

2008 ANNUAL REPORT

NEW YORK STATE ASSEMBLY

COMMITTEE ON
HEALTH



Sheldon Silver, Speaker

Richard N. Gottfried, Chair



RICHARD N. GOTTFRIED
75TH ASSEMBLY DISTRICT

CHAIR
COMMITTEE ON HEALTH

NEW YORK STATE ASSEMBLY

822 LEGISLATIVE OFFICE BUILDING, ALBANY, NY 12248
TEL: 518-455-4941 FAX: 518-455-5939

250 BROADWAY, RM. 2232, NEW YORK, NY 10007
TEL: 212-312-1492 FAX: 212-312-1494

E-MAIL: GOTTFRR@ASSEMBLY.STATE.NY.US

COMMITTEES:
RULES
HEALTH
HIGHER EDUCATION
MAJORITY STEERING

CHAIR
MANHATTAN DELEGATION

January 16, 2009

Sheldon Silver
Speaker of the Assembly
Legislative Office Building, Room 932
Albany, New York 12248

Dear Speaker Silver:

I am pleased to submit the 2008 Annual Report of the Assembly Committee on Health. This year the Committee was successful in securing the passage of a host of measures to improve and ensure consistent, quality health care throughout New York State.

On behalf of myself and the other members of the Committee, I thank you for your leadership, support and encouragement throughout the Legislative Session.

Very truly yours,

A handwritten signature in black ink that reads 'Richard N. Gottfried'.

Richard N. Gottfried
Chair
Committee on Health



New York State Assembly

Committee on Health

2008 Annual Report

Richard N. Gottfried
Chair

Albany, New York

**NEW YORK STATE ASSEMBLY
HON. SHELDON SILVER, SPEAKER
HON. RICHARD N. GOTTFRIED, CHAIR
STANDING COMMITTEE ON HEALTH
2008 ANNUAL REPORT**

Health Committee Members

Majority

Jonathan L. Bing
Kevin A. Cahill
Steven Cymbrowitz
Patricia A. Eddington
Sandy Galef
Richard N. Gottfried, Chair
Aileen M. Gunther
Rhoda Jacobs
William B. Magnarelli
Nettie Mayersohn
Amy Paulin
Crystal D. Peoples
Naomi Rivera
Linda B. Rosenthal
Robin Schimminger
Darryl C. Towns
(VACANCY)

Minority

Jim Bacalles, Ranking Minority Member
James D. Conte
Stephen Hawley
Joel M. Miller
David G. McDonough
Jack Quinn
Andrew P. Raia

Health Committee Staff

Richard Conti, Executive Director
Bryan O'Malley, Legislative Associate
Monica Miller, Legislative Associate
Elizabeth Hamlin, Legislative Associate
Helen Dong, Committee Clerk
Linda Dawes, Executive Assistant
Barbara Riley, Administrative Assistant

Program and Counsel Staff

Don Robbins, Legislative Coordinator
Estibaliz Alonso, Legislative Analyst
Sharon Bergin, Legislative Analyst
Brian Stettin, Committee Counsel
Chinasa Izeogu, Committee Assistant

Table of Contents

<u>Section</u>	<u>Page Number</u>
1. Summary Sheet	2
2. Final Action on Bills Reported by the Committee on Health in 2008	3
3. Public Hearings and Roundtable Meetings of 2008	12

