

# STATE OF NEW YORK

8916

## IN ASSEMBLY

January 8, 2018

Introduced by M. of A. ABINANTI -- read once and referred to the Committee on Health

AN ACT to amend the social services law, in relation to authorizing, in certain cases, the provision of in-home private duty nursing services to a recipient of medical assistance by a relative who is a registered professional nurse

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

1 Section 1. The social services law is amended by adding a new section  
2 365-o to read as follows:

3 § 365-o. Provision of in-home private duty nursing services by the  
4 relative of a recipient. Upon application or request to the commissioner  
5 by a recipient of medical assistance, or his or her representative or  
6 guardian, who has been approved for the provision of in-home private  
7 duty nursing, the commissioner may authorize the provision of such  
8 private duty nursing by a relative of such recipient, subject to the  
9 limitations relating thereto for personal assistants in subdivision  
10 three of section three hundred sixty-five-f of this title, who is a  
11 registered professional nurse, in good standing, licensed pursuant to  
12 section sixty-nine hundred five of the education law. Reimbursement for  
13 private nursing services provided in accordance with this section shall  
14 be at the rate paid for the provision of such services by a licensed  
15 practical nurse.

16 § 2. This act shall take effect immediately.

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

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