

NEW YORK STATE
A S S E M B L Y

SHELDON SILVER, SPEAKER



committee on
Health

Richard N. Gottfried, Chair



Annual
Report 2010



RICHARD N. GOTTFRIED
75TH ASSEMBLY DISTRICT

CHAIR
COMMITTEE ON HEALTH

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CHAIR
MANHATTAN DELEGATION

December 31, 2010

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

Dear Speaker Silver:

I am pleased to submit the 2010 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

2010 Annual Report

Richard N. Gottfried
Chair

Albany, New York

**NEW YORK STATE ASSEMBLY
SHELDON SILVER, SPEAKER
RICHARD N. GOTTFRIED, CHAIR
COMMITTEE ON HEALTH**

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Steven Cymbrowitz
Jeffrey Dinowitz
Sandy Galef
Richard N. Gottfried, Chair
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Charles D. Lavine
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Linda B. Rosenthal
Robin Schimminger
Darryl C. Towns
(Vacancy)

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James D. Conte
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Joel M. Miller
Jack Quinn
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Monica Miller, Legislative Associate
Elizabeth Hamlin, Legislative Associate
Ryan Streeter, Legislative Associate
Helen Dong, Committee Clerk
Linda Dawes, Executive Assistant
Barbara Riley, Administrative Assistant

Program and Counsel Staff

Louann Ciccone, Assistant Secretary for Program and Policy
Estibaliz Alonso, Senior Analyst
Simonia Brown, Principal Analyst
Lynelle Bosworth, Associate Counsel
Molly McDonald, Administrative Assistant

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2010 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 (FAVORABLE)	16	0	16
TO WAYS AND MEANS	33	0	33
TO CODES	38	0	38
TO RULES	4	0	4
TO JUDICIARY	0	0	0
TOTAL	91	0	91
BILLS HAVING COMMITTEE REFERENCE CHANGED			
TO <u>AGING</u>	1		1
TO <u>CODES</u>	1		1
TO <u>INSURANCE</u>	2		2
TO <u>MENTAL HEALTH</u>	1		1
TOTAL	5		5
SENATE BILLS SUBSTITUTED OR RECALLED			
SUBSTITUTED		1	1
RECALLED		0	0
TOTAL		1	1
BILLS DEFEATED IN COMMITTEE	0	0	0
BILLS HELD FOR CONSIDERATION WITH A ROLL- CALL VOTE	27	0	27
BILLS NEVER REPORTED, DIED IN COMMITTEE	333	6	339
BILLS HAVING ENACTING CLAUSES STRICKEN	7	0	7
MOTIONS TO DISCHARGE LOST	0	0	0
TOTAL BILLS IN COMMITTEE	463	7	470
TOTAL NUMBER OF COMMITTEE MEETINGS HELD	14		

SECTION II

Final Action on Committee on Health Bills in 2010

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.

<u>BILL/SPONSOR</u>	<u>DESCRIPTION</u>	<u>ACTION</u>
A.412 Kavanagh S.5169 Parker	Prohibit the display of human remains for commercial purposes without a permit from the Department of Health.	Referred to Codes
A.432-B Kavanagh S.2087-B Parker	Increase the penalty for purchasing or receiving a dead human body or any part thereof (except for the purpose of burial) from a misdemeanor to a Class E Felony.	Calendar 408
A.541 Dinowitz	Require the Commissioner of Health to take action when areas of lead poisoning have been designated.	Passed Assembly
A.544-B Hoyt S.5591-B Duane	Restrict retail sale of ipecac syrup to behind the pharmacy counter or under manager control.	Passed Assembly
A.627-A Paulin S.1410-A Schneiderman	Authorize dispensing of emergency contraception under certain circumstances and conditions.	Calendar 125
A.633 Dinowitz S.4059 Schneiderman	Extend the period during which health maintenance organization enrollees may continue to receive services from a health care provider who disaffiliates.	Passed Assembly
A.668 Magnarelli	Establish mandatory reporting of alleged incidents of abuse, mistreatment or neglect of residents in adult care facilities.	Referred to Codes
A.723 Gottfried S.3450 Oppenheimer	Amend the definition of “clinical peer reviewer” to require that such physician be board certified or board eligible in the same or similar specialty as the physician who typically recommends the treatment or manages the condition under review.	Passed Assembly
A.725-A Gottfried	Extend a nursing home patient’s right to recover damages in any action to the patient’s legal representative or estate.	Passed Assembly
A.726-A Gottfried S.4112-A Klein	Relate to certain prohibitions in contracts or agreements by health maintenance organizations.	Passed Assembly
A.728-A Gottfried	Ensure that a patient's health care provider is involved in the external appeals process and repeals provisions of the Public Health and Insurance Law allowing a health care plan to charge an insured fees for appeals.	Passed Assembly

