



New York State Assembly

Carl E. Heastie, Speaker

ANNUAL REPORT 2015

A dark blue silhouette of a city skyline, including various skyscrapers and buildings, positioned behind the large white text of the title.

Committee on

Health

Richard N. Gottfried, Chair



RICHARD N. GOTTFRIED
75TH ASSEMBLY DISTRICT

CHAIR
COMMITTEE ON HEALTH

NEW YORK STATE ASSEMBLY

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CHAIR
MANHATTAN DELEGATION

December 15, 2015

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 2015 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". The signature is written in a cursive style with a large initial "R".

Richard N. Gottfried
Chair
Committee on Health



New York State Assembly

Committee on Health

2015 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

Majority

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Edward C. Braunstein
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Barbara M. Clark
Steven Cymbrowitz
Jeffrey Dinowitz
Sandra R. Galef
Richard N. Gottfried, Chair
Aileen M. Gunther
Andrew D. Hevesi
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Shelley Mayer
Amy R. Paulin
Crystal D. Peoples-Stokes
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Robin L. Schimminger
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Andrew Goodell
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Raymond W. Walter

Health Committee Staff

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Monica Miller, Legislative Associate
Elizabeth Hamlin, Legislative Associate
Mischa Sogut, Legislative Associate
Helen Dong, Committee Clerk
Linda Dawes, Executive Assistant

Program and Counsel Staff

Rebecca Mudie, Assistant Secretary for Program and Policy
Anthony Kergaravat, Senior Analyst
Sable Lynch, Analyst
Janice Nieves, Associate Counsel
Logan Hardy, Committee Assistant
Terri Zaleski, Administrative Assistant

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2015 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)	33	0	33
TO WAYS AND MEANS	48	0	48
TO CODES	61	0	61
TO RULES	4	0	4
TO JUDICIARY	0	0	0
TOTAL	146	0	146
BILLS HAVING COMMITTEE REFERENCE CHANGED			
TO <u>CONSUMER AFFAIRS and PROTECTION</u>	1	0	1
TO <u>MENTAL HEALTH</u>	1	0	1
TO _____		0	
TO _____		0	
TOTAL	2	0	2
SENATE BILLS SUBSTITUTED OR RECALLED			
SUBSTITUTED		8	8
RECALLED		1	1
TOTAL		9	9
BILLS DEFEATED IN COMMITTEE	1	0	1
BILLS HELD FOR CONSIDERATION WITH A ROLL- CALL VOTE	16	0	16
BILLS NEVER REPORTED, HELD IN COMMITTEE	330	35	365
BILLS HAVING ENACTING CLAUSES STRICKEN	14	0	14
MOTIONS TO DISCHARGE LOST	0	0	0
TOTAL BILLS IN COMMITTEE	509	44	553
TOTAL NUMBER OF COMMITTEE MEETINGS HELD	14		

SECTION II

Final Action on Committee on Health Bills in 2015

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.37 Paulin S.912 Libous	Modify permitting and licensing standards for single purpose day camps by subjecting them to Department of Health oversight and requiring certain fees.	Referred to Codes
A.49 Cusick S.1657 Robach	Establish and fund a program to promote leukemia, lymphoma and myeloma research, education and treatment.	Passed Assembly
A.86 Paulin S.3486 Lanza	Authorize the Department of Health to conduct education and outreach programs for consumers, patients, and healthcare providers relating to the availability of counseling, education and advocacy program options provided at no cost for victims of sexual offense and/or child pornography promotion or possession.	Chapter 418
A.115 Paulin S.4488 Murphy	Authorize a medical malpractice insurance premium reduction for physicians and licensed midwives who complete a risk management strategies in obstetrics course.	Passed Assembly
A.126 Dinowitz	Require the Commissioner of Health 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 Codes
A.128 Paulin S.1825 Ritchie	Prohibit the sale of flavored tobacco products such as cigars, chewing tobacco, snuff, and rolling paper, with the exception of tobacco flavors, mint, menthol, and wintergreen flavors.	Referred to Codes
A.129 Paulin S.1420 Carlucci	Prohibit the application of pesticides to any playground, turf, athletic or playing fields in children’s overnight or summer day camps, except under certain circumstances.	Passed Assembly
A.134 Paulin S.3483 Lanza	Authorize the Department of Health to conduct education and outreach programs relating to the physical, sexual and psychological consequences of undergoing female genital mutilation.	Chapter 419
A.145 Paulin S.5099 Lanza	Require the Commissioner of Health to establish and post on the Department of Health’s website a list of FDA certified generic drug products.	Referred to Rules Rules Cal. 317

