STATE OF NEW YORK

10940

IN ASSEMBLY

May 29, 2018

Introduced by M. of A. LUPARDO -- read once and referred to the Committee on Labor

AN ACT directing the commissioner of labor to conduct a labor market study and establishing a temporary labor task force for home care and hospice services and occupations in New York State; and providing for the repeal of certain provisions upon the expiration thereof

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

Section 1. The commissioner of labor and the commissioner of health shall jointly undertake a market study to examine and make recommendations regarding competitive labor market factors, reimbursement, programs and other state policy actions necessary to support recruitment and retention of the home care and hospice workforce in the broader, competitive health labor market.

Such study shall examine differentials in compensation, benefits and other employment factors in home care and hospice in comparison to other health care and employment markets which compete for the same workforce, including but not limited to hospitals and nursing facilities, and for comparable disciplines which include direct care aides, registered professional nurses, licensed practical nurses, physical therapists, occupational therapists, speech pathologists, social workers, respiratory therapists, audiologists and other health care practitioners which the commissioner of labor in consultation with the commissioner of health shall determine.

In conducting such study and preparing recommendations, the commissioners shall seek the input of representatives of the aforementioned providers and health care personnel, managed care plans, statewide associations representative of providers and workforce, the center for health workforce studies of the state university of New York, and the New York state area health education centers program.

On or before November 1, 2018, the commissioner of labor shall report jointly with the commissioner of health to the governor and legislature on the results of such study, together with recommendations for reimbursement, programs and policy modifications to support home care

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

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and hospice competitive positions for recruitment and retention of a direct care health labor workforce in the broader health labor market capable of meeting community need.

§ 2. The commissioner of labor, in consultation with the director of the office for aging and the commissioners of health, education and mental health, or their agency designees, shall form a task force to establish and implement a statewide home care and hospice workforce, labor development and marketing program to encourage occupational interest and participation in these essential fields to meet the community need for these vital services.

The task force shall examine the spectrum of possible entry points into the home care and hospice fields, including but not limited to entry points in secondary schools, occupational schools and programs, community colleges, four year colleges and universities, professional schools of nursing, social work and other health care disciplines, and retiree venues.

The task force shall develop and implement, with jurisdictional contributions from each state agency member, a comprehensive plan that provides information about entry, practice, career development, and occupational need and value in home care and hospice. Such plan shall also assist educational settings and providers with informational materials and resources to further this goal, including but not limited to: written and multimedia material, web based resources, public service announcements, home care/hospice emphasis at local job fairs, billboard and other community advertisement, engagement of area health education centers, support for provider recruitment and training, state and regional conferencing, and other means.

The task force shall be co-chaired by the commissioner of labor and the director of the state office for aging, or their agency designees. The task force shall convene not later than sixty days after this act shall have become law, and shall meet no less frequently than bi-monthly for the first year. The task force shall submit an interim report to the governor and legislature on its activities and recommendations not later than six months after it convenes. In conducting the task force, the co-chairs shall seek the input of representatives of home care, hospice, managed care plans, area health education centers, and direct care disciplines.

§ 3. This act shall take effect immediately, provided that section two of this act shall expire and be deemed repealed on and after January 31, 2021.