

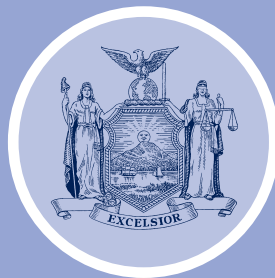


NEW YORK STATE ASSEMBLY

A N N U A L

2 0 1 2

R E P O R T



**Committee on
Health**

Richard N. Gottfried, Chair

SHELDON SILVER, SPEAKER



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

December 14, 2012

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

Dear Speaker Silver:

I am pleased to submit the 2012 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

2012 Annual Report

Richard N. Gottfried
Chair

Albany, New York

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

Health Committee Members

Majority

Inez D. Barron
Kevin A. Cahill
Nelson L. Castro
Steven Cymbrowitz
Jeffrey Dinowitz
Sandy Galef
Richard N. Gottfried, Chair
Aileen M. Gunther
Andrew Hevesi
Rhoda Jacobs
Charles D. Lavine
Amy Paulin
Crystal D. Peoples-Stokes
Naomi Rivera
Linda B. Rosenthal
Robin Schimminger
Matthew J. Titone

Minority

James D. Conte
Christopher S. Friend
Andy Goodell
David G. McDonough
Joel M. Miller
Edward P. Ra
Andrew P. Raia
Lou Tobacco, Ranking Minority Member

Health Committee Staff

Richard Conti, Executive Director
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

Simonia Brown, Senior Assistant Secretary for Program and Policy
Estíbaliz Alonso, Senior Analyst
Michelle Newman, Analyst
Nicholas Cartagena, Associate Counsel
Terri Zaleski, Administrative Assistant

Table of Contents

<u>Section</u>	<u>Page Number</u>
1. Summary Sheet	3
2. Final Action on Committee on Health Bills in 2012	4
3. Public Hearings of 2012	22

2012 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)	25	0	25
TO WAYS AND MEANS	44	0	44
TO CODES	50	0	50
TO RULES	3	0	3
TO JUDICIARY	0	0	0
TOTAL	122	0	122
BILLS HAVING COMMITTEE REFERENCE CHANGED			
TO <u>Consumer Affairs and Protection</u>	1	0	1
TO <u>Higher Education</u>	1	0	1
TO <u>Insurance</u>	2	0	2
TO _____			
TOTAL	4	0	4
SENATE BILLS SUBSTITUTED OR RECALLED			
SUBSTITUTED		4	4
RECALLED		3	3
TOTAL		7	7
BILLS DEFEATED IN COMMITTEE	1	0	1
BILLS HELD FOR CONSIDERATION WITH A ROLL- CALL VOTE	21	0	21
BILLS NEVER REPORTED, HELD IN COMMITTEE	304	23	327
BILLS HAVING ENACTING CLAUSES STRICKEN	23	0	23
MOTIONS TO DISCHARGE LOST	0	0	0
TOTAL BILLS IN COMMITTEE	475	30	505
TOTAL NUMBER OF COMMITTEE MEETINGS HELD	16		

SECTION II

Final Action on Committee on Health Bills in 2012

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.83-B Paulin S.7153 McDonald	Provide employee restroom access, even if the bathrooms are not normally open to the public, to people with certain medical conditions or to people who need to use an ostomy device.	Referred to Rules
A.85 Paulin S.892 Krueger	Authorize the prescribing of a non-patient-specific regimen of emergency contraception under certain circumstances and conditions.	Calendar 536
A.283-A Cusick S.569-A Robach	Establish and fund a program to promote leukemia, lymphoma and myeloma research, education and treatment.	Passed Assembly
A.288-A Paulin S.5008 Fuschillo	Prohibit the sale of flavored tobacco products except for menthol, mint and wintergreen flavors.	Passed Assembly
A.344-B Paulin S.5153-B Grisanti	Provide a premium reduction for physicians and licensed midwives who complete a risk management strategies in obstetrics course.	Passed Assembly
A.412 Dinowitz S.738 Squadron	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.	Referred to Ways and Means
A.413-A Gunther S.6169 Bonacic	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.459 Gibson S.5114 Savino	Create a lupus education and outreach program and advisory council within the Department of Health and authorize the provision of grants.	Passed Assembly
A.460 Gibson S.1175 Parker	Provide for taxpayer gifts for lupus education and prevention, and create a lupus education and prevention fund and outreach program and advisory council.	Calendar 25
A.543-A Gibson S.7194 Larkin	Provide for a corporate franchise tax check-off and a personal income tax check-off for taxpayer gifts for lung cancer education and prevention, and establish the lung cancer education and prevention fund.	Passed Assembly