<u>BILL/SPONSOR</u>	<u>DESCRIPTION</u>	<u>ACTION</u>
A.729 Gottfried S.3909 Duane	Provide that where an external appeal is denied on grounds of medical necessity, the insured shall have the opportunity to demonstrate that the proposed health care procedure is likely to be more beneficial than any standard treatment or procedure.	Passed Assembly
A.733-A Gottfried S.3740-B Duane	Provide Medicaid reimbursement for interpretation services in hospital inpatient, outpatient, emergency department settings, and diagnostic and treatment centers.	Held for Consideration in Ways and Means
A.764-A Gottfried S.3905 Duane	Require the Commissioner of Health and the Superintendent of Insurance to adopt a universal application form for participation in a health care provider network and for renewal of credentials to be used by managed health care plans.	Passed Assembly
A.775-B Paulin S.4645-B Montgomery	Require the Commissioner of Health to administer a program of influenza education to the families of children ages six months to eighteen years of age through school settings.	Chapter 36
A.792-A Gottfried	Require utilization review agents to consider certain factors when determining whether to deny reimbursement for emergency services.	Passed Assembly
A.877 Gottfried	Clarify 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.	Calendar 645
A.879 Gottfried	Authorize the commissioner of health to develop and administer training programs for coroners, coroners' physicians and medical examiners.	Passed Assembly
A.880 Gottfried S.2339 Padavan	Expand the medical exemption from mandatory immunizations for students.	Calendar 649
A.883 Gottfried S.2338 Padavan	Exempt a child from immunization requirements if the parent(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.	Calendar 650
A.884 Gottfried S.3835 Duane	Require 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 exempt coverage for such payments from Medicaid prior authorization.	Held for Consideration in Ways and Means

<u>BILL/SPONSOR</u>	<u>DESCRIPTION</u>	<u>ACTION</u>
A.886 McDonough	Enact the "hospital infections disclosure act" and require all hospitals to report their infection rates to the Department of Health on a quarterly basis.	Held for Consideration in Health
A.887 McDonough	Require owners or operators of beaches to report any regulated medical waste washing up on shore to the appropriate public health official.	Held for Consideration in Health
A.1135 Dinowitz	Require the Commissioner of Health to establish a program for familial dysautonomia and Tay-Sachs disease screening and counseling, and allows the provision of grants for such program.	Veto Memo 6741
A.1137 Galef S.5005 Duane	Prohibit individuals from smoking at any playground.	Passed Assembly
A.1138 Gottfried S.4529 Krueger	Authorize the provision of certain optometric services by the SUNY College of Optometry to Medicaid recipients.	Chapter 37
A.1311 Schimel	Authorize the immunization against hepatitis B of minors capable of consent who are housed in a local or state correctional facility.	Passed Assembly
A.1475 Wright S.2878 Bonacic	Require the Office of Minority Health to establish a program of data collection for the assessment of health and health care of minorities in New York State.	Passed Assembly
A.1581 Englebright S.2605 Flanagan	Authorize funding of mapping incidence of breast cancer from the Breast Cancer Research and Education Fund; and requires commercial pesticide applicators and sellers of restricted use pesticides to file their reports in electronic format or on scannable forms.	Passed Assembly
A.1582-A Englebright	Require the Commissioners of Health and General Services to promulgate standards for the procurement and use of environmentally sensitive commodities and services for hospitals.	Held for Consideration in Ways and Means
A.1586 Englebright	Provide farm workers additional protections from pesticides.	Referred to Ways and Means
A.1594 Englebright	Require all hospitals to have pest management plans for pest control activities; requires the use of professional pesticide applicators, an annual evaluation of the implementation of the plan and notice of pesticide application.	Passed Assembly
A.1596 Gottfried S.2821 Hannon	Prohibit disclosure of testimony of a party to a health care quality assurance or peer review proceeding.	Referred to Codes