<u>BILL/SPONSOR</u>	<u>DESCRIPTION</u>	<u>ACTION</u>
A.154-A Weinstein	Establish a cause of action for residents of adult care facilities to petition for the appointment of a temporary operator.	Calendar 166
A.187 Abinanti S.1196 Marchione	Require county health commissioners to notify appropriate local officials in the event of an emergency creating an imminent risk to public health and safety.	Passed Assembly
A.230 Rosenthal S.1058 Golden	Establish the lymphedema and lymphatic diseases research grants program.	Vetoed Memo 213
A.273 Paulin S.4372 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.277 Paulin S.4918 Hannon	Authorize access to employee restrooms in places of business open to the general public for those with an eligible medical condition, such as Crohn's disease, ulcerative colitis, or other medical conditions that require immediate access to a restroom.	Passed Assembly
A.308 Rosenthal	Modify the number of witnesses required to be present when a competent adult appoints a health care agent by health care proxy.	Referred to Codes
A.336-A Gottfried S.1157-A Hannon	Authorize collective negotiations by health care providers with certain health care plans in geographic areas designated by the Commissioner of Health.	Referred to Ways and Means
A.355 Rosenthal S.4348 Hannon	Require the Commissioner of Health, in consultation with the Commissioner of Education, to establish standards, and review and implement requirements for the performance of Continuing Medical Education on pain management, palliative care and addiction.	Calendar 20
A.356 Rosenthal	Require that all hospitals and birth centers distribute informational leaflets concerning crib safety, with information detailing safe sleeping procedures for babies, to each maternity patient at the time of discharge.	Calendar 395
A.375 Gottfried S.3804 Parker	Authorize the Commissioner of Health to establish grants to be used to help pay for the costs of conducting local blood drives.	Vetoed Memo 188
A.376 Gottfried S.42 Hoylman	Require every general hospital to establish a community advisory board.	Calendar 54

<u>BILL/SPONSOR</u>	<u>DESCRIPTION</u>	<u>ACTION</u>
A.414-B Gottfried S.379 Rivera	Limit the definition of “eligible applicant” for managed long term care (MLTC) plan certification to not-for-profit organizations, with certain exceptions.	Calendar 282
A.442 Gottfried S.124 Hoylman	Provide that a nursing home patient’s right to recover damages in any action may be exercised by the patient’s legal representative or estate.	Passed Assembly
A.443-A 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.445-A Gottfried S.4783-A Defrancisco	Redefine the qualifications of a clinical peer reviewer by requiring the health care professional be licensed or certified in New York State, and board certified or board eligible in the same or similar specialty as the condition under review.	Calendar 5
A.446 Gottfried S. 4325 Hannon	Authorize midwifery birth centers and require the Commissioner of Health to make regulations relating to their establishment, construction, and operation.	Passed Assembly
A.501-B Cusick S.2545-B Lanza	Require health insurance plans to provide expedited review of applications of health care professionals joining certain group practices and new employees at certain facilities, and grant provisional credentials to such professionals.	Calendar 285
A.522 Kolb	Establish the New York State Autism Advisory Board within the Department of Health	Held for Consideration in Health
A.572 Rosenthal S.3107 Marcellino	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.627-A Braunstein S.738-A Griffo	Establish three substances to schedule I as prohibited substances.	Chapter 370
A.674 Rosenthal	Authorize health care agents to make decisions about life sustaining treatment, including artificial nutrition and hydration, based on a person's wishes, if known, or otherwise based on a person's best interests, for patients who lack decision-making capacity.	Referred to Codes
A.676-C Rosenthal S.3346-B Hannon	Require contracts between a pharmacy benefit manager and pharmacy to include a reasonable appeals process.	Passed Assembly
A.700 Englebright	Require all hospitals to have pest management plans for	Calendar 56