<u>BILL/SPONSOR</u>	<u>DESCRIPTION</u>	<u>ACTION</u>
A.551 Gottfried	Require diversion of new admissions to a nursing home if the nursing home is unable to maintain safe and appropriate standards.	Held for Consideration in Ways and Means
A.565 Gottfried	Require enriched housing programs to report death and felony crimes to the Department of Health.	Passed Assembly
A.575 Gottfried	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.590 Gottfried S.1207 Hannon	Prohibit disclosure of testimony of a party to a health care quality assurance or peer review proceeding.	Referred to Codes
A.591 Gottfried S.4540 Ball	Provide clarification of written requirements for the disposition of human remains.	Passed Assembly
A.592 Gottfried	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.	Defeated in Health
A.593 Gottfried	Expand the medical exemption from mandatory immunizations for students.	Starred on Calendar
A.594 Gottfried	Provide certain prohibitions in contracts or agreements by health maintenance organizations.	Passed Assembly
A.595 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.600 Magnarelli	Establish mandatory reporting of alleged incidents of abuse, mistreatment or neglect of residents in adult care facilities.	Referred to Codes
A.654 Gottfried	Authorize nurse practitioners to certify that an immunization may be detrimental to a child's health.	Starred on Calendar
A.655 Gottfried	Require a health care provider to disclose to a patient any occurrence of medical error during the course of treatment and prohibit 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

<u>BILL/SPONSOR</u>	<u>DESCRIPTION</u>	<u>ACTION</u>
A.656 Gottfried	Authorize the commissioner of health to develop and administer training programs for coroners, coroners' physicians and medical examiners.	Passed Assembly
A.657 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.659 Gottfried S.4509 Hannon	Require utilization review agents to consider certain factors when determining whether to deny reimbursement for emergency services.	Passed Assembly
A.660 Gottfried	Clarify the definition of operational authority over a hospital and require the public health and health planning council to review any amendments to a hospital's mission statement to determine the impact on the availability of health care services.	Calendar 314
A.662 Gottfried	Require a "clinical peer reviewer" 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.663 Gottfried	Entitle temporary operators of adult care facilities to the same powers and protections afforded to a facility receiver with limitations on the power to sell or dispose of property and to transfer patients.	Passed Assembly
A.669-C Jaffee S.3200-B Hannon	Provide financial assistance from the Crime Victims Board for post-exposure prophylaxis treatment for victims of sexual assault.	Chapter 39
A.717 Dinowitz	Require the Commissioner of Health to take action when areas of lead poisoning have been designated.	Passed Assembly
A.732 Gottfried	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.804 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.	Calendar 441
A.805 Gottfried	Expand the prescription drug discount program to provide affordable prescriptions to more New York State residents.	Calendar 57

<u>BILL/SPONSOR</u>	<u>DESCRIPTION</u>	<u>ACTION</u>
A.806 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 307
A.807 Gottfried	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.809 Gottfried S.4664 Maziarz	Establish a fiduciary relationship between pharmacy benefit managers and health plans or providers.	Passed Assembly
A.810 Gottfried	Include health care facilities operated or supervised by the department of correctional services or local correctional facilities within the definition of hospital.	Referred to Rules
A.812 Paulin	Require the Commissioner of Health to make grants to municipalities for the delivery of early intervention (EI) services in an amount equal to its proportionate share of the total statewide dollars paid to EI providers by municipalities on account of EI services.	Referred to Ways and Means
A.841-A Ortiz S.3878-A Espallat	Require all general hospitals providing emergency services to post a statement of universal patient rights to emergency treatment, and prohibit pre-admission questioning of patient or family regarding insurance, credit, means of payment, or immigration status.	Calendar 331
A.1062 Ortiz S.1178 Parker	Require the Commissioner of Health to establish means of educating proprietors and employees of public eating establishments about food allergens.	Passed Assembly
A.1074-B Weisenberg S.2917-A Fuschillo	Prohibit tanning facilities from allowing the use of an ultraviolet radiation device by persons less than eighteen years of age.	Chapter 105
A.1370-C Lancman S.2470-C Maziarz	Create a New York State Safe Patient Handling Task Force within the Department of Health to establish a statewide safe patient handling policy in health care facilities.	Calendar 68
A.1469-A Rosenthal S.4325 Avella	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.	Calendar 69

