

New York State Assembly  
Carl E. Heastie  
Speaker

Committee on  
**Health**

Richard N. Gottfried  
Chairperson



RICHARD N. GOTTFRIED  
75TH ASSEMBLY DISTRICT

CHAIR  
COMMITTEE ON HEALTH

## NEW YORK STATE ASSEMBLY

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December 15, 2017

Carl E. Heastie  
Speaker of the Assembly  
Legislative Office Building, Room 932  
Albany, New York 12248

Dear Speaker Heastie:

I am pleased to submit the 2017 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,

Richard N. Gottfried  
Chair  
Committee on Health



**New York State Assembly**

**Committee on Health**

**2017 Annual Report**

Richard N. Gottfried  
Chair

Albany, New York

**NEW YORK STATE ASSEMBLY  
CARL E. HEASTIE, SPEAKER  
RICHARD N. GOTTFRIED, CHAIR  
COMMITTEE ON HEALTH**

**Health Committee Members**

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Edward C. Braunstein  
Kevin A. Cahill  
Steven Cymbrowitz  
Jeffrey Dinowitz  
Sandra R. Galef  
Richard N. Gottfried, Chair  
Aileen M. Gunther  
Andrew D. Hevesi  
Ellen C. Jaffee  
Ron Kim  
Charles D. Lavine  
Shelley Mayer  
Amy R. Paulin  
Crystal D. Peoples-Stokes  
Linda B. Rosenthal  
Robin L. Schimminger  
Michaëlle C. Solages  
Phillip Steck  
Matthew J. Titone

**Minority**

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Andrew Garbarino  
David G. McDonough  
Michael J. Norris  
Edward P. Ra  
Andrew P. Raia, Ranking Minority Member  
Raymond W. Walter

**Health Committee Staff**

Mischa Sogut, Legislative Director  
Monica Miller, Senior Legislative Associate  
Sherri Salvione, Legislative Associate  
Kayleigh Metviner, Legislative Associate  
Helen Dong, Committee Clerk  
Kathryn Curren, Committee Clerk  
Christina Coppola, Administrative Assistant

**Program and Counsel Staff**

Rebecca Mudie, Assistant Secretary for Program and Policy  
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Janice Nieves, Associate Counsel  
Kristin Zielinski, Committee Assistant  
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# 2017 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>
<b>BILLS REPORTED WITH OR WITHOUT AMENDMENT</b>			
TO FLOOR; NOT RETURNING TO COMMITTEE (FAVORABLE)	33	0	33
TO WAYS AND MEANS	70	0	70
TO CODES	67	0	67
TO RULES	9	0	9
TO JUDICIARY	0	0	0
TOTAL	179	0	179
<b>BILLS HAVING COMMITTEE REFERENCE CHANGED</b>			
TO Education	1	0	1
TO _____	0	0	0
TO _____	0	0	0
TO _____	0	0	0
TOTAL	1	0	1
<b>SENATE BILLS SUBSTITUTED OR RECALLED</b>			
SUBSTITUTED		15	15
RECALLED		1	1
TOTAL		16	16
<b>BILLS DEFEATED IN COMMITTEE</b>	0	0	0
<b>BILLS HELD FOR CONSIDERATION WITH A ROLL- CALL VOTE</b>	0	0	0
<b>BILLS NEVER REPORTED, HELD IN COMMITTEE</b>	359	59	418
<b>BILLS HAVING ENACTING CLAUSES STRICKEN</b>	0	0	0
<b>MOTIONS TO DISCHARGE LOST</b>	0	0	0
<b>TOTAL BILLS IN COMMITTEE</b>	539	75	614
<b>TOTAL NUMBER OF COMMITTEE MEETINGS HELD</b>	14		

