STATE OF NEW YORK

5958

2019-2020 Regular Sessions

IN SENATE

May 16, 2019

Introduced by Sen. MAY -- read twice and ordered printed, and when printed to be committed to the Committee on Aging

AN ACT to amend the elder law, in relation to the state office for the aging sexual discrimination training program

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

Section 1. Section 203 of the elder law is amended by adding two new subdivisions 13 and 14 to read as follows:

13. (a) The director shall establish or approve a training program for the purpose of raising awareness, removing barriers and improving services for older adults based on their sexual orientation and gender identity or expression as defined in section two hundred ninety-two of the executive law. For the purposes of this subdivision, the term "training program" shall mean a course of learning or professional development, in person or online, administered or provided by a national, state, or local agency, nonprofit, advocacy group, professional organization, or association. Such training program shall include, but not be limited to:

(i) an overview of the history, unique needs, and concerns of lesbian, gay, bisexual, transgender, asexual, gender non-conforming and gender non-binary older adults;

(ii) reasons why lesbian, gay, bisexual, transgender, asexual, gender non-conforming and gender non-binary older adults may choose not to self-identify;

(iii) tools employees can use to incorporate lesbian, gay, bisexual, transgender, asexual, gender non-conforming and gender non-binary older adult concerns into direct care and steps employees can take to improve the quality of services and support they provide; and

(iv) a list of resources where employees can learn more.

(b) Such training program shall be completed by employees of the office, employees of area agencies on aging, and providers who contract

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

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with the office or area agencies on aging who provide direct care to older adults. Employers shall maintain adequate documentation of completion on behalf of required employees, and provide such documentation at the request of the employee or the office. Nothing in this subdivision shall prevent employees from completing any other training required nor shall it prevent such approved training from being combined with any other required training.

14. The director, in consultation with lesbian, gay, bisexual, transgender, asexual, gender non-conforming and gender non-binary older adult advocates, shall regularly update the intake form used to assess individuals seeking to participate in programs or services offered by the office to reflect current professional standards. This may include, but is not limited to, definitions, categories, or questions relating to sex, gender, gender identity, gender expression, sexual orientation, preferred pronouns, or family of choice. The office shall continue to prioritize confidentiality and promote self-identification for the purposes of providing appropriate, relevant services to the lesbian, gay, bisexual, transgender, asexual, gender non-conforming and gender non-binary older adult community.

§ 2. This act shall take effect on the one hundred eightieth day after it shall have become a law.