<u>BILL/SPONSOR</u>	<u>DESCRIPTION</u>	<u>ACTION</u>
S.2684 Parker	pest control activities; require the use of professional pesticide applicators, an annual evaluation of the implementation of the plan, and notice of pesticide application.	
A.778 Rosenthal S.3414 Savino	Require the Department of Health to minimize public exposure to radon and its radioactive progeny in natural gas by providing oversight, monitoring and testing of radon levels.	Referred to Codes
A.791-C Gunther S.4324-A Hannon	Require immunization against meningococcal disease for students entering, repeating or transferring into the seventh and twelfth grades, and adds meningococcal disease to the list of school vaccination requirements.	Chapter 401
A.804 Jaffee	Require the Department of Health to establish a public education program 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.841 Gottfried	Provide that any person or entity which exercises operational authority over a hospital is subject to establishment approval by the Public Health and Health Planning Council.	Calendar 8
A.947 Englebright S.335 Espaillat	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.	Calendar 96
A.1003 Rosenthal	Require hospitals to provide pre-admission notification of policies based on religious beliefs or sincerely held moral convictions that may be contrary to the patient's or health care agent's directives.	Calendar 64
A.1023 Gunther	Repeal duplicative provisions in Public Health Law related to orders not to resuscitate for residents of mental health facilities.	Referred to Codes
A.1054 Rodriguez S.3384 Golden	Provide Medicaid managed care beneficiaries access to services provided by academic podiatric centers.	Vetoed Memo 215
A.1056 Gunther S.1899 Bonacic	Require the Commissioner of Health to establish four comprehensive centers for the assessment of children diagnosed with autism spectrum disorders.	Referred to Ways and Means
A.1174 Rodriguez	Require Medicaid Managed Care, Family Health Plus and Child Health Plus plans to adopt the procedural protections of the Preferred Drug Program for all	Referred to Ways and Means

<u>BILL/SPONSOR</u>	<u>DESCRIPTION</u>	<u>ACTION</u>
	categories of drugs as part of their managed care benefit.	
A.1212 Lavine S.4751 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.1232 Lavine S.1067 Parker	Require hospitals to establish policies, procedures and training programs to aid victims of domestic violence.	Passed Assembly
A.1295 Cymbrowitz	Require the Department of Health to establish a colon cancer education program; provide for corporate franchise and personal income tax check-offs for taxpayer gifts for colon cancer education, and establish the colon cancer education fund.	Passed Assembly
A.1323-B Rosenthal S.676-B Hannon	Require a hospital to allow a patient an opportunity to designate, upon admission, a caregiver in the patient's medical record.	Chapter 391
A.1334 Zebrowski S.1421 Carlucci	Require tattoo studios and body piercing studios to use single-use needles and inks; and to obtain and maintain consent forms from customers for a period of no less than seven years.	Chapter 230
A.1411-A Paulin	Authorize retail clinics and limited service clinics to provide certain health care services.	Referred to Codes
A.1548 Gottfried S.782 Hannon	Require minimum staffing ratios for acute care facilities; require facilities to develop a staffing plan and to publicly disclose staffing requirements.	Referred to Ways and Means
A.1567 Gottfried S.777 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 or education on clinical trials of treatments for the patient's condition or disease.	Passed Assembly
A.1615 Gottfried	Establish 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 69
A.1616 Gottfried S.700 Rivera	Establish an age appropriate sex education grant program within the Department of Health aimed at preventing unwanted pregnancies and occurrences of sexually transmitted diseases among youth.	Referred to Ways and Means

