

TUESDAY, FEBRUARY 26, 2019

2:52 P.M.

ACTING SPEAKER AUBRY: The House will come to order.

In the absence of clergy, let us pause for a moment of silence.

(Whereupon, a moment of silence was observed.)

Visitors are invited to join the members in the Pledge of Allegiance.

(Whereupon, Acting Speaker Aubry led visitors and members in the Pledge of Allegiance.)

A quorum being present, the Clerk will read the Journal of Monday, February 25th.

Mrs. Peoples-Stokes.

MRS. PEOPLES-STOKES: Mr. Speaker, I move to

dispense with the further reading of the Journal of Monday, February 25th and ask that the same stand approved.

ACTING SPEAKER AUBRY: Without objection, so ordered.

Mrs. Peoples-Stokes.

MRS. PEOPLES-STOKES: Thank you, Mr.

Speaker. I'd like to welcome my colleagues and friends back into the Chambers from a brief recess. Hopefully everybody's all rested and ready to go in the remainder of our Session. Mr. Speaker, here is where I like to insert a quote. This quote is from then-Senator John F. Kennedy back in 1958. Most of us in the Chambers weren't even born, Mr. Speaker, or even thought of. But the quote is, I think, very appropriate for today, tomorrow and well into the future and it reads: "Let us not seek the Democratic answer or the Republican answer, but let's seek the right answer. Let us not seek to fix blame for the past, but let us accept our own responsibility for the future." Again, Mr. Speaker, that's from then-Senator and former President John F. Kennedy. It was written in 1958.

Mr. Speaker, the members have on their desk a main Calendar with 24 new bills beginning with Calendar No. 44 on page no. 4. After any introductions or housekeeping we will continue our consent of bills that we left off from on Calendar No. 40 on page 12. Then we will begin to consent the 24 new bills. With that being kind of an outline of where we're going, we also have today, Mr. Speaker, a Social Services Committee meeting that will be called off the floor.

Committee members should be ready for that, and that's the general outline of where we're going today after any introductions or housekeeping. If you have those, this would now be the appropriate time, Mr. Speaker.

ACTING SPEAKER AUBRY: Certainly. Thank you, Mrs. Peoples-Stokes.

Mr. Zebrowski for an introduction.

MR. ZEBROWSKI: Thank you, Mr. Speaker. It's my privilege to rise for an introduction. I do so on behalf of myself and some of the other Rockland County Assemblymembers; Assemblymember Jaffee, Assemblymember Schmitt and Assemblymember Brabenec. I'm proud today to introduce a group of individuals, if they would rise in the back, from the Rockland County organization BRiDGES. And specifically, in BRiDGES, the Private First Class Joseph P. Dwyer Veteran Peer Support Program. With us today we have Juan Garcia who's an Army veteran and a Peer Support Specialist; we have Sharon Bailey, who's an Army and Air Force veteran and an administrator of the program; we have Izzy Quintana, who's an Army veteran and Outreach Coordinator; we have Gary Cornellis who's an Army veteran and we also have Lorraine Greenwell, who's the Deputy Executive Director of Rockland County BRiDGES.

These folks, Mr. Speaker, have given back to their country through their distinguished service in the military and they continue to give back to their community through this dynamic peer

support program. And I would appreciate it, Mr. Speaker, if you would welcome them to Albany today.

ACTING SPEAKER AUBRY: Certainly. On behalf of Mr. Zebrowski, Ms. Jaffee, Mr. Brabenec, Mr. Schmitt, the Speaker and all the members, we welcome these distinguished individuals here to the New York State Assembly. We extend the privileges of the floor to you and we commend you for the service that you have provided to us in the past in protecting this great country, as well as the service you're providing today for our young people. Thank you so very much. Continue that great work.

(Applause)

Mr. Smullen for an introduction.

MR. SMULLEN: Thank you, Mr. Speaker. Thank you very much. It's really my pleasure today to introduce a true hometown hero from Mayfield, New York, Ms. Terri Brubaker, to the Chamber today. She is joined by her boyfriend, Kevin Stangle, and her parents, Barry and Nancy Hampton. And I want to take a brief moment to recognize her for her selfless act of kindness and goodwill to a person she had never met before.

