

MEMORANDUM

A.11220 (Hyndman)/S.9997 (Stavisky)

AN ACT to amend the education law, in relation to physical therapist assistants.

LeadingAge New York supports this legislation which amends the New York State Education Law to update the definition of “continuous supervision” as it relates to licensed physical therapist assistants (PTA) in home care and school settings. “Continuous supervision” will be defined as oversight provided by a licensed physical therapist (PT), such as establishing goals and a plan of care for patients, periodic treatment and evaluation, and a final evaluation before termination of care. The bill removes the requirement that the initial client visit be attended by both the PTA and PT, however, it maintains the periodic treatment and evaluation of the patient by a supervising licensed physical therapist, as indicated in the plan of care and as determined in accordance with patient need.

While current New York State law requires a significant overlap in the services of PTs and PTAs, this does not reflect the reality of how services are delivered in a home care setting. Joint visits from PTs and PTAs are often inefficient in home care settings. In contrast to clinical settings where multiple PTs and PTAs might work at the same time to serve a group of patients, home visits involve only one patient and require the provider to travel to render services. Requiring two staff to tend to the needs of one patient, when the care plan can be safely and efficiently carried out by one licensed staff person could be viewed as a duplicative and an inefficient use of scarce resources. Current requirements place administrative and logistical burdens on home care agencies and their employees, and reduce access to care in the home for those who seek it.

While demand for home and community-based care is soaring due to the rapidly growing number of adults over age 65, inadequate Medicaid rates, increased costs of care delivery, and unprecedented workforce shortages have destabilized access to home care options. Home care agencies are often forced to limit patient admissions and create waiting lists because they are unable to find sufficient staff. This has repercussions for the entire health care system, but most importantly, staffing challenges directly impact access to care for older adults who wish to remain living in their homes, with their families.

Updating state law to enable efficient oversight of PTAs ensures that staff time can be allocated more thoughtfully and a greater number of patients can access care. This legislation prioritizes the wellbeing of patients while allowing providers to operate more efficiently and serve more individuals seeking home care.

For these reasons, LeadingAge New York supports A.11220 (Hyndman)/S.9997 (Stavisky).

LeadingAge New York represents over 350 not-for-profit and public long-term care providers, including nursing homes, home care agencies, senior housing, retirement communities, assisted living, adult care facilities, adult day health care and managed long term care.

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