<u>BILL/SPONSOR</u>	<u>DESCRIPTION</u>	<u>ACTION</u>
A.1732 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.1743 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.1910-B Zebrowski	Establish synthetic cannabimimetic agents to the schedule of controlled substances.	Passed Assembly
A.1932 Dinowitz	Authorize health maintenance organization enrollees to continue to receive services from a provider who disaffiliates under certain circumstances.	Calendar 72
A.1941 Markey	Require golf courses to make available at least one functional cardiac defibrillator and require employees of such facility be trained in its proper operation and use.	Calendar 298
A.2036 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.2150 Gottfried S.1153 Hannon	Authorize an attending physician to make decisions regarding hospice for an eligible adult who lacks decision-making capacity and does not have a surrogate, in consultation with staff providing direct care to such individual, and with a concurring recommendation.	Chapter 107
A.2170 Schimel S.4860 Hannon	Authorize health care practitioners to provide expedited partner therapy to a sexual partner or partners of someone having been diagnosed with certain sexually transmitted infections without examination of that patient's partner or partners.	Passed Assembly
A.2185 Gottfried S.3354 Little	Remove the requirement for municipalities and fire districts acting on their behalf to apply to their regional emergency medical services council for a determination of need when applying for permanent certification for advance life support first responder services or ambulance services.	Calendar 43
A.2210 Gottfried	Place restrictions on health care plans contractual agreements, policies and procedures as they relate to reimbursement, referrals, prescriptions, and treatment options.	Calendar 469

<u>BILL/SPONSOR</u>	<u>DESCRIPTION</u>	<u>ACTION</u>
A.2211 Gottfried S.311 Espaillat	Provide a conforming definition of palliative care and amend references in law to advanced and progressive diseases.	Passed Assembly
A.2230 Gottfried	Provide that health care professionals that prescribe pain-relieving medications to patients suffering from acute or chronic pain are protected from criminal liability or professional discipline when practicing in accordance with a reasonable standard of care.	Calendar 404
A.2359 Brindisi S.1789 Griffo	Require the medical certificate portion of death certificates to include a determination of whether the deceased suffered a sudden, unexpected death in epilepsy, when the deceased had a history of epilepsy or seizures.	to be sent to Gov.
A.2456 Graf	Require the Commissioner of Health to develop a list of all toxic materials individuals may have come into contact with due to military service, and require physicians to ask every patient if they have served in the military and consider every toxic substance that military personnel may have been exposed to when diagnosing a patient.	Held for Consideration in Health
A.2552-A Russell S.2405 Young	Provide clarification to telehealth definitions and require Medicaid and health maintenance organizations to provide reimbursement for telehealth delivery of services.	Chapter 6
A.2554 Barrett S.1693 Hannon	Prohibit the Office of Professional Medical Conduct from charging a practitioner based solely on the practitioner's recommendation or provision of a treatment method that is currently not universally accepted by the medical community.	Chapter 11
A.2581 Peoples-Stokes S.553 Parker	Establish an education and outreach program on lupus and a lupus advisory council. It also creates a process for donating money to lupus prevention activities.	Passed Assembly
A.2592 Dinowitz S.1785 Espaillat	Require the Commissioner of Health to take action when areas of lead poisoning have been designated.	Passed Assembly
A.2626-A Peoples-Stokes S.4838 Hannon	Authorize educational institutions operating whole body donation/non-transplant anatomic bank programs to file the requisite paperwork associated with the donation, including death certificates and burial and transit permits.	Passed Assembly
A.2631 Peoples-Stokes S.5218 Savino	Require the Commissioner of Health to establish the lupus research enhancement program and the lupus research enhancement fund.	Referred to Ways and Means
A.2700 Peoples-Stokes S.5048 Kennedy	Require maternity patients to be informed on unsafe sleeping practices for newborns and infants.	Passed Assembly

