S T A T E O F N E W Y O R K

4779

2009-2010 Regular Sessions

I N A S S E M B L Y

February 6, 2009

Introduced by M. of A. ENGLEBRIGHT, PHEFFER -- read once and referred to the Committee on Aging

AN ACT to amend the elder law, in relation to training in geriatric medicine

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. The elder law is amended by adding a new section 224 to read as follows:

S 224. GERIATRIC MEDICINE; TRAINING. 1. FOR PURPOSES OF THIS SECTION, "GERIATRIC MEDICINE" SHALL MEAN THE MEDICAL CARE AND SOCIAL, PREVENTATIVE AND REHABILITATIVE ASPECTS OF HEALTH AND ILLNESS IN OLDER PEOPLE.

2. ALL STUDENTS WHO ARE ENROLLED IN A COURSE OF STUDY APPROVED BY THE DEPARTMENT OF HEALTH TO RECEIVE TRAINING AS A PHYSICIAN, PHYSICIAN ASSISTANT OR SPECIALIST ASSISTANT AS DEFINED IN SECTION SIXTY-FIVE HUNDRED FORTY OF THE EDUCATION LAW SHALL RECEIVE TRAINING IN GERIATRIC MEDICINE PURSUANT TO A CURRICULUM DEVELOPED BY THE COMMISSIONER OF HEALTH IN CONSULTATION WITH THE COMMISSIONER OF EDUCATION AND THE DIRECTOR.

3. ANY EXISTING CURRICULA, INCLUDING CURRICULA DEVELOPED BY NATIONALLY RECOGNIZED HEALTH CARE PROFESSIONAL, SPECIALTY OR PROVIDER ASSOCIATIONS, MAY BE CONSIDERED IN IMPLEMENTING THIS SECTION. CURRICULA DEVELOPED UNDER THIS SECTION SHALL CONSIST OF PROVIDING STUDENTS WITH CORE PRINCIPLES RELATED TO THE PRACTICE OF GERIATRIC MEDICINE WHICH SHALL INCLUDE BUT SHALL NOT BE LIMITED TO:

(A) A KNOWLEDGE OF THE NORMAL AGING PROCESSES, THE SOCIOLOGICAL AND DEMOGRAPHIC ASPECTS OF AGING IN OUR SOCIETY, AND THE PSYCHOLOGICAL AND PHYSICAL ASPECTS OF HUMAN AGING;

(B) ADMINISTRATION AND MANAGEMENT RELEVANT TO DELIVERING MEDICAL SERVICES TO OLDER PEOPLE, AN ABILITY TO ASSESS CHRONIC AND ACUTE DISEASE ASSOCIATED WITH AGING AND IMPAIRMENT, DISABILITY AND HANDICAP, AND THE DEVELOPMENT OF APPROPRIATE MANAGEMENT STRATEGIES;

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

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(C) AN UNDERSTANDING OF THE MANAGEMENT OF COMPLEX, OFTEN MULTIPLE, MEDICAL PROBLEMS WHICH OFTEN REQUIRE A COORDINATED INTERDISCIPLINARY APPROACH; AND THE FUNCTION AND ORGANIZATIONAL ASPECTS OF THE RANGE OF EXTENDED CARE SERVICES AVAILABLE FOR THE CARE OF DEPENDENT OLDER PEOPLE;

(D) AN ABILITY TO USE APPROPRIATE RESOURCES FOR REHABILITATION;

(E) AN UNDERSTANDING OF THE EFFECT OF PHYSICAL ILLNESS, PSYCHOLOGICAL ILLNESS, SOCIAL AND ENVIRONMENTAL FACTORS ON THE HEALTH OF AN OLDER PERSON; INCLUDING THE SPECIAL FEATURES OF ILLNESS PRESENTATION IN OLDER PEOPLE WITH REGARD TO COMMON CLINICAL SYNDROMES SUCH AS ALZHEIMER'S DISEASE AND DEMENTIA, CONFUSION, FALLS, INCONTINENCE, IMPAIRED MOBILITY AND IATROGENIC DISORDERS;

(F) AN UNDERSTANDING OF THE ROLE OF PREVENTATIVE APPROACHES FOR OLDER PEOPLE, INCLUDING HEALTH PROMOTION; JUDGMENT IN THE APPLICATION OF INVESTIGATIONS AND THERAPEUTIC PROCEDURES IN THE CARE OF OLDER PATIENTS; AND AN UNDERSTANDING OF THE PRINCIPLES OF PALLIATIVE CARE AND TECHNIQUES FOR PAIN MANAGEMENT;

(G) EDUCATIONAL METHODOLOGY, RESEARCH AND STATISTICAL SKILLS, AND PATIENT CONSULTATION SKILLS;

(H) MEDICAL ETHICS PERTAINING TO OLDER PATIENTS; AND

(I) COMPLETION OF A ROTATION IN A GERIATRIC SETTING SUCH AS HOME CARE, SKILLED NURSING CARE, HOSPICE CARE OR ADULT DAY HEALTH CARE.

4. EVERY PHYSICIAN, PHYSICIAN ASSISTANT AND SPECIALIST ASSISTANT PRACTICING IN THE STATE SHALL, EVERY THREE YEARS, COMPLETE COURSE WORK OR TRAINING REGARDING GERIATRIC MEDICINE, APPROVED BY THE DEPARTMENT OF HEALTH AND IN ACCORDANCE WITH STANDARDS PROMULGATED BY THE COMMISSIONER OF HEALTH IN CONSULTATION WITH THE COMMISSIONER OF EDUCATION AND THE DIRECTOR. THE DEPARTMENT OF HEALTH SHALL PROVIDE AN EXEMPTION FROM THE REQUIREMENTS OF THIS SUBDIVISION TO ANYONE WHO REQUESTS SUCH AN EXEMPTION AND WHO DEMONSTRATES TO SUCH DEPARTMENT'S SATISFACTION THAT:

(A) THERE WOULD BE NO NEED FOR HIM OR HER TO COMPLETE SUCH COURSE WORK OR TRAINING BECAUSE OF THE NATURE OF HIS OR HER PRACTICE; OR

(B) THAT HE OR SHE HAS COMPLETED COURSE WORK OR TRAINING DEEMED BY THE DEPARTMENT OF HEALTH TO BE EQUIVALENT TO THE STANDARDS FOR COURSE WORK OR TRAINING APPROVED BY SUCH DEPARTMENT UNDER THIS SECTION.

5. THE DIRECTOR, IN CONSULTATION WITH THE COMMISSIONER OF HEALTH AND THE DEPARTMENT OF EDUCATION SHALL PROMULGATE RULES AND REGULATIONS NECESSARY TO IMPLEMENT THE PROVISIONS OF THIS SECTION.

S 2. This act shall take effect on the one hundred twentieth day after it shall have become a law. Provided, however, that effective immediately, the addition, amendment and/or repeal of any rule or regulation necessary for the timely implementation of this act on its effective date are authorized and directed to be made and completed on or before such date.