

# STATE OF NEW YORK

---

3339

2019-2020 Regular Sessions

## IN SENATE

February 5, 2019

---

Introduced by Sen. THOMAS -- read twice and ordered printed, and when printed to be committed 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 an adult relative of such recipient, other than  
9 a spouse of the recipient, who is a registered professional nurse.  
10 Reimbursement for private nursing services provided in accordance with  
11 this section shall be at the rate paid for the provision of such  
12 services by a licensed practical nurse.  
13 § 2. This act shall take effect immediately.

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

LBD05205-01-9