NEW YORK STATE | Department of Health

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Commissioner's Determination on Acute Labor Supply Shortage
Pursuant to 10 NYCRR 415.13(f)(2)(ii)(b)(1)

November 6, 2026

Pursuant to 10 NYCRR § 415.13(f)(2)(ii)(b)(1), I hereby issue this determination of an acute labor supply shortage of certified nurse aides, licensed practical nurses, and registered nurses in the Metropolitan and Nonmetropolitan Areas of New York State, for the reasons specified below.

Determination:

Having consulted with representatives of the New York State Department of Labor, the Department of Health makes an acute labor shortage determination by "comparing the area's provider-to-population ratio to the average provider-to-population ratio for the United States" using data from the Federal Bureau of Labor Statistics. A Metropolitan or Non-Metropolitan Statistical Area (MSA and non-MSA) is in an acute labor supply shortage under the following circumstances:

1) The provider-to-population ratio in the MSA or non-MSA is at least 10 percent below the overall national average.; or
2) The provider-to-population ratio in the MSA or non-MSA is at least 10 percent below the national average at the MSA or non-MSA level.

Having consulted with representatives of the New York State Department of Labor and based on the above analysis, for the purpose of making a determination pursuant to Public Health Law § 2895-b and 10 NYCRR § 415.13(f), I hereby determine that there was an acute labor supply shortage for the types of personnel referenced below in the Metropolitan and Nonmetropolitan Areas of New York State, as defined by the federal Bureau of Labor Statistics (BLS) and outlined below.

Determination of Acute Labor Supply Shortage 1st Quarter 2025 2nd Quarter 2025 3rd Quarter 2025 4th Quarter 2025				
BLS Metropolitan Nonmetropolitan Area	**County**	**Registered Nurse**	**Licensed Practical Nurse**	**Certified Nurse Aide**
Albany-Schenectady-Troy, NY	Albany Rensselaer Saratoga Schenectady Schoharie	*	*	*
Binghamton, NY	Broome Tioga	*	*	*
Buffalo-Cheektowaga, NY	Erie Niagara	*	*	*

Capital/Northern New York nonmetropolitan area	Clinton Essex Franklin Fulton Hamilton Lewis Montgomery St. Lawrence	Acute Labor Shortage	*	Acute Labor Shortage
Central East New York nonmetropolitan area	Cayuga Chenango Columbia Cortland Delaware Greene Otsego Sullivan	Acute Labor Shortage	*	Acute Labor Shortage
Elmira, NY	Chemung	Acute Labor Shortage	*	*
Glens Falls, NY	Warren Washington	Acute Labor Shortage	*	Acute Labor Shortage†
Ithaca, NY	Tompkins	Acute Labor Shortage	*	*
Kingston, NY	Ulster	Acute Labor Shortage	*	Acute Labor Shortage
Kiryas Joel-Poughkeepsie-Newburgh, NY	Dutchess Orange	Acute Labor Shortage	*	Acute Labor Shortage
New York-Newark-Jersey City, NY-NJ	Bronx Kings Nassau New York Putnam Queens Richmond Rockland Suffolk Westchester	*	Acute Labor Shortage	*
Rochester, NY	Livingston Monroe Ontario Orleans Wayne	*	*	*
Southwest New York nonmetropolitan area	Allegany Cattaraugus Chautauqua Genesee Schuyler Seneca Steuben Wyoming Yates	Acute Labor Shortage	*	Acute Labor Shortage

Syracuse, NY	Madison Onondaga Oswego	*	*	*
Utica-Rome, NY	Herkimer Oneida	Acute Labor Shortage	*	*
Watertown-Fort Drum, NY	Jefferson	Acute Labor Shortage	*	*

This determination is for the purpose of determining whether a facility was located in an area experiencing an acute labor supply shortage when assessing compliance with staffing standards cited in Public Health Law § 2895-b and 10 NYCRR § 415.13(f).

*The provider-to-population ratio was not at least 10 percent below the overall national average or below the national average at the MSA or non-MSA level.

†Due to a reporting gap in 2025, the Workers per 1,000 residents metric for Certified Nursing Assistants (CNAs) in the Glens Falls, NY MSA utilizes 2024 data as a representative proxy.

Note: Only nursing homes located in areas declared, per this determination, with an acute labor supply shortage in either licensed nurses (Registered Nurse or Licensed Practical Nurse) or Certified Nurse Aides may be eligible for penalty reduction under 10 NYCRR 415.13(f)(2)(ii)(b) provided the facility is out of compliance with a standard(s) associated with a title that is determined to have a shortage.