SUMMARY SHEET

SUMMARY OF ACTION ON ALL BILLS REFERRED TO THE COMMITTEE ON HEALTH

<u>FINAL ACTION</u>	<u>ASSEMBLY BILLS</u>	<u>SENATE BILLS</u>	<u>TOTAL BILLS</u>
BILLS REPORTED WITH OR WITHOUT AMENDMENT			
TO FLOOR; NOT RETURNING TO COMMITTEE	26	0	26
TO FLOOR; RECOMMITTED AND DIED	0	0	0
TO WAYS AND MEANS	51	0	51
TO CODES	39	0	39
TO RULES	9	0	9
TO JUDICIARY	0	0	0
TOTAL	125	0	125
BILLS HAVING COMMITTEE REFERENCE CHANGED			
TO <u>Governmental Employees</u> COMMITTEE	1	0	1
TO <u>Insurance</u> COMMITTEE	1	0	1
TO COMMITTEE	0	0	0
TO _____ COMMITTEE			
TOTAL	2	0	2
SENATE BILLS SUBSTITUTED OR RECALLED			
SUBSTITUTED		7	7
RECALLED		1	1
TOTAL		8	8
BILLS DEFEATED IN COMMITTEE	1	0	1
BILLS NEVER REPORTED, HELD IN COMMITTEE	22	0	22
BILLS NEVER REPORTED, DIED IN COMMITTEE	290	26	316
BILLS HAVING ENACTING CLAUSES STRICKEN	0	0	0
MOTIONS TO DISCHARGE LOST	0	0	0
TOTAL BILLS IN COMMITTEE	440	34	474
TOTAL NUMBER OF COMMITTEE MEETINGS HELD	16		

SECTION II

Final Action on Bills Reported by the Committee on Health in 2008

Important note: The “Descriptions” in this section should not be relied on or used for any purpose other than to indicate generally the subject matter of the bill

Assembly Bill # Sponsor	Senate Bill # Sponsor	Final Action	Description
A.00156 Lafayette	No Same As	Committed to Codes	Prohibits smoking in private passenger cars, vans or trucks where minors less than 16 years of age are passengers
A.00364 Dinowitz	No Same As	Held for Consideration by Ways and Means	Removes taxation on revenues generated by emergency transport when provided by an ambulance service as general patient service
A.00370-A Magnarelli	S.01916-A Alesi	Passed Assembly	Establishes mandatory reporting of alleged incidents of abuse, mistreatment or neglect of residents in adult care facilities
A.00422-C Morelle	No Same As	Passed Assembly	Establishes a statewide telemedicine/telehealth task force to assist with the development of telehealth and telemedicine programs
A.00729-B Ortiz	No Same As	Referred to Rules	Requires certain restaurants and food service establishments to post the caloric value, carbohydrate, fat and sodium content of food items
A.00848-A Englebright	No Same As	Referred to Ways and Means	Requires every hospital engaging in the construction of, addition to, or remodeling of a building to submit certain plans and specifications for such building to the Commissioner of Health
A.00849 Englebright	No Same As	Calendar 1081	Requires all hospitals to establish integrated pest management plans for pest control activities
A.00851 Englebright	No Same As	Referred to Ways and Means	Establishes standards for farm worker protection at any agricultural site where pesticides have been or will be applied
A.00853 Englebright	No Same As	Referred to Ways and Means	Requires the Commissioners of Health and General Services to promulgate standards for the procurement and use of environmentally sensitive commodities and services for all hospitals
A.00882-A Englebright	S.00285-A Alesi	Referred to Codes	Requires the Department of Health to monitor lead levels in all candy, soft vinyl lunch boxes and children’s vinyl bibs sold or distributed in New York State
A.00885 Englebright	S.01716 Winner	Held for Consideration by Ways and Means	Ensures timely access to emergency contraception for students in State of New York and City University of New York college and university campuses
A.01223-A Paulin	S.03760-B Trunzo	Held for Consideration in Ways and Means	Adjusts Medicaid rates for providers of personal care services
A.01313 Eddington	No Same As	Calendar 1023	Authorizes the Commissioner of Health to approve ten general hospitals to operate transitional care units
A.02177 Canestrari	No Same As	Referred to Ways and Means	Allows health care providers to collectively negotiate the provisions of their contracts with health care plans
A.02274-C Jacobs	No Same As	Referred to Rules	Requires all the results of pharmaceutical clinical trials and studies to be disclosed and posted on the Department of Health’s website
A.02277 Koon	S.00235 Larkin	Referred to Codes	Clarifies language and procedures for obtaining birth certificates and medical histories for adoptees

