

STATE OF NEW YORK

7907

2025-2026 Regular Sessions

IN ASSEMBLY

April 11, 2025

Introduced by M. of A. SEAWRIGHT -- read once and referred to the
Committee on Aging

AN ACT to amend the elder law, in relation to the provision of expanded non-medical in-home services, non-institutional respite services, case management services, and ancillary services without a prescription or physician's order; and to repeal certain provisions of such law relating thereto

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

1 Section 1. Paragraph (i) of subdivision 4 of section 214 of the elder
2 law is amended to read as follows:
3 (i) The director, within the amounts appropriated therefor and with
4 the approval of the director of the budget, may authorize a county which
5 has an approved home care plan for functionally impaired elderly to
6 provide expanded non-medical in-home services, non-institutional respite
7 services, case management services, and ancillary services pursuant to
8 such plan. Such services shall be limited to those services necessary to
9 meet otherwise unmet needs and which support such elderly persons'
10 continued residence in their homes. Needs will be determined pursuant to
11 a standardized evaluation of functional impairment, available resources
12 and such other relevant factors specified pursuant to regulations
13 promulgated by the director. Agencies providing expanded non-medical
14 in-home services, non-institutional respite services, case management
15 services, and ancillary services pursuant to such plan shall not need a
16 prescription or physician's order to provide such services. No expanded
17 non-medical in-home services, non-institutional respite services, or
18 ancillary services shall be provided to any individual pursuant to this
19 section unless such expanded non-medical in-home services, non-institu-
20 tional respite services, or ancillary services are accompanied by ongo-
21 ing case management services in accordance with regulations promulgated
22 by the director.

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

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1 § 2. Paragraph (k) of subdivision 4 of section 214 of the elder law is
2 REPEALED.
3 § 3. This act shall take effect on the ninetieth day after it shall
4 have become a law.