extended to January 1, 2026



No new revalidation deadline has been announced

Background and Timeline



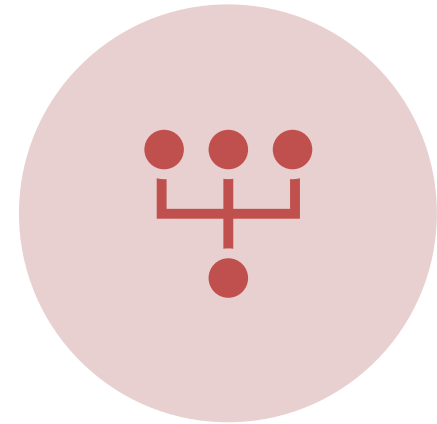
Scope of Impact



APPLIES TO MEDICARE-CERTIFIED
SKILLED NURSING FACILITIES



AFFECTS ENTITIES ENROLLING,
REVALIDATING, REPORTING CHANGES,
OR UNDERGOING CHANGES OF
OWNERSHIP



EXPANDS DISCLOSURES TIED TO
OWNERSHIP, GOVERNANCE, AND
MANAGERIAL CONTROLS

Form 855A: Key Enhancements

Enhanced reporting on ownership, governance structures, and managerial control

Identification of board members, certain trustees, and managing employees

Detailed organizational diagrams showing ownership and control relationships

Additional Disclosable Parties (ADPs)



NEW REPORTING ON PARTIES THAT
EXERCISE CONTROL OR PROVIDE
SIGNIFICANT SERVICES



INCLUDES CERTAIN CONTRACTORS
AND OTHER SIGNIFICANT SERVICE
PROVIDERS



DESIGNED TO GIVE CMS VISIBILITY
INTO ENTITIES WITH INFLUENCE
OVER FACILITY OPERATIONS

Organizational Mapping and Documentation

Prepare

Prepare comprehensive diagrams reflecting ownership tiers and control pathways

Document

Document relationships between the SNF and associated entities

Establish

Establish version-controlled documentation for faster updates and attestations

Risk Considerations



Submission errors or incomplete disclosures can delay enrollment actions



Misalignment between corporate records and filings increases audit exposure

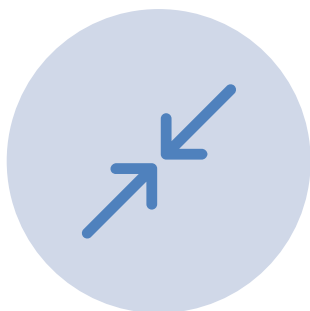


Changes of ownership require early planning to avoid transactional disruption

Action Plan During Suspension

- Continue preparing a complete, audit-ready 855A package
- Perform a gap assessment against new ownership, governance, and ADP requirements
- Maintain a standing revalidation file to enable rapid submission upon CMS notice

Key Takeaways...



DEADLINE SUSPENDED, NOT
ELIMINATED—BE PREPARED
FOR RENEWED ENFORCEMENT



ACCURACY AND
COMPLETENESS OF
OWNERSHIP AND ADP DATA
ARE CRITICAL



PROACTIVE DOCUMENTATION
AND READINESS REDUCE
TIMING RISK WHEN CMS
ANNOUNCES NEXT STEPS



CONTACT BOND FOR ANY
ADVICE NAVIGATING THESE
POTENTIAL CHANGES.

New York State Requirements for College and University Policy Disclosures Involving Student Drug and Alcohol Violations and Health Emergencies



Timothy R. Bouffard

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(under the guidance of Kerry W. Langan)

Brief Overview

- “Beau’s Law” signed into law by Gov. Kathy Hochul on Dec. 5.
(For more details, please [visit this article](#) on our website.)
- New law requires institutions to publish the policies under which parents will be notified when a student under 21 has an alcohol or controlled substance violation.
 - Includes hospitalizations and overdoses
- Also requires “regular” FERPA training.
- Takes effect July 1, 2026.

What Does FERPA Allow?

- Family Educational Rights and Privacy Act already allows, without a student's consent, disclosures:
 - to parents about drug and alcohol violations when the student is under 21.
 - in any type of health and safety emergency.
- These disclosures are permissive and not required under FERPA.

What is a Health and Safety Emergency Under FERPA?

- Institutions may take into account the totality of the circumstances.
- They may make disclosures when they determine “there is an articulable and significant threat to the health or safety of a student.”
- Deferential standard from the DoE where there is a rational basis.

Requirements Under the New Law

- NY institutions are required to share their policies on these disclosures – i.e., whether and when they are made.
- The law doesn't dictate *what* the policy must be, just that the institution has one and it is publicly available.

Key Policy Considerations

- Are notifications discretionary or mandatory in certain circumstances?
- Who will make this determination?
- How are parents informed, and how are students told about the disclosure?

New FERPA Training Requirements

- NY institutions must conduct regular FERPA training “related to health and safety emergencies and the impact on an institution’s response to student alcohol or controlled substance-related hospitalizations or overdoses.”
- Timing, parameters, and required attendees are left to the discretion of the institution.

The Constitutionality of New York's Relief for Employers Unaware of Weekly Pay Provision in the New York Labor Law



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Questions



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CMS SNF Revalidation : What Changed and What to Do Now

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Sexual Harassment Prevention Training

To combat harassment in the workplace, every New York State employer must provide harassment prevention training for all employees annually.

For more information on Bond's online sexual harassment training [click here](#) or email bondonline@bsk.com

Thank You

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It is not to be considered as legal advice.
Laws can change often, and information may become outdated.

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