Assembly Bill # Sponsor	Senate Bill # Sponsor	Final Action	Description
A.02502 Cook	No Same As	Referred to Ways and Means	Establishes food security, empowerment and economic development demonstration programs to aid low-income communities in the development of food resources
A.02537 Galef	S.04515 Fuschillo	Held for Consideration in Codes	Increases the legal age to purchase tobacco products from 18 to 19 years of age
A.03026 Weinstein	No Same As	Calendar 682	Prohibits residential care facilities from restricting, interfering or prohibiting confidential visits to patients by family members, guardians, friends, legal representatives, or representatives of certain community organizations
A.03064 Gottfried	S.01563 Padavan	Referred to Rules	Exempts a child from immunization requirements if the child's parent(s) or guardian(s) file an affidavit stating that they hold genuine and sincere religious beliefs which are contrary to the practice of vaccination, without having to elaborate or specify those beliefs
A.03180-A Gottfried	S.01575-A Padavan	Referred to Rules	Expands the medical exemption from mandatory immunizations for students
A.03482 Gottfried	No Same As	Calendar 662	Clarifies the definition of operational authority over a hospital and requires the public health council to review any amendments to a hospital's mission statement to determine the impact on the availability of health care services
A.03598-B Gottfried	No Same As	Referred to Ways and Means	Requires Medicare Part D co-payments for dual-eligible recipients to be paid by Medicaid when a recipient's total annual Medicaid and Medicare Part D co-payments have reached \$200 dollars; and exempts coverage for such payments from Medicaid prior authorization
A.03782-D Gunther	S.01674-D Krueger	Passed Assembly	Provides mothers with breastfeeding related rights, including information for women about the benefits of breastfeeding and their right to breastfeed
A.03790 Gottfried	No Same As	Referred to Rules	Requires a health care provider to disclose to a patient any occurrence of medical error during the course of treatment, including any instance of misdiagnosis or treatment that has caused or could cause substantial harm to the patient; and prohibits health care providers from being liable for failure to disclose a presence of error if the health care provider reasonably believes that such disclosure has already been made by another health care provider
A.03791 Gottfried	No Same As	Referred to Ways and Means	Subjects nursing homes not providing basic standards of care to nursing home diversion
A.03793-A Gottfried	S.02633-A Seward	Referred to Ways and Means	Allows for reimbursement of transportation costs for emergency care without prior authorization by the social services official and authorizes the Commissioner of Health to establish a reimbursement methodology
A.03848-B Gottfried	S.08393 Sampson	Passed Assembly	Establishes the prescription drug assistance program to ensure access to prescription drugs at discounted prices for program participants
A.03849 Gottfried	No Same As	Calendar 1090	Includes health care facilities operated or supervised by the Department of Correctional Services or local correctional facilities within the definition of hospital
A.03913 Hoyt	No Same As	Referred to Rules	Restricts retail sale of ipecac syrup to behind the pharmacy counter or under manager control
A.04618-A Schimminger	No Same As	Referred to Codes	Provides for seizure and forfeiture of property or money furnished in illegal exchange for a controlled substance

