

5864

2009-2010 Regular Sessions

I N A S S E M B L Y

February 20, 2009

Introduced by M. of A. LIFTON, KOON, ENGLEBRIGHT, ABBATE, BACALLES, BENEDETTO, BURLING, CLARK, COLTON, COOK, GUNTHER, JAFFEE, LUPARDO, MAISEL, MAYERSOHN, MILLMAN, REILLY, J. RIVERA, ROSENTHAL, SCHROEDER, TITUS, ESPAILLAT, JOHN -- Multi-Sponsored by -- M. of A. BENJAMIN, BOYLAND, CAHILL, DESTITO, GABRYSZAK, HOOPER, HYER-SPENCER, McENENY, O'DONNELL, ORTIZ, PEOPLES-STOKES, PHEFFER, SWEENEY, TITONE, TOWNS, WEISENBERG, WRIGHT -- read once and referred to the Committee on Aging

AN ACT to amend the elder law, in relation to establishing a long term care worker training pilot program; and providing for the repeal of such provisions upon the expiration thereof

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

1 Section 1. The elder law is amended by adding a new section 218-a to
2 read as follows:
3 S 218-A. LONG TERM CARE WORKER TRAINING PILOT PROGRAM. 1. THE DIREC-
4 TOR, WITHIN AMOUNTS APPROPRIATED THEREFOR, SHALL ESTABLISH A LONG TERM
5 CARE WORKER TRAINING PILOT PROGRAM FOR THE PURPOSE OF EXPANDING ACCESS
6 TO ENHANCED EDUCATION AND TRAINING ACROSS THE CONTINUUM OF CARE FOR
7 HEALTH CARE AND SOCIAL SERVICES PRACTITIONERS WHO PROVIDE SERVICES TO
8 ELDERLY PERSONS AS DEFINED BY PARAGRAPH (B) OF SUBDIVISION ONE OF
9 SECTION TWO HUNDRED FOURTEEN OF THIS TITLE. EMPHASIS SHALL BE PLACED ON
10 TRAINING TRAINERS INCLUDING, BUT NOT LIMITED TO, TRAINERS FROM COLLEGE,
11 UNIVERSITY AND BOARD OF COOPERATIVE EDUCATIONAL SERVICES FACULTY, AND
12 STAFF OF PROVIDER AGENCIES IN HIGH NEEDS AREAS, AS SET FORTH IN THIS
13 SECTION, WHO PROVIDE EDUCATION AND TRAINING FOR HOME CARE, NURSE AIDES,
14 PERSONAL CARE AIDES, CASE MANAGERS IN THE EXPANDED IN-HOME SERVICES FOR
15 THE ELDERLY PROGRAM, INFORMATION AND REFERRAL SPECIALISTS INCLUDING, BUT
16 NOT LIMITED TO, THOSE WORKING FOR NOT-FOR-PROFIT CORPORATIONS, MUNICIPAL
17 GOVERNMENTS, NEW YORK CONNECTS-CHOICES FOR LONG TERM CARE, SOCIAL ADULT
18 DAY CARE, ADULT DAY CARE AND OTHER CAREGIVERS WITH HANDS-ON RESPONSIBIL-
19 ITIES FOR ELDERLY CLIENTS. THE GOAL SHALL BE TO IMPROVE THE QUALITY OF

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

1 CARE PROVIDED TO THE ELDERLY, TO ENSURE THAT INDIVIDUALS WORKING WITH
2 THE ELDERLY AND THEIR FAMILIES HAVE CORE COMPETENCIES IN GERIATRICS, TO
3 IMPROVE RECRUITMENT AND RETENTION, AND TO ASSIST PROVIDERS TO MEET
4 TRAINING NEEDS, INCLUDING REQUIREMENTS ESTABLISHED BY REGULATORY AGEN-
5 CIES. THE DIRECTOR SHALL COORDINATE SUCH EFFORTS IN CONJUNCTION WITH
6 ONGOING TRAINING AND CERTIFICATION SERVICES AND REQUIREMENTS OF THE
7 DEPARTMENT OF HEALTH; OFFICE OF MENTAL HEALTH; OFFICE OF ALCOHOLISM AND
8 SUBSTANCE ABUSE SERVICES; STATE COMMISSION ON QUALITY OF CARE AND ADVOCACY FOR PERSONS WITH DISABILITIES; EDUCATION DEPARTMENT; STATE UNIVERSITY OF NEW YORK; OFFICE OF TEMPORARY AND DISABILITY ASSISTANCE AND SUCH
9 OTHER AGENCIES AS APPROPRIATE. SUCH TRAINING SHALL BE COORDINATED WITH
10 COMMUNITY BASED AGENCIES INCLUDING, BUT NOT LIMITED TO, COUNTY HEALTH,
11 MENTAL HEALTH AND SOCIAL SERVICES DEPARTMENTS; COUNTY OFFICES FOR THE
12 AGING; COLLEGES AND UNIVERSITIES; BOARDS OF COOPERATIVE EDUCATIONAL
13 SERVICES; LONG TERM CARE PROVIDERS; AREA HEALTH EDUCATION CENTERS; RURAL
14 HEALTH NETWORKS; AND SUCH OTHER AGENCIES AS APPROPRIATE. THE DIRECTOR
15 SHALL PROVIDE A METHOD FOR ONGOING EVALUATION AND REPORTING ON THE
16 SUCCESS OF THIS PILOT PROGRAM IN MEETING ITS STATED GOALS.
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19 2. THE DIRECTOR, WITHIN AMOUNTS APPROPRIATED THEREFOR, AND IN CONSULTATION WITH THE AGENCIES THE DIRECTOR IS REQUIRED TO COORDINATE WITH
20 PURSUANT TO SUBDIVISION ONE OF THIS SECTION, SHALL CONTRACT WITH ONE OR
21 MORE COLLEGES OR UNIVERSITIES WITH A RECOGNIZED INSTITUTE ON GERONTOLOGY, TO ASSIST IN THE DESIGN, IMPLEMENTATION AND EVALUATION OF THE LONG
22 TERM CARE WORKER TRAINING PILOT PROGRAM, INCLUDING THE IDENTIFICATION OF
23 HIGH NEEDS AREAS WHERE A SHORTAGE OF GERIATRIC TRAINING RESOURCES AND
24 DIFFICULTIES IN ACCESSING SUCH TRAINING ARE DOCUMENTED.
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27 3. ON OR BEFORE THE FIRST OF SEPTEMBER OF THE CALENDAR YEAR NEXT
28 SUCCEEDING THE YEAR IN WHICH THE CHAPTER OF THE LAWS OF TWO THOUSAND
29 NINE WHICH ADDED THIS SECTION TAKES EFFECT, AND EVERY SECOND YEAR THEREAFTER, THE DIRECTOR SHALL REPORT TO THE GOVERNOR AND THE LEGISLATURE ON
30 THE ACTIVITIES UNDERTAKEN TO DESIGN, IMPLEMENT AND EVALUATE THE LONG
31 TERM CARE WORKER TRAINING PILOT PROGRAM. SUCH REPORT SHALL INCLUDE DATA
32 RELATING TO PROGRAM ACTIVITIES, OUTCOMES AND OTHER PERTINENT INFORMATION
33 NECESSARY TO EVALUATE THE EFFECTIVENESS OF THE PILOT PROGRAM IN ACCOMPLISHING ITS STATED GOALS.
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36 S 2. This act shall take effect on the first of April of the calendar
37 year next succeeding the year in which it shall have become a law, and
38 shall expire and be deemed repealed 6 years after it shall take effect.