<u>BILL/SPONSOR</u>	<u>DESCRIPTION</u>	<u>ACTION</u>
A.1589 Dinowitz S.2170 Golden	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 be shipped, knows that the government employee is acting within his or her official duties.	Passed Assembly
A.1808 Dinowitz	Extend the period during which health maintenance organization enrollees may continue to receive services from a health care provider who disaffiliates.	Passed Assembly
A.1833 Rosenthal	Authorize the Department of Health to engage in or support research on the health effects of artificial night light.	Referred to Ways and Means
A.1884 Ortiz	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.	Referred to Ways and Means
A.2155 Gottfried S.1179 Parker	Authorize the Commissioner of Health to create grants to be used to help pay for the costs of conducting local blood drives.	Passed Assembly
A.2128 Reilich S.4028 Zeldin	Require parental notification for abortions performed on unemancipated minors.	Held for Consideration in Health
A.2186 Rosenthal	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.	Referred to Rules
A.2231 Rivera, P.	Allow residents of adult homes, residences for adults, enriched housing programs or assisted living facilities, as a means of protecting their health, safety and welfare, to petition for the appointment of a temporary or permanent receivership.	Passed Assembly
A.2244-A Rabbitt	Require the provision of certain information to women who are considering and require a 24-hour waiting period prior to having an abortion.	Held for Consideration in Health
A.2392 Markey S.6259-A Golden	Require every golf course to make available at least one functional cardiac defibrillator and require employees of such facility be trained in its proper operation and use.	Passed Assembly

<u>BILL/SPONSOR</u>	<u>DESCRIPTION</u>	<u>ACTION</u>
A.2473 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 Rules
A.2474-B Canestrari S.7615 Hannon	Allow collective negotiations by health care providers with certain health care plans.	Referred to Ways and Means
A.2478 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.2518 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
A.2547 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 or otherwise.	Referred to Codes
A.2550 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.2636 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; defines the term "incidental exposure."	Held for Consideration in Health
A.2682 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.2951-B Ortiz	Require the Department of Health to conduct education and outreach relating to the health risks of children who become overweight or underweight.	Calendar 505
A.3121 Lupardo S.2025 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.	Calendar 623

<u>BILL/SPONSOR</u>	<u>DESCRIPTION</u>	<u>ACTION</u>
A.3122 Lupardo S.3471 Oppenheimer	Require the state, or state agencies that own, lease or operate a building to develop and maintain an indoor air quality plan.	Referred to Ways and Means
A.3339 Gottfried S.5001 Hannon	Include physician assistants, acting under the supervision of a physician, as persons able to certify and sign death certificates in the same manner as physicians.	Calendar 452
A.3394-A Maisel S.882-A Golden	Create the lymphedema and lymphatic diseases research grants program.	Held for Consideration in Ways and Means
A.3551-A Gottfried S.4660 Hannon	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.	Veto Memo. 153
A.3567-A Robinson	Require the Department of Health to provide written notice to residents of all adult homes, enriched housing programs, residences for adults and assisted living programs where a temporary operator has been appointed.	Passed Assembly
A.3621 Clark S.6590 Diaz	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.	Calendar 348
A.3643 Miller J	Exempt commuter colleges from the requirement of maintaining meningococcal meningitis records.	Held for Consideration in Health
A.3764 Englebright	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.3806-B Cusick S.2820-B Lanza	Allow pharmacists to access certain New York Prescription Drug Monitoring Program data.	Passed Assembly
A.3815-A 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 Ways and Means
A.3862 Englebright S.4798 Flanagan	Authorize funding of mapping incidence of breast cancer from the Breast Cancer Research and Education Fund; and require commercial pesticide applicators and sellers of restricted use pesticides to file their reports in electronic format or on scannable forms.	Passed Assembly