Assembly Bill # Sponsor	Senate Bill # Sponsor	Final Action	Description
A.04813-C Mayersohn	S.07529-A Maltese	Held for Consideration in Codes	Eliminates the requirement for written, informed consent prior to HIV testing
A.04867-B Gottfried	No Same As	Passed Assembly	Authorizes the use of marihuana for medical treatment of certain conditions
A.05086 Ortiz	No Same As	Calendar 708	Requires the Commissioner of Health to provide information about food allergens to proprietors and employees of public eating establishments
A.05197 Espaillat	No Same As	Passed Assembly	Extends the school health services program permanently
A.05301 Espaillat	No Same As	Calendar 833	Requires hospitals to provide language assistance services to a patient or a patient's assistant for communication of clinical and other information relating to health care
A.05525 Gottfried	No Same As	Referred to Ways and Means	Requires the Commissioner of Health to: establish a Nurse Staffing Center to conduct safe staffing studies and to recommend appropriate staffing levels and safety; make regulations ensuring safe standards in all health care facilities; and devise facility staffing formulas
A.05708-A Galef	S.00036-A Defrancisco	Held for Consideration in Ways and Means	Creates the New York State Governor's Council on Physical Fitness, Sports and Health within the Department of Health
A.05889-A Maisel	S.04266-A Golden	Referred to Ways and Means	Creates the lymphedema and lymphatic disease research grants program to provide financial assistance to New York State biomedical research institutions
A.05892-B Maisel	S.03248-B Fuschillo	Passed Assembly	Requires the Commissioner of Health to investigate lymphedema and the treatment available; and requires physicians, dentists and other health care providers to give notice to the Department of Health of lymphedema cases
A.05995-B Brennan	S.06534-A Flanagan	Referred to Codes	Requires the Office of Professional Medical Conduct to initiate professional misconduct proceedings against any physician who has accrued three reports within a five-year period
A.06015 Pretlow	No Same As	Calendar 686	Requires the Commissioner of Health to assess the impact of an application for hospital establishment, incorporation or construction on the availability of existing services prior to the approval of such application
A.06119 Gottfried	S.01551 Hannon	Referred to Ways and Means	Requires the Commissioner of Health to establish an advisory committee to assist in the development of regulations on staffing plans for acute care facilities; and require such facilities to ensure adequate staffing and to submit a staffing plan annually to the Department of Health in their application for an operating certificate
A.06288-A Gottfried	S.07059 Sabini	Referred to Ways and Means	Provides Medicaid reimbursement for interpretation services in hospital inpatient, outpatient, emergency departments, and diagnostic and treatment centers
A.06723-A Gottfried	S.04642-A Hannon	Referred to Codes	Prohibits disclosure of testimony of a party to a health care quality assurance or peer review proceeding
A.06737 Rivera, P.	No Same As	Referred to Ways and Means	Authorizes the Commissioner of Health to create a cultural education demonstration program to educate health care providers in the cultural traditions of patients with AIDS
A.06814-A Paulin	No Same As	Referred to Ways and Means	Requires the Commissioner of Health to make grants to municipalities for the delivery of early intervention services to children

Assembly Bill # Sponsor	Senate Bill # Sponsor	Final Action	Description
A.06951 Gianaris	S.08674 Rules	Vetoed Memo 87	Authorizes real property capital construction costs to be included in rates of payment for certain free-standing for-profit assisted living programs
A.06993-A Gottfried	No Same As	Referred to Rules	Establishes procedures for making health care decisions on behalf of patients unable to decide about treatment for themselves
A.07074-C John	S.00599-C Hannon	Passed Assembly	Authorizes nurse practitioners to sign death certificates in like manner as physicians
A.07325 Dinowitz	No Same As	Referred to Codes	Prohibits smoking on public beaches, golf courses and in public parks, except in designated smoking areas
A.07354 Gottfried	S.03107 Schneiderman	Referred to Ways and Means	Establishes the New York Health Plan to provide for a comprehensive system of access to health insurance for residents of New York State; and provides for a mechanism for financing of the program
A.07469-C Galef	No Same As	Referred to Rules	Prohibits smoking at a playground
A.07645-B Cahill	No Same As	Referred to Ways and Means	Prohibits the sale of information listed on prescriptions that identifies specific patients or persons legally authorized to issue a prescription
A.07899-A Gottfried	No Same As	Referred to Ways and Means	Establishes the consumer assistance unit and makes provisions to strengthen protections for quality of patient care and for the prevention and detection of, and response to, medical error and misconduct
A.07942-B Rivera, P.	S.08475-A Morahan	Vetoed Memo 50	Requires every licensed health care professional qualified to diagnose a child as affected with an autism spectrum disorder to report such diagnosis to the Department of Health; and requires the establishment of a registry which would include a record of all reported cases of autism spectrum disorder in New York State
A.08042 Towns	S.05249 Winner	Calendar 981	Authorizes funeral firms to offer packages of goods and services as long as they are offered in addition to, and not in place of, itemized prices; and requires package services to be listed and provided to the person making funeral arrangements in an itemization statement
A.08125-B Paulin	No Same As	Calendar 749	Provides for a premium reduction for obstetric practitioners and licensed midwives who complete a course in risk management strategies in obstetrics
A.08220 Gottfried	No Same As	Referred to Ways and Means	Establishes an Advisory Council on Nursing Home Staffing within the Department of Health to make recommendations regarding nursing home staffing standards; and requires the Commissioner of Health, in consultation with the Council, to establish standards for nursing home minimum staffing levels to provide services to attain or maintain the highest practicable physical, mental, and psychosocial well-being of each nursing home resident
A.08291 Gottfried	No Same As	Passed Assembly	Exempts damages that have been awarded to nursing home patients or to their representative or estate from collection by Medicaid
A.08316 Conte	S.05811 Flanagan	Held for Consideration in Ways and Means	Requires the Department of Health to collaborate with state agencies and local entities to study the incidence of autism spectrum disorders in New York
A.08321-B Gottfried	No Same As	Passed Assembly	Requires a utilization review agent to consider certain factors when determining whether to deny reimbursement for emergency services; and considers an emergency services claim for coverage approved if a utilization review determination exceeds the time periods prescribed

