



SUPPORT

A. 04467 (Gottfried)

S. 01663 (Grisanti)

Establishes a Training Program for Direct Care Staff Working in Adult Homes and Other Adult Care Facilities

May 16, 2013

MFY Legal Services Inc. envisions a society in which no one is denied justice because he or she cannot afford an attorney. To make this vision a reality, for 50 years MFY has provided free legal assistance to residents of New York City on a wide range of civil legal issues, prioritizing services to vulnerable and under-served populations, while simultaneously working to end the root causes of inequities through impact litigation, law reform and policy advocacy. MFY's Disability and Aging Rights Project focuses on protecting the rights of people who live in institutions, including adult care facilities.

Adult care facilities house many people who are elderly, have physical disabilities, or have mental or psychological disabilities. Direct care workers provide residents of these facilities with many of the day to day services and assistance they need to remain healthy and safe in their homes. However, there is no uniform course of training required for direct care staff to make sure that they are equipped to provide these essential services. While some facilities provide regular in-service trainings and programs, others offer little or no training. A lack of basic training can result in a dangerous environment for residents and workers. To address this problem, this bill:

✓ **Directs the Department of Health to Establish a Workgroup to Develop a Uniform Curriculum and Best Practices for Direct Care Staff in Adult Care Facilities**

The bill requires the Department to establish a workgroup, composed of individuals with relevant expertise in the field of adult care, consumer representatives, worker representatives, and providers, to develop a curriculum for a uniform training program for direct care staff.

The bill specifies that the curriculum must: (a) include at least 40 hours of instruction divided between classroom and hands-on learning; (b) include an additional eight hours of training in medication management and administration; and (c) promote the values of resident autonomy and dignity.

As the population ages, adult care facilities have become an increasingly popular alternative to nursing home care. This bill calls for less than half the minimum training hours required for nursing home aids. We believe that basic and uniform training standards for direct care staff are critical to ensuring resident safety and dignity.

✓ **Requires Direct Care Staff in Adult Care Facilities to Complete the Training Program**

This bill would amend the Social Services Law to require all adult care facility direct care staff to complete a training curriculum and pass a written and a practical exam before being allowed to perform direct care services without supervision. For new staff members, training would begin as soon as an individual is hired for a direct care position. Existing staff will have one year to complete the training requirements.

A lack of training often directly contributes to patterns of error that endanger the health and safety of residents. For example, MFY regularly receives reports from adult care facility residents that staff members have made serious errors while dispensing their medication. Department of Health inspection reports document these medication errors. A training program would likely decrease the frequency of these dangerous mistakes. We also regularly receive reports from residents that staff members call 911 to resolve minor issues or to reprimand a resident who is “breaking the rules.” If staff members were trained in utilizing appropriate tools to resolve disputes and address potential problems, they might not resort to this costly and intrusive method of intervention.

A basic training program would help prevent errors, help keep residents and staff safe, and give staff members the tools to provide high quality services while prioritizing resident safety and dignity. For these reasons, MFY supports this legislation.

For more information, please contact:

Shelly Weizman, Senior Staff Attorney: (212) 417-3761 or sweizman@mfy.org