<u>BILL/SPONSOR</u>	<u>DESCRIPTION</u>	<u>ACTION</u>
A.2703 Katz	Enact provisions to provide mandate relief to counties in relation to the cost of the administration of Medicaid.	Held for Consideration in Health
A.2775 Pretlow	Clarify that provisions relating to disputes between a surrogate and a hospital or health care provider do not apply when the hospital or health care 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.2901-A Weprin S.5964 Lanza	Authorize adopted individuals to obtain a non-certified copy of the original birth certificate, and/or a medical history form, if available.	Passed Assembly
A.2918 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.	Calendar 188
A.2981-A Gottfried S.817-A Little	Authorize the preparation, sale, service, distribution, or consumption of food or non-alcoholic beverages in funeral establishments during certain events, subject to certain restrictions.	Passed Assembly
A.3052 Fahy S.2124 Breslin	Authorize the Albany Common Council to establish the fee charged for certified copies of birth and death certificates.	Passed Assembly
A.3072 Peoples-Stokes S.5216 Savino	Authorize the Department of Health to establish a lupus education and outreach program and advisory council, and establish a taxpayer check-off for the provision of taxpayer gifts for lupus education and prevention.	Referred to Ways and Means
A.3086 Cook	Authorize the Department of Health to implement a community food security, empowerment and economic development program (SEED), to help meet the food needs of low-income people.	Referred to Ways and Means
A.3098 Lupardo S.4938 Avella	Require state owned, leased, or operated buildings to develop and maintain an indoor air quality plan.	Referred to Ways and Means
A.3124 Fitzpatrick S.2068 Hassell-Thompson	Establish the public umbilical cord blood banking program.	Held for Consideration in Health
A.3236 Lupardo S.2282 Squadron	Require the Department of Health to prescribe a maximum indoor air contaminant level for trichloroethylene (TCE), in order to minimize health risks	Calendar 249

<u>BILL/SPONSOR</u>	<u>DESCRIPTION</u>	<u>ACTION</u>
	associated with TCE exposure.	
A.3353 Gottfried S.4698 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, add failure to reasonably cooperate with quality assurance and peer review programs to list of definitions of professional misconduct.	Referred to Codes
A.3392 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.3631 Gottfried S.2592 Serrano	Expand the definition of health and mental health care providers required to release health records and electronic records when requested by other 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.3663 DiPietro S.3652 Ortt	Require one year of residency in New York State for eligibility for Medicaid program services.	Held for Consideration in Health
A.3680 DiPietro	Require pharmaceutical drug manufacturers and wholesalers to disclose to the Department of Health all of its gifts to healthcare practitioners, when such gifts have a value of \$75 or more, on an annual basis.	Held for Consideration in Health
A.4003 Wright	Establish a "Save Our Sight" program to support programs that provide education and vision services to children	Referred to Ways and Means
A.4028 Hawley	Establish a central state registry of employees of medical facilities terminated for cause.	Held for Consideration in Health
A.4070 Kolb	Eliminate penalties for failure to pay certain health care facility assessments	Held for Consideration in Health
A.4114 McKevitt	Establish the New York state tobacco settlement cancer research and treatment program within the Roswell Park cancer institute, and a fund to support it.	Held for Consideration in Health
A.4199 McKevitt	Establish a state-wide database on the location and availability of medical procedures performed in hospitals in the state.	Held for Consideration in Health
A.4274 McDonald S.2486 Hannon	Delays until March 27, 2016, the requirement that prescribers electronically prescribe medications.	Chapter 13

<u>BILL/SPONSOR</u>	<u>DESCRIPTION</u>	<u>ACTION</u>
A.4343 Robinson S.3444 Stewart-Cousins	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.4466 Clark S.462 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 412
A.4490 Schimminger S.3547 Ranzenhofer	Provide an application and oversight process related to allowing continuing care communities to offer life care and life care at home programs to seniors.	Chapter 7
A.4602-A Colton	Provide for the inclusion of various illnesses, conditions, diseases, and injuries, in the list of diseases and conditions eligible for Medicaid coverage for orthopedic footwear.	Referred to Ways and Means
A.4871 Perry	Prohibit pharmacy benefit managers, health maintenance organizations, insurers and health plans from offering incentives to health care providers to switch from one prescription drug to another.	Calendar 309
A.4990-A Ortiz S.5313 Hannon	Authorize individuals 16 years of age or older to make an anatomical gift.	Referred to Rules
A.5062 Gottfried S.3525 Perkins	Establish the New York Health Plan, a universal single payer health plan.	Passed Assembly
A.5074-B McDonald S.3651-C Ortt	Require the Commissioner of Health to establish Medicaid reimbursement and billing procedures for complex rehabilitation technology products and services.	Referred to Ways and Means
A.5097 Goodell S.3421 Young	Authorize the cities of Jamestown and Oswego to set the fee for issuance of birth and death certificates.	Passed Assembly
A.5113 Goodell	Authorize counties or the City of New York to keep one hundred percent of the local share of the proceeds or ten percent of the total recovery, whichever is greater, of an award in connection with the prosecution of Medicaid fraud.	Held for Consideration in Health
A.5120 Goodell	Align Medicaid optional services to the minimum benefits required for not-for profit insurance plans and HMOs	Held for Consideration in Health
A.5161-C Braunstein	Require medical facilities or a related service to obtain express written consent prior to filming and/or broadcasting of visual images of a patient's medical treatment.	Referred to Rules
A.5164-A Mayer S.5221 Carlucci	Prohibit the use of coupons or a "price reduction instruments" for the discounted purchase of certain	Referred to Codes