<u>BILL/SPONSOR</u>	<u>DESCRIPTION</u>	<u>ACTION</u>
A.3945 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.	Referred to Ways and Means
A.3953 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.	Referred to Ways and Means
A.3954 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.	Held for Consideration in Ways and Means
A.4018 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.4272 Ortiz	Establish a state diabetes coordinator within the Department of Health.	Referred to Ways and Means
A.4285-A Rivera, P.	Require mental health, alcohol and substance abuse benefits provided in Family Health Plus to be comparable to medical benefits provided as part of such programs.	Referred to Ways and Means
A.4294-A Wright S.5123-A Carlucci	Establish an education and outreach program for bone marrow and peripheral blood stem cell donation and include bone marrow or peripheral blood stem cell donations to the New York State Donate Life Registry.	Passed Assembly
A.4352 Englebright S.5575 Alesi	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.	Calendar 335
A.4342-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.	Calendar 454
A.4403-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.	Passed Assembly
A.4424 Rivera, P. S.1539 Dilan	Require the Commissioner of Health to report on the very high incidence of asthma in New York State.	Passed Assembly

<u>BILL/SPONSOR</u>	<u>DESCRIPTION</u>	<u>ACTION</u>
A.4444 Boyle	Establish a rewards program for individuals who provide relevant information to the office of the Medicaid inspector general that leads to the detection and conviction of medicaid fraud.	Held for Consideration in Health
A.4552 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.4863 Galef	Increase the legal age to purchase tobacco products from eighteen to nineteen years of age and exempt individuals who are eighteen and are serving in the United States military.	Held for Consideration in Codes
A.4902 Rosenthal	Require hospitals, in cases of emergency, to inform a patient or health care agent as soon as reasonably possible if the hospital has a formally adopted policy based on religious beliefs or sincerely held moral convictions that may be contrary to the health care agent or patient's decision.	Calendar 336
A.5036 Gottfried S.3737 Hannon	Authorize adults to opt to make a health care agent's authority effective without a determination of incapacity.	Referred to Codes
A.5038 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.5242 Latimer S.4255 Bonacic	Prohibit the consideration of fundraising proceeds when determining amounts of state aid or reimbursement for services to participating ambulance companies, including regional emergency medical councils.	Veto Memo. 164
A.5363 Kolb	Establish a state autism advisory board.	Held for Consideration in Health
A.5456 Burling	Add cathinone derivatives to Schedule I of the controlled substances list.	Held for Consideration in Health
A.5667-A McEneny S.3551-A Breslin	Allow the Common Council of the City of Albany to establish the fees charged for issuance of birth or death records.	Passed Assembly
A.5978 Burling S.212 Maziarz	Require pharmaceutical manufacturers and wholesalers to annually disclose all gifts to health care practitioners.	Held for Consideration in Health

<u>BILL/SPONSOR</u>	<u>DESCRIPTION</u>	<u>ACTION</u>
A.6039-A Kellner S.3865-A Robach	Provide reimbursement for outpatient blood clotting factor concentrates and other necessary treatments and services for persons eligible for the Child Health Plus or Family Health Plus programs who have hemophilia and other clotting protein deficiencies.	Passed Assembly
A.6066-A Magee S.3540-A Valesky	Authorize the City of Oneida to establish the fee for birth and death records	Passed Assembly
A.6017-A Meng	Require residential healthcare facilities to provide, in multiple languages, information concerning procedures for reporting abuse of patients in the facilities.	Calendar 354
A.6074 Rosenthal	Require hotels to protect all mattresses and box springs with bedbug-impermeable covers.	Referred to Codes
A.6077 Sweeney S.4058 Grisanti	Require the Department of Health to adopt regulations prohibiting the Maximum Contaminant Level for hexavalent chromium in the public water supply from being greater than .02 parts per billion.	Calendar 355
A.6086-A Goodell S.2450-A Young	Allow adult homes in a certain county to offer adult day health care programs until September 1, 2017.	Enacting Clause Stricken
A.6101 Kellner	Require the provision of transportation services for Medicaid recipients to a safe location during pest control procedures at their residences.	Held for Consideration in Ways and Means
A.6156-A Dinowitz S.6564 Stavisky	Prohibit smoking in public parks and pedestrian plazas.	Referred to Codes
A.6185-A Kavanagh S.7636 Alesi	Prohibit the display of human remains for commercial purposes without a permit from the Department of Health.	Referred to Rules
A.6241 Wright S.4077 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.6451-C Galef S.7627-A Carlucci	Prohibit individuals from smoking at playgrounds.	Passed Assembly
A.6498 Kolb	Repeal existing Public Health Law provisions that require Commissioner of Health authorization for residential health care facilities that wish to withdraw or transfer equity in excess of three percent of their total Medicaid revenue.	Held for Consideration in Health
A.6530 Kolb	Decrease fees imposed for access to genealogical records.	Held for Consideration in Health

