



Written by [D. Michael DeRidder](#) on November 29, 2023

## NY State Senator Asks Governor Hochul to Remove Support for Quarantine Procedures

New York Appellate Division of the Fourth Judicial Department recently reversed a decision that voided New York State Department of Health regulation NYCRR 2.13 “Isolation and Quarantine Procedures.” In response, New York State Senator [George Borrello wrote a letter](#) to New York Governor Kathy Hochul [requesting that she refrain from reissuing the regulation](#). The regulation permits New York State and local health authorities to mandate quarantine sites other than one’s own home without due process.



AP Images  
Kathy Hochul

Borrello wrote, “Although this reversal opens up the opportunity for you to reissue this regulation, I am respectfully requesting that you refrain from doing so in light of the serious constitutional issues cited by Supreme Court Judge Ronald Ploetz in his ruling and the profound concerns of countless New Yorkers.” Borello also wrote that the case was dismissed “on a technicality,”, saying, “While the Appellate Division dismissed this case on a technicality and not on its merits, Supreme Court Judge Ronald Ploetz’ opinion thoroughly reviewed the constitutional problems with the rule, which is why it should not be reissued.”

[Borello spoke with the American Journal today](#), saying, “There is a very long list of diseases that would qualify and activate this rule, many of which are not communicable diseases by the way.” Borello explained how the regulation could effect New York State residents: “Literally a bureaucrat from the department of health, state or local, could show up at your house knock on your door and say ‘I believe your son has been exposed to botulism and we are taking him,’ with the police in tow. And if you ask the question ‘Well, where is he going?’ ‘We’ll let you know.’ ‘When will I see him again?’ ‘We’ll let you know.’ Literally these are the kinds of things that would make Xi Jinping blush, and this is a Department of Health regulation in New York State that the Governor feels she needs to have.”



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