<u>BILL/SPONSOR</u>	<u>DESCRIPTION</u>	<u>ACTION</u>
	tobacco products.	
A.5298 Barclay	Require the Department of Health to establish a residency program initiative for physicians who agree to work in medically underserved areas in the State. The bill would appropriate \$5 million to fund the program.	Held for Consideration in Health
A.5804 McDonald S.5466 Marchione	Require hospitals, birthing centers, and pediatric primary care centers provide informational leaflets to parents regarding window blind safety.	Passed Assembly
A.5853 Ortiz S.334 Espaillat	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 154
A.5875 Finch	Establish that, for the purpose of determining Medicaid eligibility, the date of transfer of real property shall be the date in which the deed of transfer was filed with the county clerk.	Held for Consideration in Health
A.5917-A Pichardo S.993-A Rivera	Prohibit smoking within one hundred feet of entrances, exits or outdoor areas of any after-school programs while such programs are operational.	Chapter 100
A.5923 Barron S.2877 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.5944 Ortiz S.1068 Parker	Require the Commissioner of Health to establish means of educating proprietors and employees of public eating establishments about food allergens.	Referred to Ways and Means
A.5955-B Rosenthal S.2202-B Hannon	Add electronic cigarettes to provisions prohibiting smoking in public places.	Passed Assembly
A.5956-C Rosenthal S.4327-A Hannon	Authorize food service establishments to choose to allow patrons to bring companion dogs into outdoor dining facilities under certain circumstances.	Chapter 402
A.6062 Gunther S.3687 Hannon	Require the Department of Health to oversee a program for the safe disposal of unused controlled substances, and provide that disposal sites shall be operated by law enforcement agencies, pharmacies, and other Federal Drug Enforcement Administration authorized collectors on a voluntary basis.	Chapter 379
A.6145 Ortiz	Require the Commissioner of Health to set nutrition	Referred to Codes

<u>BILL/SPONSOR</u>	<u>DESCRIPTION</u>	<u>ACTION</u>
S.779 Rivera	standards for restaurants distributing incentive items with meals aimed at children.	
A.6221 Glick S.4432 Stewart-Cousins	Codify in New York State law a woman's right to obtain an abortion as established by the United States Supreme Court in the decision of Roe v. Wade (1973).	Passed Assembly
A.6417-A Simon S.2500-A Squadron	Establish the Commissioner of Health's authority over the review and approval of applications for hospital closures, and for New York City, require the Commissioner of Health to post publically and submit to relevant state, local, and federal representatives, a report outlining the impact of the hospital's closure and allow for community input.	Passed Assembly
A.6506-A Crespo S.1528-A. Klein	Expand existing programs related to combating childhood obesity and related diseases as well as enhance coordination between departments and programs.	Chapter 469
A.6936 Clark	Make several technical and other changes to the Family Health Care Decisions Act and Non-Hospital Orders Not to Resuscitate provisions in Public Health Law.	Referred to Codes
A.6966 Gottfried	Restore medical futility as a basis for a Do Not Resuscitate orders when there is a determination made that resuscitation would be unsuccessful or that the patient will experience repeated arrest in a short time period before death occurs.	Referred to Codes
A.6979-A Ortiz S.299-A Espaillat	Authorize the Department of Health to establish a spina bifida education and outreach program, 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.	Chapter 465
A.6983-A McDonald S.4721-A Hannon	Require the Commissioner of Health and the Superintendent of Financial Services to develop a standard prior authorization request form to be used by all health care plans for utilization review determinations for coverage of prescription drug benefits.	Calendar 333
A.7022 Cusick S.2336 DeFrancisco	Establish a New York state physical fitness and activity education campaign.	Veto Memo 194
A.7060 Gottfried S.5086 Griffo	Require the Department of Health to establish an emergency medical marijuana access program for patients with a special certification, during the period before full	Chapter 416