<u>BILL/SPONSOR</u>	<u>DESCRIPTION</u>	<u>ACTION</u>
A.6539-B Cahill S.4563-A Savino	Establish certain requirements for the practice of surgical technology.	Veto Memo. 75
A.6555-F Rivera, N. S.4384-D Ranzenhofer	Require the Department of Health, in consultation with the Office of the Medicaid Inspector General and the Office of the Attorney General, to implement a program requiring the use of biometric technology, as a means of identification and for use as an anti-fraud application in the Medicaid program.	Held for Consideration in Health
A.6588 Conte	Require only one physician to certify the death of a transplant donor.	Held for Consideration in Health
A.6656 Curran	Require 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.6770 Cook S.4955 Ball	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.	Referred to Ways and Means
A.7003-A Arroyo S.4550-A Montgomery	Establish the Minority Coordinating Council on Asthmatic Affairs within the Department of Health.	Passed Assembly
A.7074 Gottfried	Require every general hospital to have a community advisory board.	Passed Assembly
A.7121-A Abinanti S.7358-A McDonald	Require county health commissioners to notify certain individuals in the event of an emergency creating an imminent risk to public health and safety.	Passed Assembly
A.7285-B Weprin S.3082-B Stavisky	Prohibit smoking in private passenger cars, vans or trucks where minors less than 14 years of age are passengers.	Referred to Codes
A.7347-B Gottfried S.7283-A Savino	Legalize the possession, use, delivery, transfer, transport or administration of marihuana by a certified patient or designated caregiver.	Passed Assembly
A.7408 Thiele	Require the Department of Health, in consultation and cooperation with any nuclear plant licensing agency, to conduct an evaluation of nuclear power plants operating in New York State before issuing a license to extend its period of operation.	Held for Consideration in Ways and Means
A.7518 Gottfried	Include Accountable Care Organizations within the definition of Medicaid managed care provider.	Starred on Calendar

<u>BILL/SPONSOR</u>	<u>DESCRIPTION</u>	<u>ACTION</u>
A.7534 McKevitt	Establish a state-wide database on the location and availability of medical procedures.	Held for Consideration in Health
A.7539 McKevitt	Establish the New York State tobacco settlement cancer research and treatment program to fund continued research of cancer and to provide treatment to individuals who suffer from the effects of tobacco usage consisting of 5% of the gross monies of tobacco related settlements received by the State.	Held for Consideration in Health
A.7585-A Lavine S.1850-A Oppenheimer	Require hospitals to establish policies, procedures and training programs regarding domestic violence.	Passed Assembly
A.7594-A Schimminger S.4124-A Ranzenhofer	Prohibit a person who is the subject of an order of protection which protects a decedent, or who has been arrested or charged with causing the death of the decedent, from being eligible to control the disposition of the decedent's remains.	Referred to Rules
A.7651-A Gottfried S.6065 Hannon	Expand the scope of the Special Advisory Review Panel on Medicaid Managed Care to include certain programs.	Passed Assembly
A.7662-C Ortiz	Set nutrition standards for restaurants distributing incentive items with meals aimed at children.	Referred to Codes
A.7776-A Ortiz S.7229 Hannon	Prohibit certain restaurants and food establishments from serving food containing artificial trans fat.	Referred to Rules
A.7860-A Gottfried S.5425-A Duane	Establish the New York Health Plan	Referred to Ways and Means
A.7866-B Jaffee S.4755-B Saland	Require the Department of Health to inform the public of the potential health effects of consuming water that does not meet the state drinking water standards, including well water.	Referred to Ways and Means
A.7917-A Cusick	Authorize the Department of Health to implement certain measures in order to curtail the diversion and abuse of controlled substances.	Passed Assembly
A.7941 Calhoun S.6726 Larkin	Require facilities to perform pulse oximetry screening on newborns.	Held for Consideration in Health
A.8128-C Paulin S.5572-C Klein	Require the Department of Health to post the results of public food service establishment inspections on their website.	Referred to Ways and Means