Assembly Bill # Sponsor	Senate Bill # Sponsor	Final Action	Description
A.08322-A Gottfried	No Same As	Passed Assembly	Limits the liability of a plan enrollee or insured person for services provided by a general hospital to the co-payment, deductible and coinsurance amounts applicable to the in-network hospital benefit, regardless of whether the admitting or treating physician is a non-participating provider
A.08390-C Gottfried	S.05230-B Hannon	Referred to Ways and Means	Excludes certain costs reported and allocable as administrative and general from the statewide average calculation of reimbursable rates of payment for long term home health care programs
A.08392 Gottfried	S.04647 Hannon	Calendar 664	Authorizes nurse practitioners to certify that an immunization may be detrimental to a child's health
A.08443 Gottfried	No Same As	Passed Assembly	Establishes requirements relating to the safe handling of prescription drug samples by certain health care professionals; and requires maintenance of certain records and information regarding samples received and distributed, including expiration dates
A.08570-B Englebright	S.00690-B Flanagan	Chapter 428	Requires individuals or organizations operating children's overnight, summer day or traveling summer day camps to check whether an employee or volunteer is listed on the state sex offender registry prior to the day such individual begins working at the camp, and annually thereafter
A.08615 Schimel	S.06235 Hannon	Referred to Ways and Means	Allows local health departments to be reimbursed for public health services expenditures disbursed for fringe benefits, including employee retirement funds, health insurance and federal old age and survivors insurance
A.08850 Schimel	S.05547 Hannon	Passed Assembly	Authorizes a health care practitioner to administer immunization against hepatitis B to a person under 18 who is housed in a state or local correctional facility without the consent or knowledge of the parents or the guardian, if the person has capacity to consent and consents to the immunization
A.08882-A Millman	No Same As	Amended on 3 rd Reading	Requires utilization review and external appeals agents to use the "likely to benefit" standard currently used for treatments under federally approved clinical trials when determining whether to pay for a rare disease treatment, if the recommended health treatment or service is not otherwise excluded from coverage under a health care policy on grounds other than medical necessity or experimental treatment; and allows health care plan enrollees to request an external appeal review if payment is denied for rare disease treatment
A.08960 Hyer-Spencer	S.00186-A Larkin	Held for Consideration in Ways and Means	Requires the Department of Health to issue a certificate of birth resulting in stillbirth to parents who request it upon payment of a fee, or if both parents are deceased, to siblings or grandparents
A.09008 Brodsky	S.08603 Hannon	Passed Assembly	Exempts paired kidney or other conditional organ donation from valuable consideration under the Public Health Law, which currently prohibits any person from knowingly acquiring, receiving, or otherwise transferring for valuable consideration any human organ for transplantation
A.09031-B Ortiz	S.08660 Hannon	Referred to Rules	Prohibits certain restaurants and food establishments from serving foods containing artificial trans fat
A.09357-A Ortiz	S.06418-B Rules	Chapter 24	Limits to two years the provisional state identification by the Department of Health for the Comprehensive Care Centers for Eating Disorders; and requires the Office of Mental Health to develop licensure categories for such centers via regulation