<u>BILL/SPONSOR</u>	<u>DESCRIPTION</u>	<u>ACTION</u>
	medical marihuana implementation.	
A.7109 Ortiz S.1967 Hannon	Prohibit certain restaurants and food establishments from serving food containing artificial trans fat.	Referred to Rules
A.7124 Lawrence	Provides the Department of Health with access to the criminal history records of any maintenance employee of adult residential health and assisted living facilities.	Held for Consideration in Health
A.7154-A Rosenthal S.4188-A Ritchie	Prohibit the possession of electronic cigarettes on school grounds.	Referred to Rules
A.7155-A Gottfried S.4745-B Funke	Authorize families who sign-up for Child Health Plus prior to, or within 60 days of, their child's birth to have coverage take effect the day of birth.	Veto Memo 291
A.7181 Paulin S.5100 Lanza	Require an informational pamphlet that is distributed to maternity patients to include information relating to safe sleep practices. Provides for an informational video to be shown in lieu of a leaflet..	Passed Assembly
A.7202-A Gunther S.5183 Hannon	Add a provision to the Breastfeeding Mothers' Bill of Rights stating that mothers have the right to take reasonable unpaid breaks at work to pump breast milk for up to three years following childbirth, and that employers must take reasonable efforts to provide privacy for such activities.	Chapter 446
A.7208 Gottfried S.4893Hannon	Require that a prescriber's determination shall be final when prescribing certain classes of drugs in Medicaid managed care.	Vetoed Memo 191
A.7267 Gottfried S.3461-A 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.7298 Nojay	Require state reimbursement for expenditures made by local social services districts for Medicaid.	Held for Consideration in Health
A.7327-A Gunther S.4974-A Ortt	Remove clinics certified pursuant to Article 16 of the Mental Hygiene Law from targeted Medicaid reimbursement rate reductions.	Veto Memo 265
A.7351 Gottfried	Establish procedures pertaining to the use of psycho-tropic medications in nursing homes and adult care facilities.	Passed Assembly
A.7369 Russell S.4182-A Young	Provide that dentist's offices are originating sites for purposes of telehealth delivery of services.	Chapter 167

<u>BILL/SPONSOR</u>	<u>DESCRIPTION</u>	<u>ACTION</u>
A.7374 Pichardo S.772 Rivera	Create parity between the federal Stark Law and New York State law relating to provider referrals where there may be a financial interest at stake by the provider. Allows the Public Health Council to prohibit such activities if they to pose a substantial risk of payer or patient abuse.	Passed Assembly
A.7431-A Ortiz S.5101-A Hannon	Require driver's license applicants to indicate whether they consent to enrollment in a registry of donors for anatomical gifts.	Chapter 405
A.7465 Gottfried S.4874 Hannon	Establish a procedure for the collection and reporting of information submitted by hospitals to the Department of Health pertaining to sepsis.	Chapter 315
A.7488 Gottfried S.5733 Young	Provide that physical therapists and occupational therapists are telehealth providers for the purpose of telehealth delivery of services.	Chapter 454
A.7502 Gottfried S.5346 Hannon	Authorize the use of EQUAL funds for expenses incurred at any time during the fiscal year of the applicable EQUAL award.	Veto Memo 211
A.7503 Gottfried S.5481 Hannon	Authorize emergency medical technicians to provide community paramedicine services to patients outside of the initial treatment received prior to and during a patients transport to the hospital.	Passed Assembly
A.7532-A Morelle S.5712-A Felder	Provide that a compensated personal assistant under the Consumer Directed Personal Assistance program may include any adult relative of the eligible individual, except for a person legally responsible for care and support, a spouse, or a legally designated representative.	Chapter 511
A.7535-B Gottfried S.5565-B Hannon	Define and regulate the activities of fiscal intermediaries in connection to the Consumer Directed Personal Assistance program.	Veto Memo 302
A.7554 Jaffee S.5497 Serino	Require the Commissioner of Health to collect and analyze data in connection to the Early Intervention program for infants and toddlers with disabilities.	Veto Memo 270
A.7598 Gottfried S.5535 Hannon	Delay the transition of persons receiving services under the traumatic brain injury waiver into Medicaid managed care and establish a work group to develop recommendations relating to that transition.	Passed Assembly
A.7619 Morelle S.5509 Robach	Extend until January 1, 2021, the demonstration project that allows certain nursing homes to provide home based	Chapter 124