You see, Terri's story is that she was driving through Gloversville in Fulton County when she noticed money flying through the air, and decided to immediately take action. She went through traffic collecting this money and when she collected it all, she went straight to the Sheriff's Office to hand in the money. And as it turns out, this money belonged to Kim Steenburg, the widow of Rich

Steenburg, one of the victims of the tragic Schoharie limo crash last year. Kim, in fact, was supposed to be in that limousine, as well, but was ill that day. Kim accidentally left the money on the roof of her car and she had previously intended to take a week-long cruise with her husband who perished. Instead, she planned to travel with her sisters and close friends, given the bittersweet circumstances. But thanks to Terri's generosity, Kim was still able to go on that trip. And it's really my pleasure and my honor to take the moment now to thank Terri for her selflessness and recognize her as a prime example of a good samaritan working to improve our communities. So I introduce to you Terri Brubaker, our hometown hero from Mayfield, New York.

(Applause)

ACTING SPEAKER AUBRY: On behalf of Mr. Smullen, the Speaker and all the members, we welcome you here to the New York State Assembly. We extend to you the privileges of the floor, and to those who accompany you, and commend you on your selfless act and your kindness in times of disaster. Thank you so very much. Continue that process. Maybe we will all learn a little bit more. Thank you so very much.

(Applause)

Ms. Paulin for an introduction.

MS. PAULIN: Thank you, Mr. Speaker. I'm very pleased today to welcome to the floor the group of four young men from a group called YOUth Decide. It's a group aimed at combatting teenage addiction to tobacco products. It's a -- this is not a group

that's a stranger to this House and, in fact, Jack Waxman from Scarsdale was here many times last year to lobby actively on this very same issue. Today he's joined with three other -- he's now at Cornell and these are four freshmen, and he is joined with Milo Gringlas from Pound Ridge, Paul - oh, gosh - Agbaje - got it - from Baltimore and George DeFendini from College Point, Queens. I ask you to please welcome this group of fine young men and admire them, as I do, for their dedication to this important issue and extend to them the privileges of this House.

ACTING SPEAKER AUBRY: Certainly. On behalf of Ms. Paulin, the Speaker and all the members, gentlemen, we welcome you here to the New York State Assembly. We extend to you the privileges of the floor. Our congratulations on the work that you're doing. Continue that good work and we hope that life will be successful for you. Thank you so very much.

(Applause)

Ms. Woerner for an introduction.

MS. WOERNER: Thank you, Mr. Speaker, for allowing me to make this introduction. I am pleased to be joined today in the Chamber by Cheryl Marron and her daughter, Annalise Marron. They are residents of Saratoga Springs and Annalise, who is a beautiful young woman, is sadly challenged by an eating disorder that she has struggled with for a number of years. And I met Cheryl and Annalise when they came to me to talk about an organization that they were trying to found called Project HEAL to provide -- to raise

awareness of eating disorders, to provide support for families, to develop research and resources necessary to address this -- this disease. What I have learned through this and through their help is that few doctors understand it, there are limited protocols to treat it and, as a result, families are truly struggling alone.

They have joined us today because they were at Albany Med at the Refeeding Center to provide support boxes to those who are struggling with eating disorders in our communities. So, I am delighted that they're here to represent this important issue as we take up a resolution later on eating disorders. And, Mr. Speaker, I would ask that you welcome them and offer them the cordialities of the House.

ACTING SPEAKER AUBRY: Certainly. On behalf of Ms. Woerner, the Speaker and all the members, we welcome both of you distinguished young women here to the New York State Assembly, extend to you the privileges of the floor and commend you on the work that you're doing to help others who have suffered as you have. Thank you so very much, and continue up that great work. Thank you.

(Applause)

Resolutions on page 3, the Clerk will read.

THE CLERK: Assembly Resolution No. 100, Ms. Rosenthal. Legislative Resolution memorializing Governor Andrew M. Cuomo to proclaim February 25-March 3, 2019 as Eating Disorders Awareness Week in the State of New York.

ACTING SPEAKER AUBRY: On the resolution, all those in favor signify by saying aye; opposed, no. The resolution is adopted.

THE CLERK: Assembly Resolution No. 101, Mr. Brian Miller. Legislative Resolution memorializing Governor Andrew M. Cuomo to proclaim March 2019 as Pure New York State Month [sic] in the State of New York.

ACTING SPEAKER AUBRY: On the resolution, all those in favor signify by saying aye; opposed, no. The resolution is adopted.

Mr. Barclay for an introduction.