## SECTION II

### Final Action on Committee on Health Bills in 2017

**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.23 Cahill S.877 Ort	Prohibit providers of health care coverage from requiring behavioral health providers to provide all products offered by the health care plan.	Passed Assembly
A.26 Paulin	Require owners of multiple dwelling properties to develop and implement a written smoking policy to be distributed to tenants, incorporated into leases, contracts and condominium bylaws.	Referred to Codes
A.236 Paulin S.5471 Lanza	Require the Department of Health (“DOH”) to publish a list of FDA certified generic products on the Department’s website; require drug manufacturers to provide the DOH with information provided to the FDA as part of the application for such generic product.	Passed Assembly
A.273 Rosenthal S.3978 Savino	Raise the age in which an individual may purchase tobacco products from age eighteen to twenty-one.	Referred to Codes
A.275 Paulin S.3705 Murphy	Require the DOH to approve professional education courses in risk management strategies for obstetrics and midwifery for physicians and licensed midwives; authorize the Superintendent of Insurance to approve a premium reduction for insured professionals that successfully complete the course.	Calendar 255
A.277 Paulin S.758-A Ritchie	Prohibit the sale of flavored tobacco products.	Referred to Codes
A.310 Jaffee S.5031 Hoylman	Establish a public education program regarding the potential health effects of consuming water that does not meet state drinking water standards.	Referred to Ways and Means
A.313 Bichotte S.2545 Hannon	Authorize expedited partner therapy for sexually transmitted infections.	Passed Assembly
A.328-A Braunstein S.4372-A Golden	Prohibit any first responder service from disclosing, selling, transferring, or exchanging individual identifying information for the marketing purposes.	Passed Assembly
A.330 Dinowitz S.169 Rivera	Prohibit smoking within 100 feet of the entrances or exits of any public library or association library.	Referred to Codes

<u>BILL/SPONSOR</u>	<u>DESCRIPTION</u>	<u>ACTION</u>
A.347 Rosenthal	Establish a pilot program that would provide feminine hygiene products to middle and high school students in selected low-income municipalities.	Referred to Ways and Means
A.352 Perry S.2113 Felder	Require hospitals to obtain and record the name of the school attended by school-aged patients in their admission registration form.	Passed Assembly
A.378 Abinanti S.986 Hannon	Modify the appeal process for the denial of a claim, request for prior authorization, and admission to the Medical Indemnity Fund.	Chapter 4
A.379 Crespo S.1067 Klein	Clarify that the DOH is authorized to establish criteria relating to vendors and specialty formula in the Special Supplemental Nutrition Program; establish a process to provide access for all participants in the program.	Chapter 12
A.387-B Gunther S.6750 Hannon	Require chain pharmacies to operate a safe disposal site for unused controlled substances.	Vetoed Memo 247
A.432 Rosenthal S.5063 Golden	Establish a lymphedema and lymphatic diseases research grants program.	Referred to Ways and Means
A.441 Paulin S.1371 Carlucci	Prohibit the use of pesticides at children's overnight camps or summer day camps.	Calendar 24
A.463 Abinanti	Require county health commissioners to notify appropriate local officials in the event of an emergency creating an imminent risk to public health and safety.	Calendar 5
A.494 Lupardo S.495 Squadron	Require the DOH to prescribe a maximum indoor air contaminant level for trichloroethylene ("TCE") in order to minimize health risks associated with TCE exposure.	Referred to Codes
A.516-A Rosenthal S. 2543-A Hannon	Add electronic cigarettes to provisions prohibiting smoking in public places.	Chapter 335
A.564 Abinanti	Establish standards for prompt, fair, and equitable settlement of claims for payment for long-term care services.	Referred to Ways and Means
A.582 Rosenthal	Add dysmenorrhea to the list of conditions for which a physician may authorize medical marijuana use.	Calendar 484
A.611 Rosenthal S.750 Ritchie	Prohibit the use of electronic cigarettes on school grounds.	Chapter 102



<u>BILL/SPONSOR</u>	<u>DESCRIPTION</u>	<u>ACTION</u>
A.700 Rodriguez S.2919 Carlucci	Require Medicaid Managed Care, Family Health Plus, and Child Health Plus plans to adopt the procedural protections of the Preferred Drug Program, including the doctrine of “prescriber prevails” for all categories of drugs as part of their managed care benefit.	Referred to Ways and Means
A.703 Sepulveda S.3103 Serrano	Require the DOH to conduct a study of the high incidence of asthma in the Bronx and develop a remedial plan.	Vetoed Memo 219
A.807 Perry S.1222 Rivera	Require the Medicaid program to provide for the cost of allergy testing.	Vetoed Memo 183
A.837 Dinowitz S.5210 Stavisky	Prohibit smoking on any municipal or state-operated park, or pedestrian plaza.	Referred to Codes
A.851 Gunther	Apply the Family Health Care Decisions Act to orders not to resuscitate patients in OMH-licensed psychiatric hospitals and psychiatric units of general hospitals.	Referred to Codes
A.857 Cahill	Prohibit smoking within fifty feet of an entrance to a state office building and within fifty feet of the outside area of any office building used by state agencies.	Referred to Codes
A.879 Gunther S.2047 Bonacic	Require the DOH to establish four comprehensive centers for the assessment of children diagnosed with autism spectrum disorders.	Referred to Ways and Means
A.926 Lupardo S.1440 Avella	Require state owned, leased, or operated buildings to develop and maintain an indoor air quality plan.	Referred to Ways and Means
A.947 Simon S.5770 Hamilton	Require the DOH to conduct a study of the high incidence of asthma in Brooklyn and develop a remedial plan.	Vetoed Memo 233
A.958 Paulin	Authorize retail clinics and limited service clinics to provide certain health care services.	Referred to Codes
A.1024 Richardson S.2849 Parker	Require the DOH to study and research the feasibility of establishing a burn center in Kings County Medical Center.	Referred to Ways and Means
A.1051-A Simon S.4451-A Savino	Establish a procedure and timeframe for the closure of privately funded assisted living residences.	Restored to third reading
A.1117 Pretlow	Require companies to send and receive a signed document from a customer stating that they are 18 years of age or older prior to shipping tobacco products purchased on the internet.	Referred to Codes