<u>BILL/SPONSOR</u>	<u>DESCRIPTION</u>	<u>ACTION</u>
A.8132 Weprin S.5627 O'Mara	Allow funeral firms to offer packages of goods and services, as long as they are offered in addition to itemized prices, for one year.	Referred to Ways and Means
A.8176-A Rosenthal S.7329 Hannon	Require health practitioners to complete course work or training regarding pain management and palliative care every four years.	Calendar 556
A.8213-B Gottfried S.5252-B Hannon	Establish guidelines for the use of retention and recruitment funds and timely billing in home care.	Rules Calendar 577
A.8231-B Peoples-Stokes S.5069-D Hannon	Require schools to distribute written information on meningococcal meningitis and the meningococcal meningitis vaccine to children entering the seventh grade or comparable age level special education program with an unassigned grade at school.	Referred to Ways and Means
A.8307 Lavine S.5145 Skelos	Amend the definition of adoptee for the purposes of the adoption information registry to include persons born in another state or the District of Columbia but adopted in New York.	Chapter 480
A.8386-A Graf S.6353 Johnson	Establish the nurse loan repayment program.	Held for Consideration in Health
A.8389 Lavine S.5014-A DeFrancisco	Authorize a health care agent to make decisions for transport to a particular hospital, mental hygiene facility or residential health care facility when the patient is unconscious or unresponsive.	Veto Memo. 156
A.8414-B Paulin S.6069-B Gallivan	Require the Department of Health to include a disclaimer on the physician profile website to clarify that the information provided may not be right, complete, or up-to-date; and require the Department of Health to include on the physician profiles an active link to the unified court system website where court records are maintained.	Chapter 280
A.8423-A Amedore S.5766-A Farley	Authorize the legislative body of the City of Amsterdam to determine the level of the fee charged by the local registrar for birth and death records.	Starred on Calendar
A.8453 Palmesano S.5787 O'Mara	Freeze the municipal share of local Medicaid costs at 2011 levels.	Held for Consideration in Health
A.8522-A Gottfried S.5853-A Hannon	Establish an episodic pricing payment structure with provider specific adjustments and new procedures for enrollment for Long Term Home Health Care Programs.	Passed Assembly

<u>BILL/SPONSOR</u>	<u>DESCRIPTION</u>	<u>ACTION</u>
A.8620-C Bronson S.5155-D Grisanti	Require central service technicians to obtain professional certification and establish continuing education requirements for this profession.	Veto Memo. 157
A.8860 Latimer S.7457 Bonacic	Authorizes fifteen to seventeen year olds to register to donate organs and tissue upon their death with parental consent.	Referred to Codes
A.8869-B Gottfried S.6228-B Hannon	Authorize statewide establishment of accountable care organizations.	Chapter 461
A.8908 Weisenberg S.6121 Saland	Provide statutory exemptions to allow Camphill Ghent residents to "age in place" in a fully integrated setting.	Chapter 13
A.8910-A Weprin S.7286 Lanza	Enact the "Bill of Adoptee Rights" to clarify language and procedures for obtaining birth certificates and medical histories for adoptees.	Referred to Codes
A.8913 Barclay S.6717 Ritchie	Prohibit the sale and distribution of synthetic cannabinoids and amend the penal law to include synthetic cannabinoids or synthetic cannabinoid analog in the definition of marijuana.	Held for Consideration in Health
A.8927 Magnarelli S.6013 DeFrancisco	Modify existing fees for environmental laboratories, from a volume based structure to a standardized base; and eliminate the Commissioner of Health's discretion in assessing fees for out of state labs, subjecting them to the same fees as in state labs.	Held for Consideration in Ways and Means
A.9044-B Rosenthal S.2926-B Johnson	Prohibit the sale of electronic cigarettes to persons less than 18 years of age.	Chapter 448
A.9107 Gunther S.6314 Golden	Add siblings of deceased persons to the list of family members authorized to obtain a death certificate upon request.	Chapter 130
A.9303-A Cahill S.6511-A Savino	Establish certification requirements for surgical technologists in hospitals and ambulatory surgical facilities.	Veto Memo. 158
A.9347 Brindisi S.7035 Hannon	Add the Superintendent of Financial Services to the early intervention coordinating council.	Chapter 135
A.9381 Englebright S.6500 Hannon	Require general hospitals treating newborns to offer parents, persons in parental relation and caregivers Bordetella pertussis (whooping cough) vaccinations.	Chapter 215

