STATE OF NEW YORK

7876

2017-2018 Regular Sessions

IN ASSEMBLY

May 18, 2017

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

AN ACT to amend the elder law, in relation to informal caregiver training

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

Section 1. Section 206 of the elder law, subparagraph 4 of paragraph (a) of subdivision 3 as added by chapter 269 of the laws of 2014, is amended to read as follows:

§ 206. Informal caregiver training. 1. The director is hereby authorized and directed, to the extent appropriations are available therefor, to develop, establish and operate training and technical assistance programs, including caregiver resource centers, caregiver networks, and other support activities, for informal caregivers throughout the state for the purposes of assisting such caregivers and improving the quality of care provided [~~to frail and disabled persons~~]. The director shall also make available and encourage the utilization of such training programs in consultation with the commissioner **of the department** of health, the commissioner of the office of children and family services, the commissioner of **the office of** mental health, and the commissioner of [~~mental retardation and developmental disabilities~~] **the office for people with developmental disabilities**.

2. Definitions. For the purposes of this section: (a) "Informal caregiver" shall mean the family member or other natural person who normally provides [~~the~~] daily care or supervision [~~of a frail or disabled person~~], or any family member or other natural person who contributes to and is involved in [~~the~~] caretaking responsibilities [~~for such frail or disabled person~~]. Such informal caregiver may **provide care for a person in need of assistance**, but need not[~~,~~] reside in the same household as the [~~frail or disabled~~] person**, or may be an older adult providing care to a minor relative in their home**.

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

LBD11667-02-7

(b) [~~"Frail or disabled person" shall mean any person who is unable to attend to his or her daily needs without the assistance or regular supervision of an informal caregiver due to mental or physical impairment. Such definition shall not exclude persons under eighteen years of age who suffer from mental or physical impairment.~~] **"Person in need of assistance" shall mean any person who requires assistance with one or more activities of daily living due to: (1) a physical, mental or medical impairment resulting from anatomical, physiological, genetic or neurological conditions which prevents the exercise of a normal bodily function or is demonstrable by medically accepted clinical or laboratory diagnostic techniques, or (2) a condition regarded by others as such an impairment.**

(c) "Program" shall mean the program of informal caregiver training and technical assistance established by this section.

(d) "Caregiver resource center" shall mean a project funded pursuant to this section which provides services and activities which are responsive to the needs and contracts of informal caregivers in regard to their caregiving responsibilities.

(e) "Caregiver networks" shall mean local coalitions which develop, coordinate, and implement action plans to identify and mobilize resources to address the unmet needs of [~~frail and disabled~~] persons **in need of assistance** and [~~their~~] **informal** caregivers.

(f) "Older adult" shall mean any person aged sixty years of age or older.

(g) "Minor" shall mean a person seventeen years of age or younger.

3. (a) The duties of the director pursuant to this section shall include, but not be limited to:

(1) developing and [~~make~~] **making** available or [~~approve~~] **approving** a curriculum for informal caregiver training which considers and is easily adapted to an array of personal needs and disabilities, and which is sensitive to ethnic and community characteristics;

(2) providing technical assistance and training to appropriate organizations and groups, including caregiver resource centers and caregiver networks, which, in turn, shall provide training and assistance to informal caregivers; [~~and~~]

(3) providing grants to appropriate organizations and groups, including caregiver resource centers and caregiver networks, to develop and make available approved curricula for informal caregiver training as well as disseminate information regarding the curriculum[~~.~~]**; and**

(4) [~~develop~~] **developing** guidelines for local area agencies on aging in order to provide the following:

(i) information and assistance regarding gaining access to available services to assist informal caregivers;

(ii) resource referrals for informal caregivers regarding decision-making on behalf of the individual receiving care; and

(iii) counseling referrals for informal caregivers.

(b) Training and technical assistance shall include, but not be limited to:

(1) knowledge of major health problems and diseases, mental [~~and~~] **illness,** physical disabilities, and the aging process;

(2) practical skills required in providing personal care and support;

(3) stress awareness and methods of dealing with stress caused by providing care;

(4) financial management; and

(5) identification and utilization of available resources, including benefits, entitlements, and other programs and assistance.

4. The director shall:

(a) Promulgate any rules and regulations necessary to carry out the provisions of this section.

(b) On or before the first day of January every other year, submit a report to the governor, the temporary president of the senate and the speaker of the assembly, which shall include, but not be limited to:

(1) a financial report of the program's operation;

(2) a profile of persons or groups receiving training and technical assistance pursuant to this section; and

(3) an analysis of the program's success in assisting informal caregivers and improving the quality of care provided by such persons.

§ 2. This act shall take effect immediately.