<u>BILL/SPONSOR</u>	<u>DESCRIPTION</u>	<u>ACTION</u>
A.1190-A Braunstein S. 3696-A Golden	Require medical facilities or related service providers to obtain express written consent prior to filming and/or broadcasting visual images of a patient's medical treatment.	Amended on third reading
A.1230-A Dinowitz S.6346 Hoylman	Require any child entering a licensed or registered child daycare home, program, or facility to be immunized against the influenza virus.	Referred to Codes
A.1354-A Cusick S.970-A Robach	Establish and fund a program to promote leukemia, lymphoma and myeloma research, education and treatment.	Passed Assembly
A.1384 Zebrowski	Establish synthetic cannabimimetic agents to the schedule of controlled substances.	Passed Assembly
A.1422 Weinstein	Establish a cause of action for residents of adult care facilities to petition for the appointment of a temporary operator.	Calendar 29
A.1464-B Jenne S.4285-B Serino	Add adult care facilities to the definition of "originating site" for the purpose of telehealth.	Chapter 238
A.1514 Zebrowski	Prohibit smoking in hotel and motel rooms.	Referred to Codes
A.1532 Gunther S.3330 Hannon	Enacts the safe staffing for quality care act, which would require minimum staffing requirements for acute care facilities.	Referred to Codes
A.1748 Glick S.2796 Krueger	Enacts the reproductive health act, which would codify the constitutional protections established by Roe v. Wade.	Passed Assembly
A.1809-A Dinowitz S.1200-A Alcantara	Require the DOH to take action when areas of lead poisoning have been designated.	Chapter 411
A.1860 Fahy S.2685 Breslin	Authorize the common council of the city of Albany to establish the fee for issuance of birth and death records.	Calendar 492
A.1890-A Harris S.3981-A Savino	Authorize Medicaid coverage for services provided by licensed mental health professionals.	Calendar 468
A.1918 Lifton S.4533 Helming	Require the DOH to prioritize the use of public transportation for the assignment of Medicaid transportation in rural counties.	Referred to Ways and Means
A.1982 Paulin S.3295 Hannon	Authorize access to employee restrooms in places of business open to the general public for certain medical conditions that require immediate restroom access.	Chapter 471

<u>BILL/SPONSOR</u>	<u>DESCRIPTION</u>	<u>ACTION</u>
A.2103 Mayer S.4576 Carlucci	Prohibit the use of coupons or “price reduction instruments” for the discounted purchase of certain tobacco products.	Referred to Codes
A.2169 Peoples-Stokes S.4268 Savino	Require the DOH to establish the lupus research enhancement program and the lupus research enhancement fund.	Referred to Ways and Means
A.2187-A Morelle S.3459-A Robach	Authorize Medicaid coverage for pediatric day-respite services.	Vetoed Memo 190
A.2358 Gottfried S.1098 Rivera	Limit the definition of “eligible applicant” for managed long term care plan certification to not-for-profit organizations, with certain exceptions.	Referred to Rules
A.2360 Gottfried	Require a registered nurse on staff at facilities certified for enhanced assisted living or special needs assisted living.	Calendar 187
A.2370 Gottfried	Place restrictions on health care plans contractual agreements, policies and procedures as they relate to reimbursement, referrals, prescriptions, and treatment options.	Calendar 49
A.2380 Brindisi S.2422 Griffo	Require a determination on a death certification whether the deceased suffered a sudden, unexpected death in epilepsy, when the deceased had a history of epilepsy or seizures.	Chapter 175
A.2381 Gottfried S.2701 Parker	Authorize the DOH to establish grants to be used to help pay for the cost of conducting local blood drives.	Passed Assembly
A.2389 Gottfried	Require the development and adoption of a universal credentialing and renewal form for health care professionals that seek to participate in a health care provider network.	Passed Assembly
A.2437 Skoufis S.6383 Little	Require a certificate of need review for reducing services at a full-time emergency department.	Calendar 528
A.2441 Gottfried	Provide that any person or entity which exercises operation authority over a hospital is subject to establishment approval by the Public Health and Health Planning Council.	Calendar 36
A.2442 Gottfried S.1870 Hannon	Require that services provided to persons suffering from traumatic brain injuries or qualifying for nursing home diversion and transition services are provided outside of managed care programs.	Referred to Ways and Means