<u>BILL/SPONSOR</u>	<u>DESCRIPTION</u>	<u>ACTION</u>
	physician, nurse practitioner, and physician assistant services to elderly patients.	
A.7620 Morelle S.5731 Robach	Extend the demonstration project that allows for the provision of physical, occupational, and speech therapy by a residential health care facility at an off-site location until June 2018.	Chapter 32
A.7681-A Gottfried S.5540-A Murphy	Authorize affiliates of licensed operators in good standing to utilize the streamlined application process for adult care facilities and assisted living residences.	Chapter 574
A.7714-B Gottfried S.5522-B Hannon	Authorize hospital out-patient clinics and diagnostic and treatment centers to provide services to patients that are homebound at their place of residence or at a long-term care facility.	Passed Assembly
A.7777 Englebright S.5345 Hannon	Authorize the Commissioner of Health to make adjustments to Medicaid reimbursement rates for pediatric ventilator services.	Veto Memo 269
A.7846-A Cahill S.5486-A Ortt	Prohibit health care plans and health insurers, from requiring a behavioral health service provider to offer all products offered by the health plan, and would allow the behavioral health provider to execute separate contracts for the services the provider agrees to participate in.	Passed Assembly
A.7993-A Dinowitz S.5739-A Klein	Establish a limited Medicaid capital reimbursement exception for a nursing facility which has been sold or transferred pursuant to a court-ordered receivership.	Reported to Rules
A.8002 Gottfried S.5828 Hannon	Authorize correctional facilities to utilize body imaging scanning equipment for screening inmates in connection with security measures.	Reported to Codes
A.8107 Cusick S.5894 Lanza	Expand wellness education and outreach programs to include information and activities aimed at preventing sudden cardiac arrest among student athletes.	Passed Assembly
A.8171 Gottfried S.5878 Hannon	Limit the increase in the episodic pricing system for home health services to a maximum of \$30 million during SFY 2015-16.	Veto Memo 271
A.8172 Morelle S.5883 Robach	Require claims for Medicaid reimbursement by providers under the medical assistance program to be submitted within ninety days, unless there was a delay outside of the provider's control.	Veto Memo 246

<u>BILL/SPONSOR</u>	<u>DESCRIPTION</u>	<u>ACTION</u>
A.8226 Braunstein	Prohibit emergency service providers from selling or disclosing protected patient information for marketing purposes.	Reported to Codes

SECTION III

Public Hearings of 2015

Subject: The use of antipsychotic medication in nursing homes

Date/Place: February 18 – New York City

Subject: Traumatic Brain Injury Treatment and Services

Joint with the Mental Health Committee

Date/Place: October 8 – Albany

Roundtables of 2015

Subject: The Early Intervention program and examining the implementation of using
fiscal agents to pay service providers

Joint with the Oversight, Analysis and Investigation Committee

Date/Place: October 1 – Suffern

Subject: Addressing the Heroin and Synthetic Drug Crisis

Joint with the Alcohol and Drug Abuse Committee, the Codes Committee and
the Mental Health Committee

Date/Place: November 17 – Albany