<u>BILL/SPONSOR</u>	<u>DESCRIPTION</u>	<u>ACTION</u>
A.1668 Englebright	Require licensed or certified health care practitioners acting within the lawful scope of their practice to report confirmed or suspected cases of pesticide poisoning.	Referred to Codes
A.1670 Englebright	Require every hospital engaging in the construction of, addition to or remodeling of a building to submit to the Commissioner of Health the plans and specifications of such building relating to heating, ventilation and air conditioning, air intake, pest prevention, radon levels, lighting, sanitation and drainage.	Held for Consideration in Ways and Means
A.1673-A Gottfried S.7526 Duane	Require a health care provider to disclose to a patient any occurrence of medical error during the course of treatment 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.	Referred to Rules
A.1719-A Gottfried S.2947-A Hannon	Authorize nurse practitioners to issue orders not to resuscitate.	Veto Memo 6715
A.1721 Gottfried S.3844 Duane	Require diversion of new admissions to nursing homes when they are unable to maintain safe and appropriate standards.	Held for Consideration in Ways and Means
A.1723-A Gottfried S.317-A Maziarz	Require the Commissioner of Health to promulgate rules and regulations requiring new construction or major renovation of hospitals and nursing homes to include designs and construction elements to support the installation and proper use of ceiling lifts.	Calendar 151
A.1724 Gottfried S.3906 Duane	Require incident reporting by home care services agencies, hospitals, and adult care facilities.	Passed Assembly
A.1729 Gottfried S.5002 Duane	Prohibit hospitals from denying staff membership or professional privileges to psychologists without cause.	Veto Memo 18
A.1742 Englebright S.329 Breslin	Prohibit child care, daycare and head start centers from being in proximity to hazardous or toxic environmental pollutants and require such centers to maintain proper heating, ventilation and air conditioning systems.	Passed Assembly
A.1745 Englebright	Require the Department of Health to monitor lead levels in all candy sold or distributed in the state, in soft vinyl lunch boxes, bibs and to conduct public information programs on the hazards of lead.	Referred to Codes
A.1747 Gottfried S.3344 Duane	Include health care facilities operated or supervised by the department of correctional services or local correctional facilities within the definition of hospital.	Calendar 79

<u>BILL/SPONSOR</u>	<u>DESCRIPTION</u>	<u>ACTION</u>
A.1750 Gottfried	Establish procedures for public notice and consideration of potential sites for hospice residences.	Passed Assembly
A.1766-A Morelle S3198-A Valesky	Establish a statewide telemedicine/telehealth task force to study and report to the Governor and the Legislature on telemedicine and telehealth systems.	Calendar 160
A.1805 Gottfried S.4492 Duane	Establish a clinical trial access and education fund within the Department of Health to provide certain services to patients with life-threatening or disabling conditions or diseases, in order to facilitate access to or education on clinical trials of treatments for the patient's condition or disease.	Passed Assembly
A.1807-A Gottfried S.2553-A Klein	Exclude 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.	Held for Consideration in Ways and Means
A.1833 Dinowitz S.2324 Padavan	Add clarifying language to make it unlawful to ship cigarettes to persons, who present themselves as government employees, unless the person engaged in the business of selling cigarettes to ship or cause to be shipped knows that the government employee is acting within his or her official duties.	Passed Assembly
A.2007-B Gottfried S.121-A Sampson	Establish a prescription drug discount program to provide affordable prescriptions to New York State residents.	Passed Assembly
A.2008-A Gottfried S.3930 Duane	Establish a fiduciary relationship between pharmacy benefit managers and health plans or providers.	Passed Assembly
A.2047-B John S.3839-A Duane	Creates a 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.	Referred to Ways and Means
A.2076 Lupardo S.5623 Oppenheimer	Require the state, or state agencies that own, lease or operate a building to develop and maintain an indoor air quality plan.	Passed Assembly
A.2263 Gottfried S.4499 Duane	Provide immunity from criminal liability and professional discipline to health care professionals for prescribing and administering pain medication, when they act within accepted professional standards.	Passed Assembly
A.2267 Lupardo S.5278 Squadron	Require 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.	Referred to Codes

<u>BILL/SPONSOR</u>	<u>DESCRIPTION</u>	<u>ACTION</u>
A.2355-A Jaffee S.2680-B Morahan	Provide financial assistance from the Crime Victims Board for post-exposure prophylaxis treatment for victims of sexual assault.	Passed Assembly
A.2357 Reilich	Requires parental notice prior to the performance of an abortion upon an unemancipated minor.	Held for Consideration in Health
A.2358 Gottfried S.6103 Parker	Authorize the Commissioner of Health to create grants to be used to help pay for the costs of conducting local blood drives.	Veto Memo 6716
A.2359-B McEneny S.6174 Schneiderman	Require school districts to conduct annual lead-copper tap water testing and requires the Commissioner of Health, in conjunction with the Commissioner of Education, to publish a report based on the findings of such testing.	Calendar 199
A.2706 Gantt	Require the Public Health Council to review past violations of state or federal rules, regulations or statutes relating to labor transgressions when considering applications for licensure of a health care facility.	Referred to Codes
A.2707 Gantt	Require the Commission of Health to establish a 13 member task force on medical record confidentiality to review issues related to the disposition or transference of records when a practitioner closes, sells, or disposes of his or her practice.	Passed Assembly
A.2720-A Ortiz	Require the posting of caloric information on menus or menu boards by restaurants and food establishments.	Calendar 227
A.2726 Rabbitt S.5468 Aubertine	Require women who are considering abortion to receive certain information and require a 24-hour waiting period prior to having an abortion.	Held for Consideration in Health
A.2795 Fitzpatrick	Require an attending physician to provide notification to peace officers, firefighters, ambulance workers and other paid or volunteer emergency personnel of exposure to HIV infected persons.	Held for Consideration in Health
A.2833 Fitzpatrick	Allow individuals, who may have been infected by AIDS during the course of a crime, to receive funds from the crime victims compensation board for HIV diagnostic testing; define the term "incidental exposure."	Held for Consideration in Health
A.2857 Weinstein	Prohibit residential health care facilities from restricting access to the facility by family members, guardians, friends, and legal or other representatives.	Referred to Codes
A.3074 Clark	Increase penalties for failure to correct or discontinue conditions conducive to lead poisoning in an area designated by the Commissioner of Health as high risk, from \$2,500 to up to \$5,000.	Passed Assembly