<u>BILL/SPONSOR</u>	<u>DESCRIPTION</u>	<u>ACTION</u>
A.2460 Gottfried S.3661 Hannon	Prohibit disclosure of testimony of any person in attendance at peer review committee meetings who is a party to a health care quality assurance or peer review proceeding.	Referred to Codes
A.2461 Dinowitz	Require the DOH to establish a program for familial dysautonomia, Canavan's disease, and Tay-Sachs disease screening and counseling, and allows the provision of grants for such program.	Referred to Ways and Means
A.2463-A Gottfried S.1102-A Rivera	Authorize residents of adult homes, enriched housing programs, or adult residences to be informed about their condition, treatment, and medications, and to designate a resident and legal representative.	Calendar 326
A.2478 Gottfried S.83 Hoylman	Provide that a nursing home patient's right to sue for injuries may be exercised by the patient's legal representative or estate.	Passed Assembly
A.2538 Gottfried S.1216 Rivera	Establish a clinical trial access and education fund to provide certain services to patients with life-threatening or disabling conditions or diseases, in order to facilitate access to education on clinical trials of treatments for the patient's condition or disease.	Referred to Ways and Means
A.2539 Gottfried	Redefine the qualifications of a clinical peer reviewer by requiring state licensure or certification, and board certification or board eligibility in the same or similar specialty as the condition under review.	Calendar 51
A.2569 Paulin S.1727 Carlucci	Establish a system that streamlines state grant funding distribution to municipalities for early intervention services for toddlers with disabilities and their families.	Referred to Ways and Means
A.2600-B Sepulveda S.2889-B Dilan	Require the DOH to provide the public with access to information on the state's public drinking water systems.	Passed Assembly
A.2611 Gottfried S.171-A Rivera	Clarify the process for designating an agent for disposition of human remains.	Passed Assembly
A.2661 Gottfried	Establish a legal definition of pharmacy benefit managers and establish the fiduciary relation between such entities and health plans or providers.	Referred to Ways and Means
A.2702 Gottfried S.787-A Alcantara	Expand the requirement to report death and felony crimes to enriched housing programs and adult homes.	Chapter 459

<u>BILL/SPONSOR</u>	<u>DESCRIPTION</u>	<u>ACTION</u>
A.2703 Gottfried S.2245 Hannon	Clarify that existing liability protections for physician participants in the Medical Society of the State of New York's Committee for Physicians Health program, the New York State Osteopathic Society, or a county medical society extend to the organizations themselves and any agents thereof.	Referred to Codes
A.2704 Lavine S.3943 Hannon	Provide that the due process protections afforded to a health care professional for contract termination from a health care plan are afforded for non-renewal.	Passed Assembly
A.2705 Gottfried S.1070 Rivera	Establish an age appropriate sex education grant program within the DOH aimed at preventing unwanted pregnancies and occurrences of sexually transmitted diseases among youth.	Referred to Ways and Means
A.2718 Gottfried	Authorize physician assistants to order home care services; clarify nurse practitioners' authority to order home care services.	Referred to Ways and Means
A.2723 Gottfried S.789 Alcantara	Provide conforming revisions to the hospice statute.	Passed Assembly
A.2734 Gottfried S.3662 Hannon	Provide that a medical, dental, or podiatric qualified group practice may operate a malpractice prevention program.	Referred to Codes
A.2743 Gottfried	Authorize a pre-hearing suspension or limitation of an adult care facility's operating certificate if there is a finding of imminent danger to the public health or a resident's health, safety or welfare; prohibit hospitals, residential health care facilities, and adult care facilities from making referrals for admissions to adult care facilities that have received official notice regarding suspension or limitation.	Calendar 395
A.2831 Englebright S.1103 Alcantara	Establish environmental and indoor air qualities standards for licensed day care centers.	Calendar 120
A.2869 Gottfried S.3445 Serrano	Expand the definition of health and mental health care providers required to release health records when requested by providers, patients, or patient representatives; eliminate charges for any record transfer that is required for the purpose of supporting a claim or appeal for any government benefit or program.	Passed Assembly
A.2882 Peoples-Stokes S.5627 Savino	Require the DOH to publish and maintain on its website information on practitioners registered to certify medical marihuana patients.	Chapter 438