MR. BARCLAY: Mr. Speaker, I'm happy to have, introduce to you and to my colleagues here in the Assembly, Judge McCarthy, is from my County of Oswego. Judge McCarthy served 30 years as a judge and nine of the last years served as a Supreme Court Justice. So, Mr. Speaker, if you would please give him all the cordialities of the House.

ACTING SPEAKER AUBRY: Certainly. On of behalf of Mr. Barclay, the Speaker and all the members, Your Honor, we welcome you here to the New York State Assembly and commend you on your service to the State. Hope that you know that you're always welcome here and you do have the privileges of the floor. Thank you so very much.

(Applause)

MRS. PEOPLES-STOKES: Mr. Speaker, if you

could please call the Social Services Committee for a meeting in the Speaker's Conference Room, and we --

ACTING SPEAKER AUBRY: Social Services Committee, Speaker's Conference Room immediately.

Mrs. Peoples-Stokes.

MRS. PEOPLES-STOKES: And if we can begin our work today, Mr. Speaker, on page 12, No. 40, Calendar No. 40, Vanel.

ACTING SPEAKER AUBRY: The Clerk will read.

THE CLERK: Assembly No. A01914, Calendar No. 40, Vanel. An act to amend a chapter [sic] of the Laws of 2018 establishing the Digital Currency Task Force, as proposed in legislative bills numbers S. 9013 and A. 8783-B, in relation to increasing the number of members on the Task Force.

ACTING SPEAKER AUBRY: Read the last section.

On a motion by Mr. Vanel, the Senate bill is before the House. The Senate bill is advanced. Read the last section.

THE CLERK: This act shall take effect immediately.

ACTING SPEAKER AUBRY: The Clerk will record the vote.

(The Clerk recorded the vote.)

Mrs. Peoples-Stokes.

MRS. PEOPLES-STOKES: Colleagues, this is the first vote of today. The sooner we get these votes in, we'll be moving forward with the next item on the agenda. So, please, cast -- if you're in and around the Chambers, please cast your vote.

ACTING SPEAKER AUBRY: First vote of the day, members. If you are in the hallways, hear our voice, please come in and cast your vote. If you are in your chairs, vote now. Thank you.

ACTING SPEAKER DENDEKKER: Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

THE CLERK: Assembly No. A02221, Calendar No. 41, Schimminger, Stirpe. An act to amend Chapter 396 of the Laws of 2010 amending the Alcoholic Beverage Control Law relating to liquidator's permits and temporary retail permits, in relation to the effectiveness of certain provisions thereof.

ACTING SPEAKER DENDEKKER: Read the last section.

THE CLERK: This act shall take effect immediately.

ACTING SPEAKER DENDEKKER: The Clerk will record the vote.

(The Clerk recorded the vote.)

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

THE CLERK: Assembly No. A02459-A, Calendar No. 42, Fahy, D'Urso, Wallace. An act to amend the Executive Law, in relation to providing information on where to seek help in regards to military sexual trauma.

ACTING SPEAKER DENDEKKER: Read the last section.

THE CLERK: This act shall take effect on the 90th day.

ACTING SPEAKER DENDEKKER: The Clerk will record the vote.

(The Clerk recorded the vote.)

ACTING SPEAKER AUBRY: Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

THE CLERK: Assembly No. A03676, Calendar No. 43, Romeo. An act to amend the Insurance Law, in relation to the issuance of broad form coverage by the Joint Underwriting Association.

ACTING SPEAKER AUBRY: On a motion by Ms. Romeo, the Senate bill is before the House. The Senate bill is advanced. Read the last section.

THE CLERK: This act shall take effect immediately.

ACTING SPEAKER AUBRY: The Clerk will record the vote.

(The Clerk recorded the vote.)

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

Ms. Romeo, the first for you. Congratulations.

(Applause)

The Clerk will read.

THE CLERK: Assembly No. A00217, Calendar No. 44, Paulin, Dinowitz, Lupardo, Solages, Simon, Buchwald, Arroyo, McDonough, Seawright, Weprin, Otis, Galef, Colton, Jean-Pierre, D'Urso. An act to amend the General Business Law, in relation to the prohibition of the sale of crib bumper pads and the restriction of the use of such pads in certain settings.

ACTING SPEAKER AUBRY: The bill is laid aside.

THE CLERK: Assembly No. A00271, Calendar No. 45, Seawright, Fernandez, Weprin, Otis, Simotas, Wallace, L. Rosenthal. Concurrent Resolution of the Senate and Assembly proposing an amendment to Section 11 of Article 1 of the Constitution, in relation to equal rights for women.