<u>BILL/SPONSOR</u>	<u>DESCRIPTION</u>	<u>ACTION</u>
A.3075-A Cusick S.1197-A Robach	Establish and fund a program to promote leukemia, lymphoma and myeloma research, education and treatment.	Calendar 252
A.3548 Perry S.4089 Sampson	Require hospital admission registration forms to include the name of school attended by school-aged patients.	Held for Consideration in Health
A.3576-A Perry	Require operators of petting zoos and other public establishments featuring animals to maintain hand washing or hand cleansing facilities for patrons.	Referred to Codes
A.3685 Aubry	Extend the definition of the term "correctional facilities medical care personnel" to include personnel engaged in providing health care at local correctional facilities.	Passed Assembly
A.3686-A Aubry S.5395-A Hassell-Thompson	Prohibit the charging of fees when the Department of Correctional Services or a local correctional facility requests a birth certificate for an inmate in anticipation of his/her release from custody.	Passed Assembly
A.3787 Rosenthal S.1990 Hannon	Reduce the number of witnesses required to be present, down from two to one, when a competent adult appoints a health care agent by health care proxy.	Veto Memo 6788
A.4058-A Paulin	Require the Commissioner of Health to make grants to municipalities for the delivery of early intervention (EI) services, where each municipality would receive a share equal to its proportionate share of the total statewide dollars paid to EI providers by municipalities on account of EI services.	Held for Consideration in Ways and Means
A.4159 Clark	Expand the scope of a study regarding the risks and dangers associated with female genital mutilation by requiring the Office of Children and Family Services to submit an annual report to the governor and the legislature.	Passed Assembly
A.4242 Amedore	Expand the volunteer health care practitioner program.	Held for Consideration in Health
A.4301-B Canestrari S.5204-A Breslin	Allow collective negotiations by health care providers with certain health care plans.	Referred to Ways and Means
A.4375-A Hyer-Spencer	Allow a certificate of birth resulting on stillbirth to parents who request it, and upon payment of a fee.	Referred to Ways and Means
A.4437 Fitzpatrick	Prohibit HIV or AIDS-infected health care professionals from performing procedures that risk transmission to the patient and also requires infected health care professionals to report their infection to the Commissioner of Health.	Held for Consideration in Health

<u>BILL/SPONSOR</u>	<u>DESCRIPTION</u>	<u>ACTION</u>
A.4601-A Cymbrowitz	Provide for corporate franchise and personal income tax check-offs for taxpayer gifts for colon cancer education and sets up the colon cancer education fund.	Referred to Ways and Means
A.4802 Rivera, P. S.4477 Dilan	Require the Commissioner of Health to report on the very high incidence of asthma in New York State.	Calendar 347
A.5021 Towns S.3149 Klein	Authorize 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.	Referred to Rules
A.5144 Rivera, P. S.2449 Parker	Require the Department of Health to contract with community-based organizations and not-for-profit corporations for the provision of outreach, information and educational services to immigrants on the availability of health care services, medical assistance, emergency medical assistance, the family health plus program and the child health insurance plan.	Passed Assembly
A.5145-A Rivera, P.	Require the Commissioner of Health to create a cultural education demonstration program to educate health care providers in the cultural traditions of patients with AIDS, specifically people of Asian and Latin American countries.	Referred to Ways and Means
A.5225-A Espaillat S.7294-A Parker	Require hospitals to provide language assistance services to a patient or a patient's assistant for communication of clinical and other information.	Passed Assembly
A.5287 Meng S.4387 Klein	Require health care practitioners to complete training on pain management and creates an advisory committee to assist in the development, review and implementation of educational standards.	Calendar 646
A.5320-A Maisel	Require the Commissioner of Health to investigate lymphedema, treatments available, and requires physicians to notify the Department of Health of cases of lymphedema.	Chapter 231
A.5321-A Maisel S.2585-A Golden	Create the lymphedema and lymphatic diseases research grants program.	Passed Assembly
A.5343-A Koon S.5298-A Squadron	Provide for the development of an environmental health tracking system within the Department of Health with cooperation from the Departments of Environmental Conservation and Labor, to gather various environmental data to correlate with disease data.	Passed Assembly
A.5347-A Koon S.4108-A Aubertine	Increase reimbursement to rural health care facilities.	Held for Consideration in Health