<u>BILL/SPONSOR</u>	<u>DESCRIPTION</u>	<u>ACTION</u>
A.2906 Ortiz S.3421 Parker	Establish topical oxygen wound therapy as a statutory Medicaid benefit.	Vetoed Memo 189
A.2914 McDonald S.1868 Marchione	Require hospitals, birthing centers, and pediatric primary care centers to provide informational leaflets to parents regarding window blind safety.	Passed Assembly
A.2924 Peoples-Stokes	Require hospitals to provide the full regimen of HIV post-exposure prophylaxis to sexual assault victims, and provide that victims be informed that payment assistance may be available from the Office of Victim Services.	Passed Assembly
A.3190 Ortiz S.2858 Parker	Require the DOH to establish a means of educating proprietors and employees of public eating establishments about food allergens.	Referred to Ways and Means
A.3442 Cook	Authorize the DOH to implement a community food security, empowerment and economic development program (SEED), to help meet the food needs of low-income individuals.	Referred to Ways and Means
A.3519 Rosenthal S.3754 Marcellino	Authorize the DOH to engage in or support research on the health effects of artificial night light.	Referred to Ways and Means
A.3866 Pretlow	Prohibit Child Health Insurance Plan approved organizations from denying or limiting the provision of covered health care services by a health care provider based on a provider's decision not to participate in a commercial health care network maintained by such approved organization.	Passed Assembly
A.3899-A Morelle S.3941-A Hannon	Authorize schools to access children's blood lead test results in the statewide immunization information system.	Referred to Codes
A.3978-A Gottfried S.2528 Seward	Clarify that emergency transportation is exempt from prior authorization under Medicaid; require DOH to establish a reimbursement methodology for ambulance transportation that ensure that providers are reimbursed at the greater of the Medicaid or Medicare rate.	Referred to Ways and Means
A.3991-A Gottfried	Restore medical futility as a basis for a Do Not Resuscitate order when there is a determination made that resuscitation would be unsuccessful.	Calendar 379
A.4007 Gottfried S.6541 Hannon	Require that a prescriber's determination shall be final when prescribing certain classes of drugs in Medicaid managed care.	Referred to Ways and Means

<u>BILL/SPONSOR</u>	<u>DESCRIPTION</u>	<u>ACTION</u>
A.4014 Lavine S.3589 Parker	Require hospitals to establish policies, procedures, and training programs to aid victims of domestic violence.	Passed Assembly
A.4019 Pretlow	Clarify that provisions relating to disputes between a surrogate and a hospital or health care provider do not apply when the provider is carrying out a patient's prior decision that meets standards set forth in the Family Health Care Decisions Act.	Referred to Codes
A.4053 Gottfried	Authorize the use of HIV surveillance data among care coordinators and care coordination systems.	Passed Assembly
A.4118 Rosenthal	Require the DOH to minimize public exposure to radon and its radioactive progeny in natural gas by providing oversight, monitoring, and testing of radon levels.	Referred to Ways and Means
A.4233 Gottfried	Require the Preferred Drug Program to administer prescription drug benefits for Medicaid managed care.	Referred to Ways and Means
A.4250 Gottfried S.5628 Savino	Require the Department of Health to study the implementation of the medical marijuana program in relation to banking, tax revenue collection, and employment tax collection.	Referred to Rules
A.4276 Gottfried S.6092 Savino	Authorize the use of medical marijuana for additional conditions and remove the limit of ten milligrams of tetrahydrocannabinol per dose.	Calendar 208
A.4277 Gottfried	Establish a medical marijuana advisory committee.	Calendar 413
A.4278 Goodell	Authorize the cities of Oswego and Jamestown to set the fee for issuance of birth and death certificates.	Referred to Ways and Means
A.4377-A Rosenthal S.2542-A Hannon	Require retailers of electronic cigarettes to register with the Department of Taxation and Finance.	Vetoed Memo 186
A.4395-A Niou S.2036-A Squadron	Establish a procedure and timeframe for the closure of nursing homes.	Referred to Ways and Means
A.4426 Cusick	Establish a physical fitness and activity education campaign.	Passed Assembly
A.4472 Gottfried	Authorize collective negotiations by health care providers with certain health care plans in geographic areas designated by the DOH.	Referred to Ways and Means

