

STATE OF NEW YORK

9678--A

IN ASSEMBLY

January 21, 2026

Introduced by M. of A. CASHMAN, ROSENTHAL, McMAHON, LEVENBERG, GLICK --
read once and referred to the Committee on Health -- committee
discharged, bill amended, ordered reprinted as amended and recommitted
to said committee

AN ACT to amend the public health law, in relation to enacting the
"Jamie Rose care provider act"

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

1 Section 1. Short title. This act shall be known and may be cited as
2 the "Jamie Rose care provider act".

3 § 2. The public health law is amended by adding a new section 3623 to
4 read as follows:

5 § 3623. Home care domestic violence and elder abuse policies and
6 procedures. 1. For the purposes of this section:

7 (a) "Domestic abuse victim" shall have the same meaning as such term
8 is defined in subdivision one of section four hundred fifty nine-a of
9 the social services law.

10 (b) "Elder abuse victim" shall mean an individual aged sixty years of
11 age or older subject to abuse and maltreatment. Abuse and maltreatment
12 shall mean actions as defined in paragraphs (a), (b), (c), (d), (e), and
13 (g) of subdivision six of section four hundred seventy-three of the
14 social services law.

15 2. Every home care services agency as defined in this article shall:
16 (a) develop, maintain and disseminate written policies and procedures
17 for the identification, assessment, treatment and referral of confirmed
18 or suspected cases of domestic violence or elder abuse; (b) establish,
19 and implement on an ongoing basis, a training program for all home care
20 personnel regarding the policies and procedures established pursuant to
21 this section; and (c) designate a staff member to contact the domestic
22 violence or elder abuse victim assistance organization identified by the
23 commissioner under subdivision four of this section providing victim
24 assistance to the geographic area served by such home care services
25 agency to establish the coordination of services to domestic violence or
26 elder abuse victims.

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

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1 3. Upon intake of a confirmed or suspected domestic violence or elder
2 abuse victim, such home care services agency shall advise the victim of
3 the availability of the services of a domestic violence or elder abuse
4 victim assistance organization. If after receiving such advice the
5 domestic violence or elder abuse victim wishes the presence of a domes-
6 tic violence or elder abuse victim assistance advocate, such home care
7 services agency shall contact the appropriate organization and request
8 that one be provided.

9 4. The commissioner, in consultation with the director of the state
10 office for the aging may promulgate such rules and regulations as may be
11 necessary and proper to carry out effectively the provisions of this
12 section. Prior to promulgating such rules and regulations, the commis-
13 sioner shall consult with the office for the prevention of domestic
14 violence, the state office for the aging and other such persons as the
15 commissioner deems necessary to develop a model policy for home care
16 services agencies to utilize in complying with this section and to iden-
17 tify the domestic violence or elder abuse victim assistance organiza-
18 tions operating in each home care services agency's geographic area, a
19 list of which the commissioner shall provide to home care services agen-
20 cies with the model policy.

21 § 3. This act shall take effect one year after it shall have become a
22 law. Effective immediately, the addition, amendment and/or repeal of any
23 rule or regulation necessary for the implementation of this act on its
24 effective date are authorized to be made and completed on or before such
25 effective date.