



New York State Assembly

Sheldon Silver
Speaker



2013

ANNUAL REPORT

Committee on
Health

Richard N. Gottfried
Chair





RICHARD N. GOTTFRIED
75TH ASSEMBLY DISTRICT

CHAIR
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CHAIR
MANHATTAN DELEGATION

December 15, 2013

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

Dear Speaker Silver:

I am pleased to submit the 2013 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, reading "Rich Gottfried".

Richard N. Gottfried
Chair
Committee on Health



New York State Assembly

Committee on Health

2013 Annual Report

Richard N. Gottfried
Chair

Albany, New York

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

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Majority

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Barbara M. Clark
Steven Cymbrowitz
Jeffrey Dinowitz
Sandra R. Galef
Richard N. Gottfried, Chair
Aileen M. Gunther
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Matthew J. Titone
(Vacancy)

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Andrew Goodell
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Andrew P. Raia, Ranking Minority Member
Raymond W. Walter

Health Committee Staff

Richard Conti, Executive Director
Elizabeth Hamlin, Legislative Associate
Monica Miller, Legislative Associate
Mischa Sogut, Legislative Associate
Helen Dong, Committee Clerk
Linda Dawes, Executive Assistant
Barbara Riley, Administrative Assistant

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

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2013 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)	28	0	28
TO WAYS AND MEANS	46	0	46
TO CODES	62	0	62
TO RULES	5	0	5
TO JUDICIARY	0	0	0
TOTAL	141	0	141
BILLS HAVING COMMITTEE REFERENCE CHANGED			
TO <u>INSURANCE</u>	1	0	1
TO _____			
TO _____			
TO _____			
TOTAL	1	0	1
SENATE BILLS SUBSTITUTED OR RECALLED			
SUBSTITUTED		4	4
RECALLED		2	2
TOTAL		6	6
BILLS DEFEATED IN COMMITTEE	0	0	0
BILLS HELD FOR CONSIDERATION WITH A ROLL- CALL VOTE	9	0	9
BILLS NEVER REPORTED, HELD IN COMMITTEE	309	28	337
BILLS HAVING ENACTING CLAUSES STRICKEN	11	0	11
MOTIONS TO DISCHARGE LOST	0	0	0
TOTAL BILLS IN COMMITTEE	471	34	505
TOTAL NUMBER OF COMMITTEE MEETINGS HELD	15		

SECTION II

Final Action on Committee on Health Bills in 2013

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.263 Rosenthal S.5304 Marcellino	Authorize the Department of Health to engage in or support research on the health effects of artificial night light.	Referred to Rules
A.287-A Kavanagh S.827 Parker	Prohibit the display of human remains for commercial purposes without a permit from the Department of Health.	Passed Assembly
A.314 Dinowitz S.190 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.365-B Dinowitz S.5215-A Fuschillo	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.	Chapter 342
A.403-A Magnarelli S.5690 Valesky	Require that on and after January 1, 2010, the hip and knee replacement cases at certain hospitals be reimbursed based on the diagnosis-related groups and weights in place on December 31, 2007	Veto Memo. 251
A.414-A Paulin S.1674-A Grisanti	Authorize a premium reduction for physicians and licensed midwives who complete a risk management strategies in obstetrics course.	Passed Assembly
A.420 Paulin S.1494 Krueger	Authorize the prescribing of a non-patient-specific regimen of emergency contraception under certain circumstances and conditions.	Referred to Ways and Means
A.431 Dinowitz	Require the Commissioner of Health to take action when areas of lead poisoning have been designated.	Passed Assembly
A.495-B Paulin S.5012-A Carlucci	Require owners of multiple dwelling properties to implement and distribute smoking policies.	Referred to Codes
A.497-A Paulin S.3134-A Krueger	Allow a health care practitioner to diagnose, treat or prescribe treatment related to sexually transmissible diseases to a person under age eighteen without the consent of a parent or guardian.	Calendar 238

