# STATE OF NEW YORK

6641

2023-2024 Regular Sessions

# IN SENATE

May 3, 2023

Introduced by Sen. RIVERA -- read twice and ordered printed, and when printed to be committed 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

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

Section 1. 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. 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, provided that such services shall not include: home health aide services; personal care services; or nursing services that require more than minimal patient contact. For the purposes of this subdivision the term "minimal patient contact" includes, but is not limited to, providing assessments of new mothers and infants, direct observation, and lead screening. Patient contact shall be considered more than minimal if it requires more than six patient visits, except where the same services can be provided by either nurse or non-nurse personnel, there shall be no limit on the number of visits necessary to provide the core public health services. 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.**

**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 provided meet federal and state requirements for such reimbursement.**

§ 2. This act shall take effect immediately.

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

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