Assembly Bill # Sponsor	Senate Bill # Sponsor	Final Action	Description
A.09367-B Kavanagh	S.00902-B Farley	Chapter 528	Increases penalties for violations of rules or regulations in regard to permanent or temporary sources of potable water contamination
A.09464 Englebright	S.06552 Hannon	Chapter 32	Makes technical changes in regard to the appointment of breast, prostate and testicular cancer survivors as voting members of the Health Research Science Board
A.09471 Weisenberg	S.06504 Skelos	Chapter 46	Clarifies the duties of the Department of Health in regard to the implementation of the Childhood Choking Prevention Act, also known as "J.T's Law"
A.09503-B Englebright	S.06531-B Alesi	Calendar 568	Requires the Department of Health to study the potential health risks associated with exposure to synthetic turf
A.09512-A Weisenberg	S.06527-B Hannon	Chapter 335	Requires the Commissioner of Health to create and implement a comprehensive program for the early screening of toddlers for autism spectrum disorders
A.09515 Arroyo	S.07030 Montgomery	Passed Assembly	Establishes a Minority Coordinating Council on Asthmatic Affairs within the Department of Health to improve prevention and treatment of asthma for minority populations
A.09627 Rivera, N.	No Same As	Passed Assembly	Amends chapter 591 of the Laws of 2007, which, inadvertently, permanently excused certain adult day health programs from conversion to cost based reimbursement
A.09628-B Paulin	S.07293-A Saland	Vetoed Memo 51	Requires the Commissioner of Health to make grants for graduate medical education in child abuse pediatrics; and establishes the New York State Child Abuse Pediatrics Education and Training Council within the Department of Health
A.09686 Lupardo	No Same As	Referred to Ways and Means	Requires the state, or state agencies that own, lease or operate a building to develop and maintain an indoor air quality plan
A.09910-A DelMonte	S.01562-A Farley	Chapter 225	Expands statewide the health care practitioner volunteer program, which allows for the establishment of clinics to provide free basic primary health care services utilizing retired and active physicians and other medical professionals who wish to volunteer to provide such care
A.09915-A Jaffee	S.07306 Morahan	Vetoed Memo 96	Requires the Crime Victims Board to provide payment assistance for HIV post-exposure prophylaxis treatment therapies for victims of sexual assault and to inform victims of the availability of payment assistance for such therapies
A.09921 Hikind	S.06524 Kruger	Passed Assembly	Provides for the establishment of signage that outlines the importance of hand hygiene in preventing communicable diseases in restrooms, gymnasiums and locker rooms in public and private schools
A.10052 Gottfried	S.06999 Hannon	Chapter 36	Extends the impaired physician program and the exemption from certain medical misconduct reporting for five years
A.10062 Sweeney	S.07015 Johnson, O.	Chapter 99	Extends certain emergency medical services restrictions in Suffolk County to improve response of emergency medical services
A.10395-A Gottfried	S.07629 Hannon	Chapter 292	Adds physician assistants to the list of forensic examiners authorized to provide treatment in a hospital to victims of sexual assault
A.10457-A Greene	S.08273-A Savino	Referred to Ways and Means	Establishes a lupus education and outreach program within the Department of Health; and makes grants, within amounts appropriated, to public or not-for-profit entities
A.10581 Rosenthal	S.06695 Hannon	Passed Assembly	Reduces the number of witnesses to be present, from two to one, when a competent adult appoints a health care agent by health care proxy for an adult who is unable to do so, except for residents of mental health facilities

