STATE OF NEW YORK

7080

2021-2022 Regular Sessions

IN SENATE

May 27, 2021

Introduced by Sen. MANNION -- (at request of the Office for Aging) -- 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 informal caregiver training

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

Section 1. Section 206 of the elder law, subdivision 1 as amended by chapter 672 of the laws of 2019, subparagraph 4 of paragraph (a) of subdivision 3 as added by chapter 269 of the laws of 2014, is amended to read as follows:

§ 206. Informal caregiver training. 1. The director is hereby authorized and directed, to the extent appropriations are available therefor, to develop, establish and operate **person-centered** training and technical assistance programs, including caregiver resource centers, caregiver networks, and other support activities, for informal caregivers throughout the state for the purposes of assisting such caregivers and improving the quality of **dependant** care [~~provided to frail and disabled persons. The director shall also make available and encourage the utilization of such training programs in consultation with the commissioner of health, the commissioner of the office of children and family services, the commissioner of mental health, and the commissioner of the office for people with developmental disabilities~~].

2. Definitions. For the purposes of this section: (a) "Informal caregiver" shall mean [~~the~~] **an unpaid** family member**, foster parent** or other [~~natural person~~] **unpaid adult** who [~~normally~~] provides [~~the daily care or supervision~~] **in-home monitoring, management, supervision, or treatment** of a [~~frail or disabled person, or any family member or other natural person who contributes to and is involved in the caretaking responsibilities for such frail or disabled person. Such informal caregiver may,~~

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

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~~but need not, reside in the same household as the frail or disabled person~~] child or adult with special need.

(b) "[~~Frail or disabled person~~] Adult with special need" shall mean [~~any person who is unable to attend to his or her daily needs without the assistance or regular supervision of an informal caregiver due to mental or physical impairment. Such definition shall not exclude persons under eighteen years of age who suffer from mental or physical impairment~~] a person eighteen years of age or older who requires care or supervision to:

(1) meet the person's basic needs;

(2) prevent physical self-injury or injury to others; or

(3) avoid placement in an institutional facility.

(c) "Child with a special need" shall mean an individual less than eighteen years of age who requires care or supervision beyond that required of children generally to:

(1) meet the child's basic needs; or

(2) prevent physical injury, self-injury, or injury to others.

[~~(c)~~] (d) "Program" shall mean the program of informal caregiver training and technical assistance established by this section.

[~~(d)~~] (e) "Caregiver resource center" shall mean a project funded pursuant to this section which provides services and activities which are responsive to the needs and [~~contracts~~] choices of informal caregivers in regard to their caregiving responsibilities.

[~~(e)~~] (f) "Caregiver networks" shall mean local coalitions which develop, coordinate, and implement action plans to identify and mobilize resources to address and support the unmet needs of caregivers and the frail and disabled persons [~~and their caregivers~~] they care for.

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

(1) [~~developing and~~] connect and work in concert with existing coalitions, organizations, task forces, and councils to better coordinate and leverage resources, training, services, and supports to meet the needs of caregivers and the frail and disabled persons they care for;

(2) make available [~~or~~] and approve [~~a curriculum~~] person-centered curricula for informal caregiver training which considers and is easily adapted to an array of personal needs and disabilities, and which is sensitive to racial, ethnic, and community characteristics;

[~~(2) providing~~] (3) provide technical assistance and training to appropriate organizations and groups, including caregiver resource centers and caregiver networks, which, in turn, shall provide training and assistance to informal caregivers; [~~and~~

~~(3) providing~~] (4) provide grants to appropriate organizations and groups, including caregiver resource centers and caregiver networks, to develop and make available approved curricula for informal caregiver training as well as disseminate information regarding the [~~curriculum.~~] training curricula; and

[~~(4)~~] (5) develop guidelines for local area agencies on aging in order to provide the following:

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

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

(iii) counseling referrals for informal caregivers[~~.~~]; and

(iv) coordination with Lifespan Respite Care agencies and the statewide respite care coalition.

(b) Training and technical assistance shall include, but not be limited to:

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

(2) practical skills required in providing hands-on and personal care and support;

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

(4) financial management; and

(5) identification and utilization of all available resources, including those administered by other state and local agencies, the NY Connects resource directory, benefits, entitlements, and other programs and assistance.

4. The director shall[~~:~~

~~(a) Promulgate~~] promulgate any rules and regulations necessary to carry out the provisions of this section.

[~~(b) On or before the first day of January every other year, submit a report to the governor, the temporary president of the senate and the speaker of the assembly, which shall include, but not be limited to:~~

~~(1) a financial report of the program's operation;~~

~~assistance pursuant to this section; and~~

~~(2) a profile of persons or groups receiving training and technical assistance pursuant to this section; and~~

~~(3) an analysis of the program's success in assisting informal caregivers and improving the quality of care provided by such persons.~~]

§ 2. This act shall take effect immediately.