STATE OF NEW YORK

2534

2021-2022 Regular Sessions

IN SENATE

January 21, 2021

Introduced by Sens. RIVERA, HOYLMAN -- read twice and ordered printed, and when printed to be committed to the Committee on Health

AN ACT relating to requiring home health aides and nurse's aides to receive training in working with lesbian, gay, bisexual and transgender individuals

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

Section 1. The commissioner of health, in consultation with the commissioner of education, shall develop a training program unit which focuses on working with lesbian, gay, bisexual and transgender populations, as part of the state approved education or training programs required for certification of home health aides, personal care aides, personal care staff, and certified nurse's aides.

§ 2. The training program unit required by this act should include the following components and information:

(a) an explanation of the terms lesbian, gay, bisexual, and transgender (LGBT);

(b) an understanding of why LGBT individuals may hide their identity;

(c) incorporate LGBT concerns into person-directed care, so that each individual can make the best decisions for their own situation;

(d) specific information designed for staff working in nursing care or other residential care settings;

(e) unique needs of LGBT individuals, including older adults;

(f) an overview of the various rights and protections extended to LGBT individuals;

(g) best practices for creating communities welcoming to LGBT individuals including older adults, their loved ones, and their caregivers;

(h) practical tips from experts about how to ask questions related to sexual orientation and gender identity and understand why these questions are important for all service organizations;

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

LBD05729-01-1

(i) teach the nuances of asking questions related to sexual orientation and gender identity to LGBT individuals, including older adults;

(j) how to respectfully respond to questions and concerns that arise in conversations relating to sexual orientation and gender identity; and

(k) best practices for providing transgender affirming care.

§ 3. The training unit required by this act shall be developed within six months of the effective date of this act and shall be required for all certifications and re-certifications of home health aides, personal care aides, personal care staff, and certified nurse's aides issued on and after such six month date.

§ 4. This act shall take effect immediately.