<u>BILL/SPONSOR</u>	<u>DESCRIPTION</u>	<u>ACTION</u>
A.5366-A Arroyo S.4157-A Montgomery	Establish a Minority Coordinating Council on Asthmatic Affairs within the Department of Health to assess the asthma risk factors for the minority citizens of New York State.	Held for Consideration in Ways and Means
A.5448-A Perry	Prohibit pharmacy benefit managers, HMOs, insurers and health plans from offering incentives to health care providers to switch from one prescription drug to another.	Passed Assembly
A.5487 Hikind S.4363 Kruger	Require the Commissioner Health to promulgate rules and regulations providing for the establishment of signage outlining the importance of hand hygiene in preventing communicable diseases.	Calendar 383
A.5602 Boyland S.8202 Parker	Require the Department of Health to study drugs that are prescribed for school aged children with ADD and ADHD.	Veto Memo 6752
A.5694 Espaillat S.8102 Squadron	Permanently extend the duration of the school health services program.	Passed Assembly
A.5756 Pretlow	Prohibit approved organizations providing coverage under Child Health Plus from discriminating against health care providers which do not participate in the organization's health care network.	Passed Assembly
A.5769 Rosenthal S.4992 Thompson	Require the Department of Health to engage in and/or support research into the health effects of exposure to artificial night light.	Calendar 403
A.5797 Hayes	Require hospitals to make the patients' bill of rights available by non-visual access for blind and visually impaired patients.	Held for Consideration in Health
A.5805 Pretlow	Require that, prior to approving an application for hospital establishment, incorporation or construction, the Commissioner of Health find that such action will not result in a critical reduction or elimination of a health care service in a community.	Calendar 692
A.5891-B Cahill S.4111-A Klein	Prohibit the sale of information listed on prescriptions that identifies specific patients or persons legally authorized to issue a prescription.	Calendar 234
A.5894-A Latimer S.5590 Duane	Require the Department of Health to conduct education and outreach program on post-poliomyelitis sequelae.	Veto Memo 12
A.5961 Schimminger S.4105 Aubertine	Provide for the seizure and forfeiture of property or money furnished in an illegal exchange for a controlled substance.	Referred to Codes

<u>BILL/SPONSOR</u>	<u>DESCRIPTION</u>	<u>ACTION</u>
A.6216 Barra	Provide for the regulation and licensing of persons engaged in the act or practice of body-piercing, ear-piercing or tattooing.	Held for Consideration in Health
A.6242 Barra	Requires informed consent by emancipated minors or the parent or guardian of an unemancipated minor prior to obtaining an abortion.	Held for Consideration in Health
A.6359 Ortiz S.5937 Hannon	Prohibit certain restaurants and food establishments from serving foods containing artificial trans fat.	Calendar 433
A.6400-A Ortiz	Amend the composition, powers and duties of the Minority Health Council.	Passed Assembly
A.6478-A Ortiz	Require all general hospitals providing emergency services to post a statement of universal patient right to emergency treatment, and prohibits pre-admission questioning of patient or family regarding insurance, credit, means of payment or immigration status.	Calendar 693
A.6598-A Cook	Authorize the Department of Health to implement a community food security, empowerment and economic development program to help meet the food need of low-income people and promote comprehensive responses to local food, farm and nutrition issues.	Held for Consideration in Ways and Means
A.6615 Burling S.3217 Maziarz	Requires pharmaceutical drug manufacturers and wholesalers to annually report to the New York Department of Health all of its gifts to prescribers.	Held for Consideration in Health
A.6654 Gottfried S.4070 Montgomery	Authorize nurse practitioners to certify that an immunization may be detrimental to a child's health.	Calendar 447
A.6671-B Rosenthal S.8170 Peralta	Require a hospital discharging a visually impaired patient to offer to provide an audio recording of the discharge plan, in addition to a written copy.	Referred to Codes
A.6673-A Gottfried	Authorize the Commissioner of Health to review applications for exemptions from the mandatory generic substitution law during the twelve month period prior to the expiration of the patent for the brand name drug.	Passed Assembly
A.6714-B Mayersohn S.3191-B Stavisky	Prohibits smoking in private passenger cars, vans or trucks where minors less than 14 years of age are passengers.	Passed Assembly
A.6951 Ortiz S.5550 Breslin	Establish a spina bifida education and outreach program within the Department of Health to raise awareness on the importance of encouraging all women in their child-bearing years to increase their folic acid intake in order to prevent its incidence.	Passed Assembly

