STATE OF NEW YORK

612

2023-2024 Regular Sessions

IN ASSEMBLY

January 10, 2023

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

AN ACT relating to the availability of training for state approved education or training programs required for certification of home health aides, personal care aides, and certified nurse aides

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

Section 1. Section 1 of a chapter of the laws of 2022 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, as proposed in legislative bills numbers S. 2534-A and A. 1880-A, is amended to read as follows:

Section 1. The commissioner of health, in consultation with the commissioner of education, shall [~~develop a training program unit~~] require training 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~~] nurse aides.

§ 2. Section 2 of a chapter of the laws of 2022 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, as proposed in legislative bills numbers S. 2534-A and A. 1880-A, is amended to read as follows:

§ 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;

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

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(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;

(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. Section 3 of a chapter of the laws of 2022 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, as proposed in legislative bills numbers S. 2534-A and A. 1880-A, is amended to read as follows:

§ 3. The training [~~unit~~] required by this act shall be [~~developed~~] **available** within [~~six~~] **twelve** 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~~] **nurse** aides issued on and after such [~~six~~] **twelve** month date.

§ 4. This act shall take effect on the same date and in the same manner as a chapter of the laws of 2022 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, as proposed in legislative bills numbers S. 2534-A and A. 1880-A, takes effect.