Assembly Bill # Sponsor	Senate Bill # Sponsor	Final Action	Description
A.10622 Eddington	S.03680 Trunzo	Chapter 515	Includes age as one the provisions for protection from discrimination under the New York Patients' Bill of Rights and Responsibilities
A.10624 Gottfried	No Same As	Passed Assembly	Establishes a clinical trial access and education fund within the Department of Health to provide certain services for patients with life-threatening or disabling conditions or diseases
A.10666-A Gottfried	S.08186-A Hannon	Passed Assembly	Makes technical changes to certain public health reporting requirements for poison control centers, community service plans, environmental disease testing and methadone treatment programs
A.10671 Gottfried	S.08133 Maziarz	Chapter 415	Continues for two years the authorization for the Medicaid program to pay for Medicare Part B premiums for the purpose of assisting certain Medicare beneficiaries in meeting the cost of such premiums
A.10677 Sweeney	S.07694 Johnson, O.	Chapter 147	Continues pilot programs in certain counties to test the effectiveness of allowing emergency medical technicians (EMTs) and Advanced EMTs, who have been in continuous practice and who have demonstrated competence in applicable and behavioral and performance objectives, to be re-certified for a five-year period
A.10758 Morelle	No Same As	Passed Assembly	Extends for three years the demonstration programs for alternative forms for non-hospital orders not to resuscitate in Monroe and Onondaga Counties, which are testing the effectiveness of utilizing the Medical Orders for Life Sustaining Treatment (MOLST) form
A.10764 Morelle	S.07683 Alesi	Chapter 197	Authorizes the use of alternative forms for non-hospital orders not to resuscitate by making permanent and expanding statewide a demonstration program in Monroe and Onondaga Counties, which was testing the effectiveness of utilizing the MOLST form
A.10799-A Ortiz	S.08130-A Griffo	Passed Assembly	Establishes a spina bifida education and outreach program within the Department of Health to raise awareness on the importance of encouraging women in their child-bearing years to increase their folic acid intake in order to prevent its incidence
A.10830 Gottfried	S.07945 LaValle	Passed Assembly	Requires the Commissioner of Health to create a tracking tool that would allow the public and health care providers to view the status of certificate of need applications on-line
A.10877 Gottfried	S.04741-A Hannon	Referred to Codes	Requires pharmaceutical detailers to register with the Department of Health and requires the Commissioner of Health to establish a code of ethics for the practice of pharmaceutical detailing
A.10883-B Morelle	S.08161-C Robach	Vetoed Memo 100	Establishes a demonstration project allowing for the provision of physical, occupational and speech therapy by a residential health care facility at an off-site location
A.10901 Jaffee	S.08050 Morahan	Passed Assembly	Establishes an early intervention (EI) rate restructuring group and EI demonstration programs to improve the effectiveness of EI service delivery and reimbursement
A.10941 Paulin	S.08222 Hannon	Referred to Ways and Means	Transfers and consolidates early intervention provider approval and monitoring responsibilities to the Department of Health
A.10970 Eddington	S.07775 Leibell	Chapter 206	Extends the certification for emergency medical technicians (EMTs), advanced EMTs or certified first responders for 12 months, if the individual's certification expires during military duty, or six months after separation from military service
A.11000-A Dinowitz	S.07754-A Hannon	Chapter 627	Authorizes certain managed long-term care providers in Bronx County to obtain a certificate of authority and to achieve full capitation on a scheduled basis or capability and protocols for benefit coordination for Medicare services

Assembly Bill # Sponsor	Senate Bill # Sponsor	Final Action	Description
A.11010 Dinowitz	S.08120 Golden	Passed Assembly	Allows not-for-profit continuing care retirement communities to offer either a life care or a fee-for-service contract on a per diem or agreed upon rate
A.11103-B Rosenthal	S.08263-B Maltese	Passed Assembly	Provides for notification of rate increases to residents of assisted living residences, adult care facilities and residential health care facilities
A.11104-B Rosenthal	S.08265-B Maltese	Passed Assembly	Requires average monthly rate increase information to be provided to all residents of assisted living facilities
A.11134 Gottfried	S.08291 Winner	Chapter 552	Makes technical changes to tobacco escrow fund provisions in order to provide enhanced enforcement mechanisms for "roll-your own" escrow that are comparable to those for cigarette escrow
A.11136-A Gottfried	S.08298-A Hannon	Chapter 477	Enacts extensive due process reforms in Office of Professional Misconduct proceedings; provides for making public charges against a physician or physician assistant when issued by an investigative committee; and enhances infection control and training practices
A.11187 Gottfried	S.08556 Rules	Referred to Codes	Prohibits pharmaceutical manufacturers and distributors from influencing prescribing practices, medical education and pharmacy benefit management
A.11241 Gottfried	No Same As	Passed Assembly	Requires notice to a municipality of the site selection for hospice residence; and establishes procedures for public notice and consideration of potential sites
A.11329 Gabryszak	S.08245 Maziarz	Chapter 149	Extends for two years the x-ray demonstration program to test the cost efficiency of allowing Medicaid to reimburse for portable x-ray services provided to Medicaid beneficiaries in residential health care facilities and intermediate care facilities for persons with developmental disabilities
A.11416-A Rules	S.08702 Hannon	Chapter 389	Expands access to the Care At Home Waiver services by eliminating the existing requirement that each participant in the program only receive services at home that cost less than those services would cost in an institutional setting. Instead, it allows the program to aggregate costs among all participants in the program. This averages the cost among the participants, some of whom require more expensive services for periods of time, while maintaining the overall costs of the waiver program as fiscally neutral as federal regulations require
A.11461 Rules (Gottfried)	S.08722 Hannon	Referred to Rules	Makes certain changes to provisions related to informed consent requirements associated with HIV/AIDS testing, while ensuring that adequate patient protections are maintained; and updates current testing requirements to tailor counseling information and protect health care workers
A.11464-A Rules (Peoples)	S.08179-A Hannon	Passed Assembly	Allows for data sharing between the Childhood Lead Registry and the Statewide Immunization Registry in order to reduce the number of children with lead poisoning and improve lead poisoning prevention efforts
A.11468 Rules (Gottfried)	S.08449 Hannon	Chapter 594	Requires the Department of Health to establish a central registry of persons who have successfully completed State approved education or training programs for home health aides and personal care aides; and requires the registry to indicate those workers who have undergone a criminal background check by the Department
A.11484 Rules (John)	S.08358 Maziarz	Referred to Ways and Means	Creates an 11-member New York State Safe Patient Handling Task Force within the Department of Health to assist in improving the safety of patients in health care facilities