<u>BILL/SPONSOR</u>	<u>DESCRIPTION</u>	<u>ACTION</u>
A.4478 Pretlow	Require concurring determination only for life-sustaining treatment decisions for patients in hospitals, nursing homes, and hospice, even if the determination is based on a patient's mental illness or developmental disability.	Referred to Codes
A.4560 Abinanti	Provide that the fact that a certified medical marijuana patient tests positive for marijuana in a drug test will not be the basis for a hiring decision or disciplinary action.	Calendar 282
A.4703 Jenne S.3293 Hannon	Authorize the delivery of telehealth services at any elementary or secondary school, or child care program or center within the state.	Chapter 285
A.4708-A Gottfried	Authorize medical marijuana registered organizations to contract with entities to provide facilities, equipment, or services related to the organization's functions or activities; eliminate the DOH's ability to set prices.	Calendar 210
A.4716 Gottfried	Authorize physician assistants to operate fluoroscopy technology to assist a diagnostic or treatment procedure.	Calendar 519
A.4717-A Rosenthal S.5623 Hannon	Authorize the Attorney General to enforce the pharmacy benefit manager contract appeal process, and provide a civil penalty for violations.	Passed Assembly
A.4738 Gottfried S.4840 Rivera	Establish the New York Health Plan, a universal single payer health plan.	Passed Assembly
A.4916 Rosenthal S.1764 Golden	Establish a lymphedema and lymphatic disease research grants program.	Referred to Ways and Means
A.4952 Rosenthal S.1765 Golden	Establish a lymphedema and lymphatic disease research grants program and establish a fund to use for such purpose.	Referred to Ways and Means
A.5036-B Weprin S.4845-B Lanza	Authorize an adoptee to request certified copy of their birth certificate and a form containing the medical history of the biological parents; if confidentiality requested, identifying information would be redacted.	Passed Assembly
A.5046-A Gottfried S.5674 Hannon	Require the DOH to develop a health information and clinical technology infrastructure support program for the home care system.	Referred to Ways and Means
A.5091-A Crespo S.6786 Alcantara	Require the DOH to establish a method by which vendors participating in the Special Supplemental Nutrition Program for Women, Infants and Children may submit prices for approval.	Referred to Rules



<u>BILL/SPONSOR</u>	<u>DESCRIPTION</u>	<u>ACTION</u>
A.5096 Weprin S.5209 Stavisky	Prohibit smoking in a vehicle where minors under the age of fourteen are passengers.	Referred to Rules
A.5127 Rosenthal	Require pre-admission notification of policies authorizing the refusal to follow directives in health care proxies that are contrary to a hospital's operating principles.	Calendar 111
A.5132 Gottfried S.2495 Hannon	Expand the scope of the Transplant Council to make recommendations on matters relating to organ donation on an annual basis.	Chapter 26
A.5175-A Gottfried S.1241-A Ortt	Require the DOH to provide written notice to individuals eligible for the excess income program of the option to participate in a qualifying trust as a means for qualifying for Medicaid.	Chapter 475
A.5179 Ortiz S.1206 Carlucci	Makes the provisions of Lauren's law permanent, which requires individuals that apply for a drivers' license to complete the section of the application pertaining to the organ donor registry.	Chapter 332
A.5264 Crespo S.2967 Golden	Require the DOH to conduct a study of the high incidence of asthma in the city of New York and develop a remedial plan.	Referred to Ways and Means
A.5332 Gottfried	Establish procedures pertaining to the use of psychotropic medications in nursing homes and adult care facilities.	Passed Assembly
A.5398 Abinanti S.1629 Golden	Establish an electronic monitoring program for children diagnosed with autism spectrum disorder.	Referred to Ways and Means
A.5450 Englebright S.484 Squadron	Establish an environmental health tracking system to monitor environmental exposures and chronic diseases.	Referred to Ways and Means
A.5461 Englebright S.2227 Parker	Require all hospitals to have pest management plans for pest control activities; require the use of professional pesticide applicators, an annual evaluation of the plan, and notice of pesticide application.	Calendar 113
A.5475 Gottfried S.2498 Hannon	Establish the Living Donor Support Program, to provide for certain expenses that arise due to the act of living donation.	Referred to Ways and Means
A.5705 Gottfried	Clarify that decisions about routine care for hospice patients without a surrogate decision maker do not require prior review by an Ethics Review Committee.	Passed Assembly