<u>BILL/SPONSOR</u>	<u>DESCRIPTION</u>	<u>ACTION</u>
A.9412 Fitzpatrick	Prohibit the provision, offer or advertisement of valuable consideration to any woman who donates a human egg for scientific research.	Held for Consideration in Health
A.9494 Goodell S.6881 Young	Allow municipalities to keep a certain percentage of funds received as the result of the prosecution of Medicaid fraud.	Held for Consideration in Health
A.9515-A Rosenthal S.7206 Savino	Require hotels and motels to notify employees of the presence of bedbugs on the premises and require development of training on eradication of bedbugs.	Referred to Rules
A.9586-D Jaffee S.6769-B Flanagan	Require mammography providers to inform patients when a mammogram indicates dense breast tissue.	Chapter 265
A.9596 Graf	Establish a prescription drug registry for controlled substances and require practitioners to check such registry.	Held for Consideration in Health
A.9664-B Brindisi S.6493-B Hannon	Exempt Medicaid recoupments or reductions for licensed home care services agencies from interest and penalties.	Veto Memo. 161
A.9801 Gottfried	Establish guidelines for the provision of funding to a facility under the Enhancing the Quality of Adult Living program (EQUAL).	Passed Assembly
A.9834 Gunther S.6970 Young	Establish a system for credentialing and privileging health care providers providing telemedicine services.	Chapter 390
A.9847-A Paulin S.6305-B Ball	Allow an eligible institution applying to participate in the WIC program at a particular site, and which has received approval to participate at another site and has not been deficient in its participation, to receive temporary approval to participate in the program.	Veto Memo. 133
A.9855-A Zebrowski	Add synthetic cannabinoids to the schedule of controlled substances.	Passed Assembly
A.9901 Titone S.6972 Hannon	Allow electronic confirmation, amendment, and revocation of registration in the New York State Donate Life Registry ("Registry") for organ and tissue donation.	Chapter 158
A.9943-C Brindisi S.7013-C Little	Provide for a streamlined process for certain municipal requests to permanently operate advance life support first responder services or ambulance services that have already been approved for an initial two year period.	Chapter 464

