

STATE OF NEW YORK

5209--A

2019-2020 Regular Sessions

IN SENATE

April 16, 2019

Introduced by Sen. SANDERS -- read twice and ordered printed, and when printed to be committed to the Committee on Aging -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

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:

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

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

17 2. Definitions. For the purposes of this section: (a) "Informal care-
18 giver" shall mean the family member or other natural person who normally
19 provides [~~the~~] daily care or supervision [~~of a frail or disabled person~~]
20 of a person in need of assistance, or any family member or other natural
21 person who contributes to and is involved in [~~the~~] caretaking responsi-
22 bilities [~~for such frail or disabled person~~] for a person in need of
23 assistance. Such informal caregiver may provide care for a person in

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

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1 need of assistance, but need not[~~7~~] reside in the same household as the
2 [~~frail or disabled~~] person, or may be an older adult providing care to a
3 minor relative in their home.

4 (b) [~~"Frail or disabled person" shall mean any person who is unable to~~
5 ~~attend to his or her daily needs without the assistance or regular~~
6 ~~supervision of an informal caregiver due to mental or physical impair-~~
7 ~~ment. Such definition shall not exclude persons under eighteen years of~~
8 ~~age who suffer from mental or physical impairment.~~] "Person in need of
9 assistance" shall mean any person who requires assistance with one or
10 more activities of daily living or instrumental activities of daily
11 living.

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

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

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

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

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

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

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

31 (2) providing technical assistance and training to appropriate organ-
32 izations and groups, including caregiver resource centers and caregiver
33 networks, which, in turn, shall provide training and assistance to
34 informal caregivers; [~~and~~]

35 (3) providing grants to appropriate organizations and groups, includ-
36 ing caregiver resource centers and caregiver networks, to develop and
37 make available approved curricula for informal caregiver training as
38 well as disseminate information regarding the curriculum[~~7~~]; and

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

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

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

45 (iii) counseling referrals for informal caregivers.

46 (b) Training and technical assistance shall include, but not be limit-
47 ed to:

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

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

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

53 (4) financial management; and

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

56 4. The director shall:

- 1 (a) Promulgate any rules and regulations necessary to carry out the
- 2 provisions of this section.
- 3 (b) On or before the first day of January every other year, submit a
- 4 report to the governor, the temporary president of the senate and the
- 5 speaker of the assembly, which shall include, but not be limited to:
- 6 (1) a financial report of the program's operation;
- 7 (2) a profile of persons or groups receiving training and technical
- 8 assistance pursuant to this section; and
- 9 (3) an analysis of the program's success in assisting informal care-
- 10 givers and improving the quality of care provided by such persons.
- 11 § 2. This act shall take effect immediately.