

# STATE OF NEW YORK

1359

2019-2020 Regular Sessions

## IN SENATE

January 14, 2019

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

AN ACT directing the commissioner of labor to conduct a labor market study and establishing a temporary labor task force for home care and hospice services and occupations in New York State; and providing for the repeal of certain provisions upon the expiration thereof

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

1 Section 1. The commissioner of labor and the commissioner of health  
2 shall jointly undertake a market study to examine and make recommenda-  
3 tions regarding competitive labor market factors, reimbursement,  
4 programs and other state policy actions necessary to support recruitment  
5 and retention of the home care and hospice workforce in the broader,  
6 competitive health labor market.  
7 Such study shall examine differentials in compensation, benefits and  
8 other employment factors in home care and hospice in comparison to other  
9 health care and employment markets which compete for the same workforce,  
10 including but not limited to hospitals and nursing facilities, and for  
11 comparable disciplines which include direct care aides, registered  
12 professional nurses, licensed practical nurses, physical therapists,  
13 occupational therapists, speech pathologists, social workers, respir-  
14 atory therapists, audiologists and other health care practitioners which  
15 the commissioner of labor in consultation with the commissioner of  
16 health shall determine.  
17 In conducting such study and preparing recommendations, the commis-  
18 sioners shall seek the input of representatives of the aforementioned  
19 providers and health care personnel, managed care plans, statewide asso-  
20 ciations representative of providers and workforce, the center for  
21 health workforce studies of the state university of New York, and the  
22 New York state area health education centers program.

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

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1 On or before November 1, 2019, the commissioner of labor shall report  
2 jointly with the commissioner of health to the governor and legislature  
3 on the results of such study, together with recommendations for  
4 reimbursement, programs and policy modifications to support home care  
5 and hospice competitive positions for recruitment and retention of a  
6 direct care health labor workforce in the broader health labor market  
7 capable of meeting community need.

8 § 2. The commissioner of labor, in consultation with the director of  
9 the office for aging and the commissioners of health, education and  
10 mental health, or their agency designees, shall form a task force to  
11 establish and implement a statewide home care and hospice workforce,  
12 labor development and marketing program to encourage occupational inter-  
13 est and participation in these essential fields to meet the community  
14 need for these vital services.

15 The task force shall examine the spectrum of possible entry points  
16 into the home care and hospice fields, including but not limited to  
17 entry points in secondary schools, occupational schools and programs,  
18 community colleges, four year colleges and universities, professional  
19 schools of nursing, social work and other health care disciplines, and  
20 retiree venues.

21 The task force shall develop and implement, with jurisdictional  
22 contributions from each state agency member, a comprehensive plan that  
23 provides information about entry, practice, career development, and  
24 occupational need and value in home care and hospice. Such plan shall  
25 also assist educational settings and providers with informational mate-  
26 rials and resources to further this goal, including but not limited to:  
27 written and multimedia material, web based resources, public service  
28 announcements, home care/hospice emphasis at local job fairs, billboard  
29 and other community advertisement, engagement of area health education  
30 centers, support for provider recruitment and training, state and  
31 regional conferencing, and other means.

32 The task force shall be co-chaired by the commissioner of labor and  
33 the director of the state office for aging, or their agency designees.  
34 The task force shall convene not later than sixty days after this act  
35 shall have become law, and shall meet no less frequently than bi-monthly  
36 for the first year. The task force shall submit an interim report to the  
37 governor and legislature on its activities and recommendations not later  
38 than six months after it convenes. In conducting the task force, the  
39 co-chairs shall seek the input of representatives of home care, hospice,  
40 managed care plans, area health education centers, and direct care  
41 disciplines.

42 § 3. This act shall take effect immediately, provided that section two  
43 of this act shall expire and be deemed repealed on and after January 31,  
44 2022.