<u>BILL/SPONSOR</u>	<u>DESCRIPTION</u>	<u>ACTION</u>
A.9948 Morelle S.7062 Robach	Extend until June 30, 2015, the demonstration project authorizing the provision of physical, occupational and speech therapy services by a residential health care facility at an off-site location.	Chapter 159
A.10016-B Rivera, N. S.7115-B Klein	Provide for the inclusion of weight control in the health care and wellness education and outreach program and include weight management and physical fitness in insurance wellness programs.	Passed Assembly
A.10039-B Ortiz S.7103-A Carlucci	Establish Lauren's law requiring the Commissioner of Health to ask applicants about joining the donate life registry on certain applications.	Chapter 465
A.10094-B Russell S.7371-B Young	Increase Medicaid reimbursement for critical access hospitals by requiring that services be reimbursed at 100% of reasonable costs.	Veto Memo. 148
A.10095 Simanowitz S.7446 Robach	Prohibit owners, operators or employees of a body piercing studio from permitting body piercing of a person under eighteen years of age without written parental or legal guardian consent.	Chapter 270
A.10141-B Dinowitz S.6854-B Rivera	Prohibit smoking within 100 feet of the entrances or exits of any public or private elementary or secondary schools.	Chapter 449
A.10149-A Rivera, P.	Include eating disorders awareness, prevention, reduction and treatment within the health care and wellness education and outreach program.	Passed Assembly
A.10248-B Rivera, P. S.7384-A Hannon	Direct the Commissioner of Health to develop a standard prior prescription drug authorization request form for managed care providers.	Chapter 466
A.10249 Rivera, P. S.7632 Hannon	Require Medicaid Managed Care, Family Health Plus and Child Health Plus plans to use a qualified prescription drug system, in order to include prescription drug benefits in capitated rates.	Enacting Clause Stricken
A.10254 Barrett	Provide guidelines for the creation of a new environmental health tracking system within the Department of Health (DOH) to monitor environmental exposure and chronic diseases affecting New Yorkers.	Passed Assembly
A.10277 Schimel	Authorize expedited partner therapy for chlamydia trachomatis and other sexually transmitted infections and makes such provisions permanent.	Referred to Rules

<u>BILL/SPONSOR</u>	<u>DESCRIPTION</u>	<u>ACTION</u>
A.10287 Peoples-Stokes	Allow the sharing of sexually transmitted disease case report information among health department programs.	Referred to Rules
A.10304 Goodell S.6948 Young	Authorize a certain adult care facility to continue to offer ALP placement by permanently extending the original authorization.	Chapter 397
A.10372 Magnarelli S.7340 Ritchie	Increase state aid reimbursement for aerial spraying of mosquitoes, from fifty to one hundred percent, within amounts appropriated.	Chapter 469
A.10373 Goldfeder S.7596 Hannon	Require that patients diagnosed with a terminal illness or condition be given information regarding other appropriate treatment options should the patient wish to initiate or continue treatment.	Chapter 256
A.10378 Kavanagh S.1132 Parker	Require hospitals to provide language assistance services and translations of frequently used forms and materials.	Referred to Rules
A.10498-A Paulin	Require owners of multiple dwelling properties to implement and distribute smoking policies.	Referred to Codes
A.10517 Rules (Mayer) S.6742-A Hannon	Require Medicaid fee for service reimbursement for services provided to medically fragile children in pediatric diagnostic and treatment centers, until a work group assesses the most appropriate reimbursement methodology for this population.	Referred to Ways and Means
A.10518-A Rules (Gottfried) S7031-A Hannon	Regulate the provision of observation services in general hospitals.	Chapter 471
A.10606 Rules (Kavanagh) S.7602 Hannon	Provide technical corrections for certain statutory provisions enacted in FY 2012-13 budget regarding certificate of need requirements for certain federally qualified health centers (FQHCs) utilizing federal funds for capital projects.	Chapter 400
A.10623 Rules (Cusick) S.7637 Lanza	Implement the internet system for tracking over-prescribing (I-STOP) act and create a prescription monitoring program registry.	Chapter 447
K828 Glick	Memorializing Governor Andrew M. Cuomo to proclaim January 22-28, 2012, as Reproductive Rights and Justice Week in the State of New York.	Adopted
K957 Gunther	Urging the New York State Congressional delegation to support HR 3679, known as The National Nurse Act of 2011.	Adopted

<u>BILL/SPONSOR</u>	<u>DESCRIPTION</u>	<u>ACTION</u>
K1381 Peoples-Stokes	Urging the New York State Congressional delegation to pass the Preservation of Antibiotics for Medical Treatment Act.	Adopted

SECTION III

Public Hearings of 2012

Subject: Health Equity and Disparities in Outpatient Services and Referrals by Academic Medical Centers

Date/Place: May 10, 2012 – New York City

Subject: Flame Retardant Chemicals in Children’s Products
Joint with the Environmental Conservation Committee

Date/Place: September 6, 2012 – New York City

Subject: Medicaid transition to care management for long-term care patients
Joint with the Oversight, Analysis and Investigation Committee

Date/Place: December 7, 2012 – New York City