<u>BILL/SPONSOR</u>	<u>DESCRIPTION</u>	<u>ACTION</u>
A.525 Magnarelli	Establish mandatory reporting of alleged incidents of abuse, mistreatment or neglect of residents in adult care facilities.	Referred to Codes
A.535 Abinanti S.2754 Marchione	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.544 Gibson S.5178 Savino	Create a lupus education and outreach program and advisory council within the Department of Health and authorize the provision of grants.	Referred to Ways and Means
A.551 Gibson S.5177 Savino	Create an education and outreach program within the Department of Health on lupus and appropriate \$250,000 to carry out the purposes of this legislation.	Referred to Ways and Means
A.558-A Cusick S.1976-A Robach	Establish and fund a program to promote leukemia, lymphoma and myeloma research, education and treatment.	Passed Assembly
A.619 Rosenthal S.4922 Savino	Reduce from two to one the number of witnesses required to be present when a competent adult appoints a health care agent by health care proxy.	Referred to Rules
A.620-A Gibson S.281-A 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
A.713 Rosenthal	Require hotels to protect all mattresses and box springs with bedbug-impermeable covers.	Referred to Codes
A.717-A Braunstein S.3469-A Griffo	Add certain substituted cathinones (bath salts) to Schedule I of the controlled substances schedule.	Chapter 341
A.721 Rosenthal S.5638 Savino	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 129
A.746-A Rosenthal S.328-A Avella	Require a hospital discharging a visually impaired patient to offer to provide a large print version or an audio recording of the discharge plan, in addition to a written copy.	Passed Assembly

<u>BILL/SPONSOR</u>	<u>DESCRIPTION</u>	<u>ACTION</u>
A.878-A Bronson S.697-A Grisanti	Require central service technicians to obtain professional credentials and establish continuing education requirements for this profession.	Chapter 177
A.909 Weprin S.2490-A 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.918 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.	Referred to Codes
A.962-A Kellner S.2186-A Robach	Require coverage for outpatient blood clotting factor products and other treatments and services furnished in connection with the care of hemophilia and other blood clotting protein deficiencies in Child Health Plus.	Chapter 428
A.1101-B Gunther S.3944-B Hannon	Authorize pharmacies to establish a controlled substance take-back program.	Chapter 343
A.1115-A Jaffee S.1987-A Martins	Prohibit smoking outdoors on the grounds of hospitals and nursing homes within fifteen feet of a building entrance or exit, and within fifteen feet of the entrance to or exit from the grounds, except under certain circumstances.	Chapter 179
A.1124 Rosenthal S.2947 Hannon	Require certain health practitioners to complete course work or training regarding pain management and palliative care every four years.	Passed Assembly
A.1179-A Paulin S.5686 Ritchie	Prohibit the sale of flavored tobacco products except for tobacco, menthol, mint and wintergreen flavors.	Passed Assembly
A.1286-A Zebrowski S.2750-A Hannon	Require certain health care practitioners to offer Hepatitis C testing to individuals born between 1945 and 1965 who are receiving certain health services at a hospital or diagnostic treatment center.	Chapter 425
A.1287-A Zebrowski S.1993-A Carlucci	Authorize the police department to apply for a waiver from the 10 day quarantine requirement for a police dog who bites a person in the course of their official duty.	Chapter 163
A.1400 Gunther S.1881 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.1451-A Zebrowski	Add synthetic cannabinoids to Schedule I of the New York State Controlled Substance Schedule.	Passed Assembly