<u>BILL/SPONSOR</u>	<u>DESCRIPTION</u>	<u>ACTION</u>
A.7041 Ball	Establish limitations and conditions for the disclosure of patient information to any person or entity outside of the United States.	Held for Consideration in Health
A.7066 Gottfried	Enact requirements relating to the safe handling of prescription drug samples by certain health care professionals; require maintenance of certain records and information regarding samples received and distributed, including expiration dates.	Calendar 694
A.7083-A Jaffee S.3506-A Thompson	Require the Commissioner of Health to establish and maintain a public education program to inform the public and appropriate professional disciplines of the potential health effects of consuming water that does not meet state drinking water standards.	Calendar 470
A.7362 Miller, J.	Establish smoking restrictions in certain outdoor areas.	Held for Consideration in Health
A.7448-A Schimminger S.4218-A Stachowski	Establish certain limitations on the withholding of payments to Medicaid providers when an Office of Medicaid Inspector General audit is pending.	Referred to Codes
A.7515-B Kavanagh S.4057-B Stewart-Cousins	Allow documentation used to enroll children in the school meals program to be used for purposes of verifying eligibility for Child Health Plus.	Chapter 535
A.7617 Gottfried S.4498 Duane	Require the attending health care practitioner of a terminally patient to offer to provide the patient information and counseling regarding palliative care and end-of-life options appropriate to the patient.	Chapter 331
A.7622 Ortiz S.5925 Parker	Require the Commissioner of Health to establish means of educating proprietors and employees of public eating establishments about food allergens.	Passed Assembly
A.7662-A Ortiz S.3258-A Duane	Provide for enhanced efforts to curtail the diversion, abuse and illegal sale of prescription controlled substances.	Chapter 178
A.7729-D Gottfried S.3164-B Duane	Establish the Family Health Care Decisions Act to provide for a decision making process for patients who lack capacity to make their own health care decisions.	Chapter 8
A.7791-A Kellner S.4540-A Duane	Require hospitals, nursing homes and community health clinics to provide patient documents in large print format, language assistance services and audio recordings to make such information accessible to blind or low vision individuals.	Passed Assembly

<u>BILL/SPONSOR</u>	<u>DESCRIPTION</u>	<u>ACTION</u>
A.7853-A Weisenberg S.8107 Foley	Require the Department of Health to promulgate rules and regulations concerning hard of hearing, deaf, deaf-blind and hard of hearing hospital patients, or patients of minor age whose parents or guardians are deaf, deaf-blind or hard of hearing.	Calendar 530
A.8008-C Cymbrowitz S.4589-C Klein	Require the Commissioner of Health to establish and implement a uniform letter grading system to classify health inspection results in food establishment in cities with a population of one million or more.	Held for Consideration in Health
A.8217 Townsend S.5361 Volker	Creates the state emergency health powers act; establishes measures to detect and track potential and existing public health emergencies and measures to declare a state of public emergency.	Held for Consideration in Health
A.8285 Rosenthal S.7517 Duane	Allow the Commissioner of Health to add substances to the list of nonprescription drugs reimbursed by Medicaid.	Chapter 493
A.8410-A Koon S.5269-A Montgomery	Enact the “Bill of Adoptee Rights” to clarify language and procedures for obtaining birth certificates and medical histories for adoptees.	Referred to Codes
A.8498-A Gottfried S.3255-A Duane	Make changes to the adoption information registry.	Chapter 181
A.8499 Gottfried S.3126 Diaz	Require the Commissioner of Health to report improper measures by manufacturers, suppliers or retailers that cause exposure to lead to the Attorney General.	Passed Assembly
A.8647-C Canestrari	Establish the transition authorization panel demonstration program to evaluate an approach to secure decisions relating to the transition of isolated patients from inpatient care to post-acute care.	Referred to Codes
A.8741-C Paulin S.7603 Breslin	Authorize persons to provide first aid that includes operation of an Automated External Defibrillator without having completed training, provided they are acting in good faith, with reasonable care, and without expectation of monetary compensation.	Chapter 243
A.8828 Kolb	Establish a state autism advisory board.	Held for Consideration in Health
A.8882-A Gibson S.7187 Parker	Authorize taxpayer gifts for lupus education and prevention, and establish the lupus education and prevention fund and outreach program.	Veto Memo 6733
A.8884 Gibson S.3679 Savino	Create a lupus education and outreach program and advisory council within the Department of Health and authorize the provision of grants.	Held for Consideration in Ways and Means

