STATE OF NEW YORK

8524

IN ASSEMBLY

January 5, 2024

Introduced by M. of A. PAULIN -- read once and referred to the Committee on Health

AN ACT to amend the public health law, in relation to licensure requirements and reimbursements for certain home health services; and to repeal section 610 of the public health law relating thereto

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

Section 1. Section 610 of the public health law, as added by a chapter of the laws of 2023 amending the public health law relating to licensure requirements and reimbursements for certain home health services, as proposed in legislative bills numbers S. 6641-A and A. 7365, is REPEALED.

§ 2. Section 3605 of the public health law is amended by adding two new subdivisions 1-a and 1-b to read as follows:

1-a. (a) Core public health services, as defined in section six hundred two of this chapter, when provided in the home by the local health department of a county or of the city of New York, shall not require licensure under this section if such core public services require only minimal patient contact. Patient contact shall be considered minimal if it is of limited duration for acute or non-chronic conditions, including but not limited to any health conditions posing a potential threat to public health, and treatment is generally expected to require no more than six patient visits; provided, however, that a local health department may exceed six visits in the interest of patient safety and public health.

(b) Core public health services that may be provided without a license pursuant to this subdivision include but are not limited to: immunizations; testing for tuberculosis and observation of tuberculosis self-directed therapy; verbal assessment, counseling and referral services; and such other services as may be determined by the department, provided that such services shall not include home health aide services, personal care services, or nursing services that require more than minimal patient contact.

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

LBD11043-06-4

1-b. Core public health services, as defined in section six hundred two of this chapter, when provided by local health departments in the home as authorized under subdivision one-a of this section, may be eligible for reimbursement under title XIX of the federal Social Security Act, provided that the services meet federal and state requirements for such reimbursement.

§ 3. This act shall take effect on the same date and in the same manner as a chapter of the laws of 2023 amending the public health law relating to licensure requirements and reimbursements for certain home health services, as proposed in legislative bills numbers S. 6641-A and A. 7365, takes effect.