ACTING SPEAKER AUBRY: Read the last section.

THE CLERK: This act shall take effect immediately.

ACTING SPEAKER AUBRY: The Clerk will record the vote.

(The Clerk recorded the vote.)

Ms. Seawright to explain her vote.

MS. SEAWRIGHT: Thank you, Mr. Speaker. The New York State Constitution currently provides equal rights on the basis of race, color, creed and religion. A notable -- noticeable absence is the equal rights for women. Most residents of the State

assume that women have equal rights in their Constitutions, both State and Federal, and are outraged at the news that they are not.

In her book titled Equal means Equal, Jessica Neuwirth exposed that 72 percent of people polled throughout -- equal rights for men and women are already guaranteed, but this misconception is often followed by outrage. Ms. Neuwirth further reported that 91 percent of Americans polled in 2012 support that the Constitutions provide equal rights for men and women. It is crucial to have this provision firmly in our State Constitution to guard against taking steps backwards on women's rights in health, domestic violence, education and employment. For example, we, as women, represent over half the workforce, but historically, women have been paid less than men. New York women lost between \$450,000 to \$1 million over the course of their careers. The ERA will assure that this kind of economic inequality will never happen again.

Women have waited more than 200 years for the equality promised by the Declaration of Independence to all people. Last year, we celebrated the 100th anniversary of the women's suffrage movement. Next year in 2020, we celebrate the 100th anniversary of women first exercising their right to vote. On behalf of the ten million women residents of the State of New York, now is the time to extend Democracy to include women in the State Constitution. I proudly cast my vote in the affirmative. Thank you.

ACTING SPEAKER AUBRY: Ms. Seawright in the affirmative.

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

THE CLERK: Assembly No. A00316, Calendar No. 46, Seawright. An act to amend the Public Authorities Law, in relation to the Roosevelt Island Operating Corporation; and to repeal Chapter 899 of the Laws of 1984 relating to the creation of a Public Benefit Corporation to plan, develop, operate, maintain and manage Roosevelt Island.

ACTING SPEAKER AUBRY: Read the last section.

THE CLERK: This act shall take effect immediately.

ACTING SPEAKER AUBRY: The Clerk will record the vote.

(The Clerk recorded the vote.)

Ms. Seawright to explain her vote.

MS. SEAWRIGHT: Thank you, Mr. Speaker. This bill will provide important updates to the Roosevelt Island Operating Corporation - RIOC - Law, which is outdated and needs clarification of the intent of specific provisions in the original law of 1984. In addition, this legislation will include sexual orientation in the equal employment opportunity sections of the law. I proudly cast my vote in the affirmative. Thank you.

ACTING SPEAKER AUBRY: Ms. Seawright in the affirmative.

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

THE CLERK: Assembly No. A00431, Calendar No. 47, Braunstein, Abinanti, Gunther, Mosley, Gottfried, Weprin, Montesano, L. Rosenthal, Colton, Jaffee, Cahill, O'Donnell, Peoples-Stokes, Steck, Raia, Perry, Simotas, Otis, Rodriguez, Blake, Simon. An act to amend the General Business Law, in relation to the sale and use of employment information.

ACTING SPEAKER AUBRY: The bill is laid aside.

THE CLERK: Assembly No. A00435, Calendar No. 48, Paulin, Otis, Seawright, Vanel, Niou. An act to amend the Public Authorities Law, in relation to prescribing a uniform system of accounts for the Power Authority of the State of New York.

ACTING SPEAKER AUBRY: Read the last section.

THE CLERK: This act shall take effect immediately.

ACTING SPEAKER AUBRY: The Clerk will record the vote.

(The Clerk recorded the vote.)

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

THE CLERK: Assembly No. A00677, Calendar No. 49, Niou, Kim, Blake, Morinello, De La Rosa, Rozic, L. Rosenthal. An act to amend the Executive Law, in relation to requiring the collection of certain demographic information by certain State

agencies, boards and commissions.

ACTING SPEAKER AUBRY: The bill is laid aside.

THE CLERK: Assembly No. A00927, Calendar No. 50, Perry. An act to amend the Executive Law, in relation to requiring a law enforcement officer or peace officer who discharges his or her weapon under circumstances where a person could be struck by a bullet to immediately report the incident.

ACTING SPEAKER AUBRY: The bill is laid aside.

