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:

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

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

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

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

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

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

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

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

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

(h) The types and qualifications of [~~health care personnel~~] **individuals engaged to provide health care services** available [~~for assignment~~] through the temporary health care services agency.

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

§ 4. This act shall take effect immediately.