

STATE OF NEW YORK

6641

2023-2024 Regular Sessions

IN SENATE

May 3, 2023

Introduced by Sen. RIVERA -- read twice and ordered printed, and when printed to be committed to the Committee on Health

AN ACT to amend the public health law, in relation to licensure requirements and reimbursements for certain home health services

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

1 Section 1. Section 3605 of the public health law is amended by adding
2 two new subdivisions 1-a and 1-b to read as follows:

3 1-a. Core public health services, as defined in section six hundred
4 two of this chapter, when provided in the home by the local health
5 department of a county or of the city of New York, shall not require
6 licensure under this section, provided that such services shall not
7 include: home health aide services; personal care services; or nursing
8 services that require more than minimal patient contact. For the
9 purposes of this subdivision the term "minimal patient contact"
10 includes, but is not limited to, providing assessments of new mothers
11 and infants, direct observation, and lead screening. Patient contact
12 shall be considered more than minimal if it requires more than six
13 patient visits, except where the same services can be provided by either
14 nurse or non-nurse personnel, there shall be no limit on the number of
15 visits necessary to provide the core public health services. Core
16 public health services that may be provided without a license pursuant
17 to this subdivision include but are not limited to: immunizations; test-
18 ing for tuberculosis and observation of tuberculosis self-directed ther-
19 apy; verbal assessment, counseling and referral services; and such other
20 services as may be determined by the department.

21 1-b. Core public health services, as defined in section six hundred
22 two of this chapter, when provided by local health departments in the
23 home as authorized under subdivision one-a of this section, may be
24 eligible for reimbursement under title XIX of the federal Social Securi-
25 ty Act provided that the services provided meet federal and state
26 requirements for such reimbursement.

27 § 2. This act shall take effect immediately.

EXPLANATION--Matter in italics (underscored) is new; matter in brackets
[-] is old law to be omitted.

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