THE CLERK: Assembly No. A01033, Calendar No. 61 [sic], Gottfried. An act to amend the Public Health Law, in relation to the use of psychotropic medications in nursing homes and adult care facilities.

ACTING SPEAKER AUBRY: The bill is laid aside.

THE CLERK: Assembly No. A01051, Calendar No. 52, Paulin, Galef, Englebright, Quart, Zebrowski, Cook, Abinanti, L. Rosenthal, Colton, Weprin, Otis, Dinowitz, Thiele, Simon, Gottfried, Lupardo, Perry, Jaffee, Crespo, Fernandez. An act to amend the Public Health Law and the Environmental Conservation Law, in relation to prohibiting the use of pesticides at children's overnight or summer day camp.

ACTING SPEAKER AUBRY: The bill is laid aside.

THE CLERK: Assembly No. A01078, Calendar No. 53, Gottfried, D'Urso, Seawright, Lupardo. An act to amend the Public Health Law, in relation to the definition of palliative care.

ACTING SPEAKER AUBRY: Read the last section.

THE CLERK: This act shall take effect immediately.

ACTING SPEAKER AUBRY: The Clerk will record the vote.

(The Clerk recorded the vote.)

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

THE CLERK: Assembly No. A01326, Calendar No. 54, Crespo, De La Rosa. An act to amend the Workers' Compensation Law, in relation to covered employment as a domestic worker for temporary disability benefits.

ACTING SPEAKER AUBRY: The bill is laid aside.

THE CLERK: Assembly No. A01619, Calendar No. 55, Rozic, Blake, Bronson, Colton, Crespo, D'Urso, De La Rosa, Englebright, Barrett, Fahy, Fernandez, Gunther, Ortiz, L. Rosenthal, D. Rosenthal, Rivera, Simon, Solages, Abinanti, Johns, Raia, Epstein, Niou, Reyes, Taylor, Ashby, Griffin. An act to amend the Insurance Law, in relation to coverage for eating disorders.

ACTING SPEAKER AUBRY: The bill is laid aside.

THE CLERK: Assembly No. A01890, Calendar No. 56, Wright, Peoples-Stokes, Barron, Bichotte, Cook, Crespo, De La Rosa, Galef, O'Donnell, Rozic, Seawright, Simon, Taylor, L. Rosenthal, Hunter, Glick, Arroyo, Ortiz, Niou, Gottfried, Simotas, Wallace, Otis, Bronson. An act to amend the State Finance Law, the Civil Practice Law and Rules, the Public Officers Law, the General

Obligations Law, the Labor Law and the Executive Law, in relation to discrimination; and to amend subpart E of Part KK of Chapter 57 of the Laws of 2018, amending the Labor Law, relating to the establishment of a model policy regarding the prevention of sexual harassment and a model training program to prevent sexual harassment in the workplace, in relation to the effectiveness thereof.

ACTING SPEAKER AUBRY: The bill is laid aside.

THE CLERK: Assembly No. A01916, Calendar No. 57, Perry. An act to amend the Insurance Law, in relation to requiring out-of-State insurance adjusters employed to appraise in-State property damages arising from emergency situations to employ established rates used for appraisal by in-State insurance adjusters.

ACTING SPEAKER AUBRY: On a motion by Mr. Perry, the Senate bill is before the House. The Senate bill is advanced. Read the last section.

THE CLERK: This act shall take effect immediately.

ACTING SPEAKER AUBRY: The Clerk will record the vote.

(The Clerk recorded the vote.)

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

Mrs. Peoples-Stokes.

MRS. PEOPLES-STOKES: Thank you, Mr. Speaker. If we could stay on page 6 and go back to Calendar No. 55,

Member Rozic, on debate.

ACTING SPEAKER AUBRY: The Clerk will read.

THE CLERK: Assembly No. A01619, Calendar No. 55, Rozic, Blake, Bronson, Colton, Crespo, D'Urso, De La Rosa, Englebright, Barrett, Fahy, Fernandez, Gunther, Ortiz, L. Rosenthal, D. Rosenthal, Rivera, Simon, Solages, Abinanti, Johns, Raia, Epstein, Niou, Reyes, Taylor, Ashby, Griffin. An act to amend the Insurance Law, in relation to coverage for eating disorders.

ACTING SPEAKER AUBRY: An explanation is requested, Ms. Rozic, but first we're going to have -- clear the aisles, folks. You don't need to be there. Please get out of the aisles. We are on debate now. Conversations quiet. We'll let 'em move, right, let 'em get out of the way.