<u>BILL/SPONSOR</u>	<u>DESCRIPTION</u>	<u>ACTION</u>
A.6044-A Simotas S.3867-A Hannon	Establish a newborn health and safe sleep pilot program, through the use of baby boxes and other newborn essentials.	Chapter 401
A.6120-B McDonald S.4557-B Ort	Require the Commissioner of Health to establish Medicaid reimbursement and billing procedures for complex rehabilitation technology products and services.	Vetoed Memo 165
A.6183 Titone	Authorize the Department of Health to conduct an education and outreach campaign on postnatal donation of tissue and fluids.	Referred to Ways and Means
A.6407-A Steck S.4805-A Carlucci	Eliminate the requirement that funeral firms pay for the electronic death registration system.	Referred to Ways and Means
A.6408-A Dinowitz S.5662-A Valesky	Adjust hospice residence reimbursement to include an efficiency factor to reflect nursing home rates for the managed long term care nursing home reimbursement region in which the hospice is located.	Vetoed Memo 230
A.6538 Cusick S.3149 Lanza	Expand wellness education and outreach programs to include information and activities aimed at preventing sudden cardiac arrest among student athletes.	Passed Assembly
A.6743 Barrett S.4779 Hannon	Clarify that individuals may establish a Medicaid Supplemental Needs Trust for their own benefit, without a court order.	Chapter 187
A.6831 Englebright S.5044 Hannon	Authorize collective bargaining for independent contractor health care providers and physicians in solo or small group practices within Nassau and Suffolk counties.	Referred to Codes
A.6838 Weprin S.5337 Hannon	Authorize the use of body imaging scanning equipment in correctional facilities.	Calendar 451
A.6906 Ryan S.6472 Hannon	Reduce the level of “elevated lead levels” requiring action under the Lead Poisoning Prevention Program.	Passed Assembly
A.6972 Barron S.2697 Parker	Require that youth leaving court ordered placement shall be presumed eligible for Medicaid while they await their Medicaid eligibility determinations.	Referred to Ways and Means
A.7006 Gottfried S.5629 Savino	Add post-traumatic stress disorder to the list of conditions eligible for medical marihuana.	Chapter 403
A.7032-A Solages	Require airports to provide a private nursing space for lactating mothers.	Passed Assembly

<u>BILL/SPONSOR</u>	<u>DESCRIPTION</u>	<u>ACTION</u>
A.7094 Hooper S.5856 Phillips	Extend certain emergency medical services restrictions in Nassau County.	Passed Assembly
A.7203 Jones S.4741 Hannon	Establish a rural health council within the DOH.	Chapter 419
A.7214 Seawright S.5559 Alcantara	Require the DOH to conduct a study of the high incidence of asthma in Manhattan and develop a remedial plan.	Vetoed Memo 227
A.7216 Gottfried S.5544 Hannon	Clarify that entities operating as fiscal intermediaries have one year to become authorized as fiscal intermediaries in the consumer directed personal assistance program.	Chapter 488
A.7218-A Jaffee S.5585-A Boyle	Prohibit children under age 18 from using tanning facilities.	Passed Assembly
A.7277-A Gottfried S.1869-A Hannon	Authorize nurse practitioners to execute orders not to resuscitate, as well as orders pertaining to life-sustaining treatment.	Chapter 430
A.7532 Gottfried S.5718 Hannon	Provide that physician assistants and nurse practitioners may enter into a collaborative agreement with a person or entity seeking to operate an automated external defibrillator.	Chapter 119
A.7581 Gottfried S.5774 Hannon	Require that the provision of blood clotting factor and related treatment be provided outside of Medicaid managed care.	Vetoed Memo 156
A.7614 Jones S.5750 Little	Authorize the DOH to establish an education and outreach program on pediatric acute-onset neuropsychiatric syndrome.	Chapter 199
A.7635-A Buchwald S.6005-A Murphy	Authorize employees of entities that contract with school districts to administer an epinephrine auto-injector.	Chapter 200
A.7727-A Lupardo S.5840 Hannon	Establish a certificate of need process for assisted living programs.	Vetoed Memo 214
A.7746 Gottfried S.6153 Hannon	Extend the statutory authority for several expiring provisions of law.	Chapter 49
A.7747-A Gottfried S.5671-A Hannon	Repeal or modify certain reporting requirements of the DOH.	Chapter 121
A.7748 Gottfried S.5342 Hannon	Extend the statutory authority of the DOH to issue certificates of public advantage.	Chapter 80