<u>BILL/SPONSOR</u>	<u>DESCRIPTION</u>	<u>ACTION</u>
A.1527-A Cahill S.2308-A Hannon	Prohibit the sale of identifying information contained in prescription records.	Referred to Codes
A.1538-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.1573 Kolb	Allow counties to opt out of providing optional Medicaid services to new enrollees.	Held for Consideration in Health
A.1679 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.1755 Englebright	Require the Department of Health to monitor lead levels in all candy sold or distributed in the state and in soft vinyl lunch boxes and bibs, and to conduct public information programs on the hazards of lead.	Referred to Ways and Means
A.1917-A Ortiz S.1791-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 10
A.1919-A Schimel	Authorize expedited partner therapy for the sexual partner or partners of an individual diagnosed with a sexually transmitted infection (STI), if the Centers for Disease Control and Prevention recommend use of such therapy for the diagnosed STI.	Passed Assembly
A.1935-A Englebright S.3768 Hannon	Allow grants awarded by the Breast Cancer Research and Education fund to be used for mapping incidents of breast cancer.	Chapter 106
A.1988 Gottfried S.2079 Hannon	Provide flexibility to the Department of Health in developing regulations related to hospital observation services, and establish certain requirements for hospitals providing observation services.	Chapter 5
A.1989 Gottfried S.2080 Hannon	Make certain changes to the charge and composition of the Accountable Care Organization Workgroup.	Chapter 6
A.2087 Lavine S.2889-A Skelos	Include those born outside of the state, but adopted in New York State, in the adoption registry.	Chapter 15
A.2114-A 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 138

<u>BILL/SPONSOR</u>	<u>DESCRIPTION</u>	<u>ACTION</u>
A.2116-C Paulin S.2375-B Klein	Require the Department of Health to post the results of public food service establishment inspections on the website.	Chapter 529
A.2180-B Gunther S.1123-B Maziarz	Enact the “safe patient handling act” to require establishment of a statewide safe patient handling program and policy for health care facilities.	Passed Assembly
A.2193-C Paulin S.1015-D 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 Ways and Means
A.2280 Malliotakis S.2504 Golden	Reinstate the asset test, interview and photograph identification requirements for individuals seeking to enroll in the Medicaid program.	Held for Consideration in Health
A.2316-B Gunther S.270-B Larkin	Require facilities to perform pulse oximetry screening to detect congenital heart disease on newborns.	Chapter 184
A.2335-B Rodriguez	Require Medicaid Managed Care, Family Health Plus and Child Health Plus plans to use a qualified prescription drug system as part of their managed care benefit.	Referred to Ways and Means
A.2446 Robinson S.4068 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.2562 Lavine S.1583 Parker	Require hospitals to establish policies, procedures and training programs regarding domestic violence.	Passed Assembly
A.2574 Ortiz S.3199 Parker	Require the Commissioner of Health to establish means of educating proprietors and employees of public eating establishments about food allergens.	Passed Assembly
A.2673-A Gottfried	Require the development and adoption of 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.2674 Gottfried	Simplify the process of designating an agent for disposition of remains.	Passed Assembly
A.2675 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.	Calendar 182

<u>BILL/SPONSOR</u>	<u>DESCRIPTION</u>	<u>ACTION</u>
A.2687 Gottfried S.4495 Hoylman	Extend a nursing home patient's right to recover damages in any action to the patient's legal representative or estate.	Passed Assembly
A.2688 Gottfried	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.2691-B Gottfried S.5834 Hannon	Require utilization review agents to consider certain factors when determining whether to deny reimbursement for emergency services.	Chapter 514
A.2692 Gottfried	Authorize the commissioner of health to develop and administer training programs for coroners, coroners' physicians and medical examiners.	Calendar 95
A.2693 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.2695-A Gottfried S.5893-A Rivera	Authorize residents of an adult home, enriched housing program or residence for adults to be informed about their condition, treatment and medications and to designate a resident and legal representative.	Passed Assembly
A.2697 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 36
A.2893 Crespo S.2439 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.	Chapter 519
A.2930 Wright	Require the Commissioner of Health to approve all reimbursement rate schedules for dental health services established or used by Medicaid managed care plans.	Referred to Ways and Means
A.3138 Gottfried S.2071 Hannon	Prohibit disclosure of testimony of a party to a health care quality assurance or peer review proceeding.	Referred to Codes
A.3139 Gottfried	Require diversion of new admissions to a nursing home if the nursing home is unable to maintain safe and appropriate standards.	Referred to Ways and Means