Proceed.

MS. ROZIC: Thank you, Mr. Speaker. This bill expands the definition of eating disorders covered by insurance companies in the State of New York. Currently, Federal law spells out what eating disorders are, but the New York definition has not caught up to that. This expands the definition to include all eating disorders per the DSM-V, which is the Diagnostics and Statistical Manual of Mental Disorders, that is also approved by the APA. It clears up confusion that could be surrounding some eating disorders and lesser-known ones.

ACTING SPEAKER AUBRY: Mr. Goodell.

MR. GOODELL: Thank you, Mr. Speaker, would

the sponsor yield?

ACTING SPEAKER AUBRY: Will you yield, Ms. Rozic?

MS. ROZIC: Yes.

ACTING SPEAKER AUBRY: The sponsor yields.

MR. GOODELL: Thank you very much. I note that a number of years ago we enacted Article 27-J of the Public Health Law, creating what are known as "comprehensive care centers for eating disorders." And at the time the Legislature created that Article and authorized the Health Department to work in this field, the Legislature at that time noted as part of its legislative history that the treatment of eating disorders was a difficult and complex area, or it can be, and that the treatment prevention and research activities in New York State were fragmented and incomplete with inadequate and sometimes conflicting insurance coverage.

And so, back when we enacted Article 27-J, the idea was to have these comprehensive care centers for eating disorders rather than what was then considered to be fractured and separate and inadequate treatment. It's my understanding, and I was hoping you could share on this, has the program that we enacted by statute to create these comprehensive care organizations and groups, has that been effective for the patients that attend those facilities?

MS. ROZIC: So, the comprehensive care centers for eating disorders are doing great work. We support them every year through our State Budget. There are only three of them in the entire

State. One covers the New York City region in Manhattan, one is right here in the Capital Region in Albany, and then one is located in Rochester.

MR. GOODELL: The -- a number of commentators, particularly in the health care area, like the Health Plan Association, for example, suggest that the proposed legislation we have here would move us backwards to a fragmented system by allowing people to go anywhere to get treatment for an eating disorder, rather than encourage them to go to a comprehensive care center that specializes in this; what is your thoughts on that issue?

MS. ROZIC: So, I would say a couple of things: One is that these comprehensive centers don't necessarily cover all types of treatment and services, so a certain patient might need outpatient therapy or another patient might need a residential service and program. So, it doesn't cover one and all. I would also say that they have very specific research criteria and if you have a lesser-known eating disorder or if you have a hybrid of two different kinds of eating disorders, if you have both, that isn't necessarily the best care that we can provide someone.

MR. GOODELL: As you correctly noted out, there are three comprehensive care centers for eating disorders. Is there a waiting list at these centers, do you know?

MS. ROZIC: I don't know.

MR. GOODELL: You correctly note, of course, that having three Statewide doesn't necessarily facilitate any outpatient

services unless you're in that immediate community. Would a better approach be to expand the number of comprehensive care centers rather than to simply say anyone can go anywhere?

MS. ROZIC: I would support that in future State Budgets. I think that that's a great idea. Right now, this bill is just broadening the definition to include lesser-known eating disorders so that we can meet patients where they are and help them get help today.

MR. GOODELL: One of the concerns, of course, we hear all the time from our constituents is that the cost of health insurance is too high. That's one concern. The second concern we often hear, certainly I do and I'm sure you do, as well, is that the deductible is too high. And those go hand in hand. So, every time the Legislature adds another mandated benefit, the cost goes up and employers tend to respond by increasing the deductible which means that for those who cross the deductible, they get comprehensive coverage, but if fewer people have insurance and more people have lower insurance because of a higher deductible.

What kind of impact do you envision this to have on health insurance rates? I noted in your memo of support that you mentioned that the cost of an eating disorder could be in the range of \$30,000 per patient per month, which would suggest it could be a huge cost and a huge impact on insurance. Have you been able to quantify what kind of impact this would have on insurance rates?

MS. ROZIC: I think that ultimately what's important

here is these families who are, as my memo notes, paying upward of \$30,000 every month for coverage, it is also often the case that families and patients are choosing to go out-of-State because we just don't have the services and treatments for these eating disorders here in New York.

MR. GOODELL: Have you been able to quantify, though, the impact of this legislation on the cost of insurance in New York?

MS. ROZIC: I'm happy to follow you up with that.

MR. GOODELL: I apologize.

MS. ROZIC: I can follow up with you on that.