<u>BILL/SPONSOR</u>	<u>DESCRIPTION</u>	<u>ACTION</u>
A.7763 Gottfried S.5661-B Little	Establish an enhanced safety net hospital program, in which the DOH would adjust Medicaid rates for such hospitals.	Vetoed Memo 229
A.7772 Barrett	Authorize the exceedance of therapy visits for speech, physical, or occupational therapy if the physician or nurse practitioner attests to the medical necessity of additional sessions.	Referred to Ways and Means
A.7775-A Gottfried S.6364 Hannon	Expand the amount of beds in a hospice residence that may be dually certified as hospice and in-patient beds.	Chapter 205
A.7842 Gottfried S.6078 Valesky	Eliminate charges among health care providers for any record transfer that is required for the purpose of supporting a claim or appeal for any government program.	Chapter 322
A.7846 Gottfried S.6347 Hannon	Require hospice programs providing care in the patient's home to comply with the home care services work registry criminal background checks.	Chapter 206
A.7862-A Gottfried S.5340-A Hannon	Authorize the Office of the Medicaid Inspector General to impose penalties against managed care organizations for fraudulent or abusive submissions of encounter data.	Passed Assembly
A.7866 Gottfried S.6012 Seward	Provide that services provided by school-based health centers are to be permanently carved out of managed care.	Vetoed Memo 235
A.7922-A Steck S.6689 Amedore	Provide that Medicaid managed care enrollees may use a not-for-profit pharmacy operated by an institution of higher education in a low-income or underserved area.	Vetoed Memo 240
A.7949 Ortiz S.5927 Hannon	Provide for the designation of comprehensive care centers for eating disorders to occur every five years.	Chapter 259
A.7978 Steck	Authorize the Schenectady City Council to establish the fee for the issuance of birth and death records.	Referred to Ways and Means
A.8011-A Gottfried S.6219-B Ortt	Require Medicaid managed care plans to adjust payments to behavioral health providers simultaneously with fee for service providers.	Passed Assembly
A.8061 Gottfried S.6454 Hannon	Extend the statutory authority for provisions of law relating to contracts between health insurance plans and hospitals.	Chapter 82
A.8122 Gottfried S.2215-A Akshar	Exempt the six percent assessment on nursing home services that are paid directly by the patient, their caregiver, or custodian of patient's assets.	Referred to Ways and Means

<u>BILL/SPONSOR</u>	<u>DESCRIPTION</u>	<u>ACTION</u>
A.8131 Lupardo S.6081 Serino	Extend the statutory authority of the foster family care demonstration program.	Chapter 153
A.8159 Wright S.766 Stewart-Cousins	Require the DOH to notify residents of adult homes, enriched housing programs, and assisted living programs when a temporary operator is appointed.	Passed Assembly
A.8241 Morelle S.6511 Hannon	Clarify that clinics serving patients with developmental disabilities and traumatic brain injuries are reimbursed at the same rate by Medicaid.	Vetoed Memo 202
A.8308 Richardson S.4000 Krueger	Require the DOH to establish a statewide, searchable list of providers that treat maternal depression.	Chapter 463
A.8338 Gottfried S.6559 Hannon	Restore the Medicaid reserved bed day reimbursement methodology during hospital stays.	Vetoed Memo 238
A.8420 Jones S.6710-A Little	Authorize children attending summer camp to carry and use insect repellent with the written permission of a parent or guardian.	Chapter 163

### SECTION III

#### **Public Hearings of 2017**

- Subject:** Home Care Workforce  
Joint Hearing with the Assembly Committees on Aging and Labor and the  
Assembly Task Force on People with Disabilities
- Date/Place:** February 22 – New York City  
February 27 – Albany
- Subject:** Adult Care Facilities  
Joint Hearing with the Assembly Committees on Social Services and Aging
- Date/Place:** September 19 – New York City  
September 28 – Syracuse
- Subject:** Healthcare in New York Correctional Facilities  
Joint Hearing with the Assembly Committee on Corrections
- Date/Place:** October 30 – Albany
- Subject:** Nursing Home Quality of Care and Patient Safety and Enforcement  
Joint Hearing with the Assembly Committee on Aging
- Date/Place:** November 20 – New York City
- Subject:** Water Quality and Budget Implementation  
Joint Hearing with the Assembly Committee on Environmental Conservation and  
the Subcommittee on Oversight of the Department of Environmental  
Conservation
- Date/Place:** December 4 – New York City
- Subject:** Immigrant Access to Healthcare  
Joint Hearing with the Assembly Puerto Rican/Hispanic Task Force and the Task  
Force on New Americans
- Date/Place:** December 13 – New York City