

# STATE OF NEW YORK

3355--A

2025-2026 Regular Sessions

## IN SENATE

January 27, 2025

Introduced by Sen. RIVERA -- read twice and ordered printed, and when printed to be committed to the Committee on Health -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the public health law, in relation to including digital health care service platforms in the definition of temporary health care services agency

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

1 Section 1. Subdivision 8 of section 2999-ii of the public health law,  
2 as added by section 1 of part X of chapter 57 of the laws of 2023, is  
3 amended to read as follows:

4 8. "Temporary health care services agency" or "agency" means a person,  
5 firm, corporation, partnership, association or other entity in the busi-  
6 ness of providing or procuring temporary employment [~~of health care~~  
7 ~~personnel~~] or engaging individuals to provide health care services for  
8 health care entities, or of enabling health care entities to engage  
9 individuals to perform health care services. Temporary health care  
10 services agency shall include a nurses' registry licensed under article  
11 eleven of the general business law and entities that utilize apps or  
12 other technology-based solutions to provide [~~or~~], procure [~~temporary~~  
13 ~~employment of health care personnel in health care entities~~] or enable  
14 health care entities to engage individuals to perform health care  
15 services. Temporary health care services agency shall not include: (a)  
16 an individual who only engages in providing the individual's own  
17 services on a temporary basis to health care entities; or (b) a home  
18 care agency licensed under article thirty-six of this chapter.

19 § 2. Paragraph (a) of subdivision 3 of section 2999-jj of the public  
20 health law, as added by section 1 of part X of chapter 57 of the laws of  
21 2023, is amended to read as follows:

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

LBD05369-03-5

1 (a) Shall document that each individual engaged to provide health care  
2 [~~personnel provided to or contracted with~~] services to health care enti-  
3 ties currently meets the minimum licensing, training, and continuing  
4 education standards for the position in which the health care personnel  
5 will be working.

6 § 3. Paragraphs (a), (b), (f) and (h) of subdivision 2 and subdivision  
7 3 of section 2999-kk of the public health law, as added by section 1 of  
8 part X of chapter 57 of the laws of 2023, are amended to read as  
9 follows:

10 (a) The required minimum licensing, training, and continuing education  
11 requirements for each [~~assigned~~] individual engaged in a health care  
12 [~~personnel~~] position.

13 (b) Any requirement for minimum advance notice in order to ensure  
14 prompt arrival of [~~assigned~~] individuals engaged to provide health care  
15 [~~personnel~~] services.

16 (f) Procedures for notice from health care entities of failure of  
17 [~~medical personnel~~] individuals engaged to provide health care services  
18 to report to [~~assignments~~] an agreed upon scheduled shift.

19 (h) The types and qualifications of [~~health care personnel~~] individ-  
20 uals engaged to provide health care services available [~~for assignment~~]  
21 through the temporary health care services agency.

22 3. A temporary health care services agency shall submit to the depart-  
23 ment copies of all contracts between the agency and a health care entity  
24 to which it assigns or [~~refers~~] otherwise connects individuals engaged  
25 to provide health care [~~personnel~~] services, and copies of all invoices  
26 to health care entities personnel. Executed contracts must be sent to  
27 the department within five business days of their effective date and are  
28 not subject to disclosure under article six of the public officers law.

29 § 4. This act shall take effect immediately.