MR. GOODELL: I see. Thank you very much. I appreciate your comments.

On the bill.

ACTING SPEAKER AUBRY: On the bill, Mr. Goodell.

Shh.

MR. GOODELL: I agree with the sponsor that eating disorders are a difficult and potentially very serious issue, often involving multiple factors and, in fact, this Legislature, when it passed Article 27-J of the Public Health Law, recognized the complexity of this issue and its seriousness, which is why this Legislature created the comprehensive care centers for eating disorders. And I agree with the sponsor, as well, that having only three in the State hardly makes it convenient, unless you happen to live in the Capital Region or near

Rochester or in the metropolitan New York area. But eating disorders aren't limited to those three areas of our State.

And so, on the flip side -- so on one hand I -- I absolutely agree, we need to have a more comprehensive approach and I'd be very supportive of increasing the number of those comprehensive care clinics, or centers. At the flip side, we need to recognize that every time we add a mandated coverage to our insurance, our insurance goes up. Cost elasticity of insurance has been reported to be as high as one-on-one, meaning a 1 percent increase results in 1 percent of the people dropping their insurance. And we know that employers respond by increasing the deductible every time insurance rates go up, which means that as we, as a Legislature, add more and more mandated coverages, there's a lot of working families that end up with no insurance at all until they meet that deductible.

And so, it's not just a simple question of saying let's extend insurance to cover another illness or another condition. We need to recognize that there are ramifications that go throughout our State when we do so. So, I have supported this legislation in the past. I will do so again today, although I'm very much concerned that we should quantify the cost and make sure that this approach is the right approach, as opposed to increasing the number of comprehensive care centers for eating disorders.

With that caveat, thank you very much, Mr. Speaker. And, again, thank you to my colleague for her answers.

ACTING SPEAKER AUBRY: Mr. Ortiz.

MR. ORTIZ: Thank you, Mr. Speaker.

On the bill.

ACTING SPEAKER AUBRY: On the bill, sir.

MR. ORTIZ: Mr. Speaker, I do remember the day May 9th, 2004. May 9th, 2004 was a date where we had the debate about the famous three comprehensive eating disorder centers. I happened to be the main sponsor of this particular bill. And the reason this bill came to fruition was because it was a young girl by the name of Maria who was 18-years-old who came to my office. And on that date, she comes to my office to explain to me exactly what the sponsor is asking about how to quantify how much will cost -- how much the prime will go up for -- for mandating that insurance companies should cover this particular disease.

One of the biggest challenges that Maria's family has, just for all my colleagues here, was that Maria's family had to sell two houses, one business in order to take care and facilitate the treatment that her daughter needed. At that point, Maria had to leave New York State because New York State -- at that point, Maria's family had to leave New York State because Maria's family couldn't find a place in New York State. And now we're talking about a year prior to this bill when this bill went into effect.

The history behind this bill, as for Maria's family and the bill that we passed in May, was because Maria's family not only had to spend \$100,000, but had to spend over half-a-million dollars to

take care of her daughter. That's a lot of money. Mr. Speaker, that is a lot of money that sometimes we, as the parents or grandparents, don't have and cannot afford. But Maria's family was able to do that and Maria's family was able to sell those businesses and today, Maria is doing very well.

Well, the question is do they -- by expanding and extending and bringing more eating disorder centers in the State of New York will be the answer. Well, I will applaud if we can extend those centers, but today, we are asking to put in the budget \$2 million for eating disorders and to maintain this eating disorder centers that was created back in May, 2004, because they've been de-funded. And if you have -- if you have a program that is de-funded, now the waiting list is going to get longer, but the disadvantage of this, that you have so many minority people, minority family who have daughters, sons, granddaughters and grandsons who are suffering from this disease and they don't have a place to go. They do not have a place to go because they don't have the money to pay for a good eating disorder caring center. And I explain, Mr. Speaker --

ACTING SPEAKER AUBRY: Shh. Ladies and gentlemen.

MR. ORTIZ: -- and I explain, eating disorders are the number one most fatal mental illness in this country and in this State. This is not a white, black, Hispanic, Asian, whatever issue, this is a human issue, this is a humankind issue. This is an issue today, Mr. Speaker, that is impacting my family. I never thought that I

would be talking about eating disorders from my own angle and my own perspective. I never thought that I would be speaking on this floor based on something that is happening to me today.