Assembly Bill # Sponsor	Senate Bill # Sponsor	Final Action	Description
A.11613 Gottfried	S.07330 Fuschillo	Chapter 546	Requires every hotel that furnishes drinking glasses, silverware or flatware in individual rooms to ensure that such items are fully sanitized using proper techniques provided by the Department of Health
A.11659 Rules (Lupardo)	S.08724 Hannon	Referred to Rules	Requires the Department of Health to prescribe a maximum indoor air contaminant level for trichloroethylene (TCE) in order to minimize health risks associated with TCE exposure
A.11675-B Rules (Young)	S.04022-A Bonacic	Vetoed Memo 67	Establishes the state multi-agency council on access to durable medical equipment (DME) for the disabled to ensure timely access to DME by individuals who require the assistance of such equipment to engage in essential activities of daily living
A.11690 Rules (Gottfried)	S.08185-A Hannon	Referred to Rules	Makes certain changes to provisions related to the sale, delivery, dispensing and/or distribution of controlled substances
A.11709 Rules (Jaffee)	S.08641 Saland	Vetoed Memo 86	Requires the establishment of a public education program on the potential health effects of consuming water that does not meet state drinking water standards
A.11720 Rules (Paulin)	S.08657 Hannon	Referred to Rules	Establishes the corporate practice advisory panel within the Department of Health to make recommendations on the appropriate method to address corporate practice compliance issues for early intervention (EI) service providers while increasing accountability, improving quality of care, enhancing cost effectiveness and ensuring adequate capacity for children in need of EI services

SECTION III

Public Hearings and Roundtable Meetings of 2008

Subject: Prescription Drug Marketing and Purchasing Reform – The Impact on Accessibility and Affordability

Date/Place: February 1, 2008 – New York City

Subject: The Rockefeller Drug Laws – 35 Years Later

Joint with the Codes, Judiciary, Correction, Alcoholism and Drug Abuse and Social Services Committees

Date/Place: May 8, 2008 – New York City

May 15, 2008 - Rochester

Subject: New York State Commission on Local Government Efficiency and Competitiveness Report

Joint with the Local Governments, Agriculture, Insurance and Transportation Committees

Date/Place: May 16, 2008 – Buffalo

Subject: New York State's Medicaid Buy-In program for People with Disabilities

Joint with the Task Force on People with Disabilities

Date/Place: September 15, 2008 – New York City

Subject: Roundtable on Durable Medical Equipment Prior Approval, Delivery and Payment Practices Within the Medicaid Program

Joint with the Oversight, Analysis and Investigation Committee and the Task Force on People with Disabilities

Date/Place: November 6, 2008 – New York City