STATE OF NEW YORK

2534--A

Cal. No. 986

2021-2022 Regular Sessions

IN SENATE

January 21, 2021

Introduced by Sens. RIVERA, ADDABBO, BIAGGI, COONEY, HINCHEY, HOYLMAN, JACKSON -- read twice and ordered printed, and when printed to be committed to the Committee on Health -- recommitted to the Committee on Health in accordance with Senate Rule 6, sec. 8 -- reported favorably from said committee, ordered to first and second report, amended on second report, ordered to a third reading, and to be reprinted as amended, retaining its place in the order of third reading

AN ACT relating to requiring home health aides and nurse's aides to receive training in working with patients of diverse sexual orientations and gender identities or expressions

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 patients of diverse sexual orientations and gender identities or expressions, 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, queer, questioning, intersex, asexual, gender non-conforming and non-binary;

(b) an understanding of why patients with diverse sexual orientations and gender identities or expressions may hide their identities;

(c) incorporate concerns of patients with diverse sexual orientations and gender identities or expressions 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;

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

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(e) unique needs of patients with diverse sexual orientations and gender identities or expressions, including older adults;

(f) an overview of the various rights and protections for patients with diverse sexual orientations and gender identities or expressions;

(g) best practices for creating communities welcoming to patients with diverse sexual orientations and gender identities or expressions 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 or expression and understand why these questions are important for all service organizations;

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

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

(k) best practices for providing affirming care to patients with diverse sexual orientations and gender identities or expressions.

§ 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.