I always have spoken on behalf of other families, other people, but when you have a granddaughter that is suffering from an eating disorder, even if my capacity that I might know who to call, and you don't have really the strength to call, and even though if you call, you might get some answers, but when the times come to pay, Mr. Speaker, \$5,000, \$10,000 a month is not short-change for my son to go there and take care of his daughter.

So, I do believe that this bill is in the right direction. It is a lot of stuff that we need to do, absolutely, yes; it is a lot of stuff that we have to continue to work on it to make sure that we be able, that a child that needs to go to a psychiatric, the family doesn't have to pay \$4- to \$500. That when a child has to go to see a psychology [sic], that that individual, that family, doesn't have to pay \$3 -- \$200 and \$500 on the spot. And, Mr. Speaker, this is a reality of life that families who have children with eating disorders have to go through. I just had a meeting, two-and-a-half hour meeting in my office today with a group of families about this issue, and I do believe that the sponsor is correct, I do believe that this bill, despite the fact that we have to do more, we have to make sure that we take care of those who cannot take care of themselves, especially when you have too many Hispanics, African-Americans and underserved community who cannot have access, who cannot have access, Mr. Speaker, to this

particular illness, and this illness is a killer.

But I will tell you this much, Mr. Speaker, and as long as I continue to be here, or whether I'm not here anymore, I will tell you, I will continue to fight to make sure that we recognize the importance of eating disorders in this State and in this country. This is a mental health issue, this is an issue that not only impacts the family and both their parents, but involves and impacts all the grandparents and all the people around this particular child. Most of the time, this -- we think that this issue's about the girl, but we also have boys who suffer from eating disorders, and we have to make sure -- and I don't know how many of you have taken the opportunity to visit these centers, but I have, even before my granddaughter got to the place, I have visited these centers because I do believe -- I do believe that we have what it takes to make the difference. And we as the Legislature, we as the Legislature can do what is right to make sure that this family cannot go into hardship, that this family will be able to continue to stay in the State of New York, and we will be able to provide the service that this family need to make sure that we can keep our family together in the wonderful State of New York.

So, Mr. Speaker, I encourage my colleagues to please understand that this is an issue that not only impacts the family, but impacts everybody outside the family. And I hope that we will be able to leave this room today by a positive vote on this particular legislation, and more to come. Thank you, Mr. Speaker, and thank you for listening.

ACTING SPEAKER AUBRY: Thank you, sir.

Mr. Johns.

MR. JOHNS: Yeah, Mr. Speaker, on the bill.

ACTING SPEAKER AUBRY: On the bill, sir.

MR. JOHNS: First of all, I want to thank the sponsor and the Speaker for bringing this bill up. A little background, I know a little bit about eating disorders because I've talked to people and I'll admit, before I was elected to this Body, I didn't know much about it. Heard of it, heard of all the terms, but Dr. Mary Tantillo, who heads the Center in Rochester, the area I'm from, she comes into my office every year and brings in parents of people, young people. Not just young girls, but young people who have this problem and they do a big, a big service in Rochester at the center to try and help these people along. It's a lifelong problem that they have to deal with. Dr. Mary Tantillo brings in people, families, who have lost sons and daughters. And if we don't put money into the Budget to make sure that we take care of people with eating disorders, it's going to cost us more in the long run, not only financially, but the lives of young people that are going to be lost.

So once again, I want to thank the sponsor and everybody here, I encourage you to vote yes on this particular bill. Thank you.

ACTING SPEAKER AUBRY: Read the last section.

THE CLERK: This act shall take effect on the 90th day.

ACTING SPEAKER AUBRY: The Clerk will record the vote.

(The Clerk recorded the vote.)

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

Mrs. Peoples-Stokes.

MRS. PEOPLES-STOKES: Mr. Speaker, do we have any housekeeping or further resolutions?

ACTING SPEAKER AUBRY: We do have resolutions, which we will take up in one vote. On the resolutions, all those in favor signify by saying aye; opposed, no. The resolutions are adopted.

(Whereupon, Assembly Resolution Nos. 102-118 were unanimously approved.)

Mrs. Peoples-Stokes.

MRS. PEOPLES-STOKES: I now move that the Assembly stand adjourned until 12:30 p.m., Wednesday, February the 27th, tomorrow being a Session day.

ACTING SPEAKER AUBRY: The Assembly stands adjourned.

(Whereupon, at 4:55 p.m., the Assembly stood adjourned until Wednesday, February 27th at 12:30 p.m., Wednesday being a Session day.)