<u>BILL/SPONSOR</u>	<u>DESCRIPTION</u>	<u>ACTION</u>
A.8906-D Gunther S.6626-B Duane	Require the Commissioner of Health to facilitate the development and establishment of comprehensive centers for the assessment of children diagnosed with autism spectrum disorders.	Referred to Ways and Means
A.8910-A Gibson	Provides for a corporate franchise tax check-off and a personal income tax check-off for taxpayer gifts for lung cancer education and prevention; establishes the lung cancer education and prevention fund.	Held for Consideration in Ways and Means
A.8925-A Gottfried	Allow home confinement of animals suspected of having rabies upon approval of the county health authority.	Calendar 656
A.8946 Gibson S.5847 Savino	Create a lupus education and outreach program within the Department of Health and appropriate \$250,000 for these purposes.	Held for Consideration in Ways and Means
A.9016 Gottfried S.4041-B Duane	Provide for the use of medical marihuana by certified patients or designated caregivers.	Calendar 135
A.9026 Ortiz S.6053 Hannon	Prohibit certain restaurants and food establishments from serving foods containing artificial trans fat.	Calendar 638
A.9027 Ortiz	Require restaurants and food service establishments to post caloric value of food items.	Calendar 639
A.9074 McKevitt	Establish a state-wide database on the location and availability of medical procedures.	Held for Consideration in Health
A.9081 Kolb	Repeals provisions relating to nursing home withdrawal of equity and transfer of assets.	Held for Consideration in Health
A.9110-A Weisenberg S.3461-A Johnson, C.	Prohibits tanning facilities from allowing the use of an ultraviolet radiation device by persons less than eighteen years of age.	Referred to Rules
A.9482 Paulin S.6852 Duane	Prohibit the sale of flavored tobacco products except for products containing tobacco, menthol, mint and wintergreen flavors.	Referred to Codes
A.9529 Rosenthal S.7234 Klein	Prohibit the sale of electronic cigarettes to minors and prohibit distribution or sale of any item containing or delivering nicotine that is not defined as a tobacco product or approved by the United States Food and Drug Administration for sale as a tobacco use cessation product.	Passed Assembly
A.9550-A Gottfried S.7723 Duane	Authorize the admission of residents to an enhanced assisted living residence from outside an assisted living residence.	Chapter 346

<u>BILL/SPONSOR</u>	<u>DESCRIPTION</u>	<u>ACTION</u>
A.9551 Gottfried	Authorize residents of an adult home, enriched housing program or residence for adults to designate a resident representative and a legal representative.	Passed Assembly
A.9554 Gottfried	Require enriched housing programs to report death and felony crimes to the Department of Health.	Passed Assembly
A.9555-A Gottfried	Entitle temporary operators of adult care facilities to the same powers and protections afforded to a facility receiver under with limitations on the power to sell or dispose of property and to transfer patients.	Passed Assembly
A.9717-A Gottfried S.6616-A Montgomery	Authorize reimbursement for primary and preventive health care services, dental services or mental health services provided by school based health centers for Child Health Plus eligible enrollees.	Veto Memo 6804
A.9822 Lancman S.8242 Klein	Enact the "healthcare rule-making reform act" to reconstitute the State Hospital Review and Planning Council as the State Health Systems Council.	Passed Assembly
A.9853-A Parment S.8125-A Young	Authorize the Jamestown city council to increase the fee charged for the issuance of birth and death records up to the amount charged by the Department of Health.	Passed Assembly
A.9917 Gottfried S.6956 Duane	Authorize the establishment of medical home multipayor programs to improve health care outcomes and efficiency through improved access, patient care continuity, and coordination of health services.	Held for Consideration in Ways and Means
A.9933 Gottfried S.6955 Duane	Allow practitioner referrals authorized under federal Stark Law, unless the Public Health Council determines that there could be substantial risk of payor or patient abuse.	Passed Assembly
A.9944 McEneny S.6858 Breslin	Provide a Medicaid reimbursement rate to a residential health care facility which provides services primarily to neurologically impaired individuals.	Chapter 350
A.9999-A Sweeney S.6832-A Johnson, O.	Make permanent chapter 572 of the laws of 1994 relating to emergency medical service response in Suffolk County.	Chapter 253
A.10047 Weisenberg S.4774 Fuschillo	Allow the Office of Medicaid Inspector General to refer suspected fraud or criminality to any prosecutor of competent jurisdiction.	Held for Consideration in Health
A.10059-A Paulin S.7634-A Oppenheimer	Authorize an increase in civil penalties authorized to be levied by local boards of health.	Passed Assembly
A.10094-B Rivera, N. S.6993-B Hassell-Thompson	Require hospitals to provide certain specified information concerning reconstructive surgery to patients before they undergo mastectomy surgery, lymph node dissection or a lumpectomy following a diagnosis of breast cancer.	Chapter 354