<u>BILL/SPONSOR</u>	<u>DESCRIPTION</u>	<u>ACTION</u>
A.3141-A Gibson S.2777-A Parker	Provide for taxpayer gifts for lupus education and prevention, and create a lupus education and prevention fund and outreach program, and an advisory council.	Passed Assembly
A.3392 Fitzpatrick	Create a process for site selection in the establishment of a new adult care facility, which includes notification in writing to the impacted municipality, a public hearing, and timeframes for approval.	Held for Consideration in Health
A.3595 Lupardo S.164 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 69
A.3599 Lupardo	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.3603 Maisel S.3702 Golden	Create the lymphedema and lymphatic diseases research grants program.	Referred to Ways and Means
A.3703 Peoples-Stokes S.2070 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 Codes
A.3781-A Gottfried	This bill would limit the definition of “eligible applicant” for managed long term care (MLTC) plan certification to not-for-profit organizations, with certain exceptions, and clarify that an MLTC, or other lawful combination of long term care providers can participate in accountable care organizations.	Calendar 99
A.3842 Paulin S.3904 Hannon	Require all drug manufacturers, wholesalers, pharmacies or other persons furnishing or dispensing a prescription drug to establish and maintain a pedigree for prescription drugs.	Referred to Codes
A.3920 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.4001 Cook S.2796 Ball	Authorize the Department of Health to implement a community food security, empowerment and economic development program.	Referred to Ways and Means

<u>BILL/SPONSOR</u>	<u>DESCRIPTION</u>	<u>ACTION</u>
A.4025 Galef S.1643 Carlucci	Prohibit individuals from smoking at a playground between sunrise and sunset, when one or more persons under the age of twelve are present at the playground.	Chapter 102
A.4057 Wright S.1233 Perkins	Establish a “Save Our Sight” program to support programs that provide education and vision services to children.	Referred to Ways and Means
A.4062-A Gottfried S.5896 Rivera	Update the composition and the charge of the Medicaid Managed Care Advisory Review Panel (MMCARP).	Passed Assembly
A.4182 Englebright	Require licensed or certified health care practitioners acting within the lawful scope of their practice to report confirmed or suspected cases of pesticide poisoning.	Referred to Codes
A.4183 Englebright	Require the Department of Health to provide to hospitals periodic information regarding existing and known locations of environmental hazards and prohibit the approval of hospital construction applications unless certain safety conditions are met.	Referred to Ways and Means
A.4184 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.4432 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.4457 Curran	Authorize the Commissioner of Health to extend the certification of certain emergency medical professionals who cannot recertify due to illness or medical condition.	Held for Consideration in Health
A.4466-A Gottfried	Provide certain prohibitions in contracts or agreements by health maintenance organizations.	Passed Assembly
A.4467 Gottfried S.1663 Grisanti	Require adult care facility direct-care staff to complete a training curriculum and pass a written and practical exam before being allowed to perform direct-care services without supervision.	Referred to Ways and Means
A.4468 Gottfried S.3190 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.4469 Gottfried	Include health care facilities operated or supervised by the Department of Correctional Services or local correctional facilities within the definition of hospital.	Calendar 216

