STATE OF NEW YORK

9563

IN SENATE

March 25, 2026

Introduced by Sen. CLEARE -- 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 payment for work by a personal care aide or a home health aide with temporary protected status or other visa status

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

Section 1. Section 3614-f of the public health law is amended by adding a new subdivision 5 to read as follows:

5. A licensed home care services agency under contract with an insurer shall be paid for the provision of authorized home care services by such insurer provided by a personal care aide or a home health aide under employment by such licensed home care services agency regardless of the temporary protected status or other visa status of such foreign worker as defined under federal law and regulation, provided, however, such licensed home services agency shall have made good faith efforts to establish the employment eligibility of such personal care aide or a home health aide consistent with federal regulation and statutes. No payments shall be recouped by an insurer for home care services pursuant to this subdivision and any payments shall be made by an insurer to licensed home care services agencies regardless of whether any federal funds are available.

§ 2. This act shall take effect immediately.

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

LBD14434-01-6