<u>BILL/SPONSOR</u>	<u>DESCRIPTION</u>	<u>ACTION</u>
A.10274 Maisel S.7998 Stavisky	Require drug manufacturers to collect unused and expired drugs from hospitals and residential health care facilities for safe disposal.	Held for Consideration in Health
A.10313-A Peoples-Stokes	Require vaccinations against meningococcal disease for seventh graders and students entering college.	Referred to Rules
A.10348 Castelli	Require New York State to pay one hundred percent of the non-federal share of costs for Medicaid services that are not required to be provided under federal law.	Held for Consideration in Health
A.10406 Gottfried	Authorize general hospitals to continue operating transitional care units.	Passed Assembly
A.10407 Gottfried S.7262 Kruger	Extend for one year provisions relating to allowing the use of funds of the Office of Professional Medical Conduct for activities of patient health information and quality improvement.	Chapter 21
A.10500-A Jaffee S.7098-A Foley	Prohibits smoking on platforms of the Long Island and Metro North railroads.	Referred to Codes
A.10547-A Weisenberg S.7090-A Foley	Require payments to outpatient mental health clinics to be based on the Ambulatory Patient Group reimbursement methodology.	Held for Consideration in Health
A.10604 Castelli	Authorize New York State to acquire from the federal government the Franklin Delano Roosevelt Campus of the Montrose Veterans' Affairs.	Held for Consideration in Health
A.10607 Gabryszak	Extend for two years the demonstration program allowing Medicaid to reimburse for portable x-ray services in residential health care facilities and intermediate care facilities for persons with developmental disabilities.	Passed Assembly
A.10630-C Gottfried S.7821-B Johnson, C.	This bill would require the Office of Medicaid Inspector General to follow certain due process procedures, practices and standards in regards to Medicaid provider audits.	Held for Consideration in Codes
A.10649 Montesano	Require the Commissioner of Health to promulgate rules and regulations regarding the manufacturing of dental prosthetic devices.	Held for Consideration in Health
A.10664 Gottfried S.4999-A Duane	Allow individuals who wish to make an anatomical gift the ability to register their consent through electronic signature.	Chapter 161
A.10665 Ortiz S.6922 Duane	Prohibit certain restaurants and food establishments from serving foods containing artificial trans fat.	Referred to Codes

<u>BILL/SPONSOR</u>	<u>DESCRIPTION</u>	<u>ACTION</u>
A.10748-A Lancman S.7483-A Huntley	Require the Department of Health, upon learning of an imminent hospital closure, to hold a public hearing on the anticipated impact of the closure on the surrounding community.	Chapter 541
A.10752 Lupardo S.7629 Libous	Authorize the Binghamton Common Council to increase the fee charged for the issuance of birth and death records by the clerk of the City of Binghamton, up to amounts charged by the Commissioner of Health.	Passed Assembly
A.10880 Gottfried S.7724 Duane	Remove the restriction that limits the dispensing of hypodermic syringes to up to 10 per transaction for Expanded Syringe Access Program providers; and allow pharmacies to advertise the availability of syringes to the public.	Calendar 967
A.10943 Gottfried S.7614 Kruger	Require the Commissioner of Health to establish regulations to prohibit drug and device manufacturers from requiring dentists to meet a patient quota prior to the sale, lease or provision of such drugs or devices.	Chapter 504
A.11015 Gottfried S.7974 Duane	Require minimum staffing requirements for acute care facilities and nursing homes, and require these facilities to develop a staffing plan.	Held for Consideration in Ways and Means
A.11030 Gottfried S.7973 Duane	Establish a health-related legal services grant program to provide on site legal services without charge to assist patients in resolving legal matters that have an impact on a patient's health or are created or aggravated by a patient's health.	Held for Consideration in Ways and Means
A.11180 Gottfried S.7828 Duane	Expand the list of adverse event reporting and notification by hospitals and diagnostic treatment centers.	Referred to Rules
A.11231-A Gottfried	Allows senior housing facilities providing certain services to be considered adult care facilities subject to licensure by the Department of Health.	Referred to Codes
A.11240 Skartados S.7827 Duane	Requires reporting of newborn hearing screening results and data to the Department of Health.	Chapter 220
A.11289 Morelle S.8087 Robach	Extends the effectiveness of the home based primary care for the elderly demonstration project through January 1, 2016.	Chapter 373
A.11458-A Rules (Spano) S.8366 Breslin	Require health clubs to provide automated external defibrillators during business hours when they are staffed.	Passed Assembly
A.11487 Rules (Gottfried) S.8227 Duane	Make provisions relating to HIV testing, including consent for such testing, required offering for such testing, confidentiality and disclosure.	Chapter 308

<u>BILL/SPONSOR</u>	<u>DESCRIPTION</u>	<u>ACTION</u>
A.11502 Rules (Glick) S.7902 Duane	Require that certain New York citizens who have been discharged from the armed forces or the national guard be provided with a copy of their certificates without charge.	Referred to Ways and Means