<u>BILL/SPONSOR</u>	<u>DESCRIPTION</u>	<u>ACTION</u>
A.4473 Gottfried	Establish guidelines for the use of retention and recruitment funds and timely billing in home care.	Enacting Clause Stricken
A.4521 Curran	Require the Department of Health to establish a state block grant for hospital/nursing care comprised of appropriated state funds for enhanced salaries and benefits to nurses.	Held for Consideration in Health
A.4525 Gottfried S.4817 Hoylman	Require every general hospital to have a community advisory board.	Passed Assembly
A.4571 Colton S.4433 Savino	Require Medicaid coverage for prescription footwear and inserts for individuals suffering consequences related to Poliomyelitis.	Referred to Ways and Means
A.4572 Kolb	Eliminate penalties for failure to pay certain health care facility assessments.	Held for Consideration in Health
A.4710 Curran	Require individuals to be licensed by the Department of Health in order to engage in body-piercing, ear-piercing and tattooing.	Held for Consideration in Health
A.4735 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.4787 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 104
A.4818 Cusick S.2316 DeFrancisco	Create a Governor's Council on physical fitness, sports and health within the Department of Health.	Veto Memo 221
A.4841-C Paulin S.5288-C 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.4996 Gottfried	Provide that a fair hearing for Medicaid enrollees may be requested simultaneously with reviews or appeals, and provide for continuity of care while reviews, appeals and fair hearings proceed.	Calendar 108
A.5028 Englebright S.5031 Espallat	Provide additional requirements for the protection of farm workers from pesticide exposures.	Referred to Ways and Means
A.5099 Paulin S.4803-A Ball	Authorize access to employee restrooms, even if the bathrooms are not normally open to the public for people with certain medical conditions or to people who need to use an ostomy device.	Referred to Rules

<u>BILL/SPONSOR</u>	<u>DESCRIPTION</u>	<u>ACTION</u>
A.5147-A Gottfried	Expand the requirement to report death and felony crimes to enriched housing programs.	Passed Assembly
A.5215 Magee S.2950 Valesky	Authorize the City of Oneida to establish the fee for birth and death records.	Passed Assembly
A.5246-A Titone	Authorize the Department of Health to conduct an education and outreach campaign on postnatal donation of tissue and fluids.	Passed Assembly
A.5309-A Skoufis S.1207-A Carlucci	Provide for the removal of a health care agent if the agent is subject to an order of protection against the beneficiary or has been arrested or criminally charged with a criminal act that allegedly caused the beneficiary's incapacitation.	Passed Assembly
A.5341-A 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 232
A.5345 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.5350 Gottfried	Authorize the Commissioner of Health to review an application for an exemption of a brand name drug from the mandatory generic drug substitution law, provided that such application is submitted within 12 months prior to the expiration of the patent for the brand name drug.	Passed Assembly
A.5352 Gottfried	Establish a fiduciary relationship between pharmacy benefit managers and health plans or providers.	Passed Assembly
A.5389-A Gottfried S.2078-A Perkins	Establish the New York Health Plan.	Referred to Ways and Means
A.5651 Englebright S.831 Parker	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 261
A.5692 Gottfried S. 3690 Hannon	Allow 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

<u>BILL/SPONSOR</u>	<u>DESCRIPTION</u>	<u>ACTION</u>
A.5745 McKevitt	Establish a state-wide database on the location and availability of medical procedures.	Held for Consideration in Health
A.5869 Ortiz	Establish a state diabetes coordinator within the Department of Health.	Referred to Ways and Means
A.5886 Ortiz S.937 Rivera	Set nutrition standards for restaurants distributing incentive items with meals aimed at children.	Referred to Codes
A.5933 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.	Passed Assembly
A.6040 Ortiz	Require the Department of Health to conduct education and outreach relating to the health risks of children who become overweight or underweight.	Referred to Ways and Means
A.6053 Ortiz S.5611 Hannon	Prohibit certain restaurants and food establishments from serving food containing artificial trans fat.	Referred to Codes
A.6121 Gunther S.4361 Hannon	Exempt voluntary ambulance services from being required to pay a biennial registration fee to obtain a certificate to perform certain tests or microscopy procedures.	Chapter 479
A.6348 Fahy S.1141 Breslin	Authorize the Albany Common Council to establish the fee charged for certified copies of birth and death certificates.	Passed Assembly
A.6357-A Gottfried S.4406-A Savino	Legalize the possession, use, delivery, transfer, transport or administration of marijuana by a certified patient or designated caregiver.	Amended on Assembly Calendar
A.6360-B Paulin S.4108-B Bonacic	Authorize children's overnight, summer day camps, and traveling summer day camps to employ certain professionals and practitioners to provide services at the camp.	Referred to Rules
A.6393 Galef	Increase the purchasing age of tobacco products from 18 to 19 years of age.	Referred to Codes
A.6498 Lavine S.5762 Hannon	Modify certain provisions related to health care professional applications and terminations with health plans.	Passed Assembly

