



**Mandated LGBT Training for Home Health and Nursing Aides  
(Bill S.2534-A-Rivera/A.1880-A-Dinowitz)**

**Memorandum of Opposition**

Bills S.2534-A-Rivera/A.1880-A-Dinowitz would require home health aides, personal care aides, personal care staff, and certified nursing aides to receive training on issues of sexual orientation and gender identity as part of the state certification and re-certification processes.

The mandated training would include explanations of terms like “queer,” “asexual,” “gender non-conforming,” and “non-binary,” as well as best practices for creating communities welcoming to patients who identify with various sexual or gender-related labels. The legislation would require that all home health aides, personal care aides, personal care staff, and certified nursing aides receive the mandated instruction before being certified or re-certified by the New York State Department of Health.

Given the well-documented shortage of home health aides in New York,<sup>1</sup> the proposed legislation seems unnecessary at best. While the 2022-2023 New York state budget includes raises for home health aides, more work is needed to attract and retain workers to provide this much-needed service. Requiring personnel to undergo instruction on hot-button issues that are only tangentially connected to patient care could discourage some New Yorkers from becoming home health aides or from remaining home health aides.

New Yorkers for Constitutional Freedoms respectfully suggests that these bills be amended to make the proposed LGBT training module optional, not mandatory. Absent such amendments, we oppose both bills.

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<sup>1</sup> See <https://www.timesunion.com/state/article/New-York-s-home-care-industry-is-in-turmoil-17012432.php>, last accessed May 2, 2022.