<u>BILL/SPONSOR</u>	<u>DESCRIPTION</u>	<u>ACTION</u>
A.6571 Gottfried S.3691-A 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.6676 Gottfried	Establish a streamlined process for certificate of need or construction for hospitals and diagnostic and treatment centers; modify provisions related to facility operators and approval of operating certificates.	Calendar 271
A.6724-B Gottfried S.5539 Hannon	Include optometrists in the list of professionals authorized to perform certain waived clinical laboratory tests without a clinical laboratory permit, provided such tests are solely as an adjunct to the treatment of their patients.	Chapter 444
A.6838-A Gottfried S.4493-A Hoylman	Require the Commissioner of Health to conduct a study and do research on the scope, effectiveness, safety, quality of care, and demographic disparities in the quality of care in urgent care centers across the state.	Chapter 369
A.7102-B Gottfried S.4527-A Hannon	Modify provisions related to competency exams, service charges, petitions to modify or vacate orders, profiling requirements and modifying physician advertising and testimony standards.	Referred to Rules
A.7170 Sweeney S.5152 Seward	Authorize the continuation of pilot programs in certain counties to test the effectiveness of allowing EMTs and Advanced EMTs, who have been in continuous practice and who have demonstrated competence in applicable and behavioral and performance objectives, to be re-certified for 5 years.	Chapter 78
A.7257-A Peoples-Stokes S.3926-A Hannon	Require hospitals to notify patients within 24 hours, when they are placed in observation services, including that being in observation status may affect the patient's health coverage.	Chapter 397
A.7342-A Gottfried S.5117-A Savino	Authorize the provision of vision care services in school based health centers in partnership with a charitable foundation.	Chapter 449
A.7419-A Cahill S.5185-A Savino	Establish certification requirements for surgical technologists in hospitals and ambulatory surgical facilities.	Chapter 292
A.7436 Arroyo S.1426 Montgomery	Establish a Minority Coordinating Council on Asthmatic Affairs within the Department of Health.	Passed Assembly

<u>BILL/SPONSOR</u>	<u>DESCRIPTION</u>	<u>ACTION</u>
A.7500-A Steck S.4668-B Carlucci	Establish an Electronic Death Registration System for collecting, storing, recording, transmitting, amending, correcting and authenticating information to complete a death registration, and to generate documents in relation to a death.	Chapter 352
A.7504 Millman S.5541 Hannon	Extend until 2017 the authorization for the foster family care demonstration program, a program for individuals who prefer to live and receive care in a community setting but have no family or home of their own.	Chapter 487
A.7505 Gottfried	Provide conforming definitions of palliative care throughout the Public Health Law.	Passed Assembly
A.7518-A Gottfried S.5046-A Hannon	Transfer operation of the organ donor registry from the Department of Health to a not-for-profit organization.	Referred to Rules
A.7571 Gottfried S.5321 Hannon	Make some technical changes to provisions in the law related to health care agents/proxies and conform determination of incapacity standards to provisions in the Family Health Care Decisions Act.	Referred to Codes
A.7636 Gottfried S.3912-A Hannon	Require the Department of Health to provide oversight in the transition of individuals to Medicaid managed long term care.	Chapter 396
A.7665-C Gottfried S.5483-A Hannon	Allow the Commissioner of Health to waive or modify recoupment of Medicaid payments for capital costs for rate changes for the period September 2009 to December 31, 2012 for Diagnostic and Treatment Centers that provide services to individuals with developmental disabilities.	Chapter 527
A.7667-B Gottfried S.3137-C Krueger	Require the provision of education and referrals for maternal depression.	Veto Memo. 269
A.7734-A Paulin S.4528-A Hannon	Expand access to certain immunization related information maintained in the New York Statewide Immunization Information System and the New York Citywide Immunization Registry.	Chapter 154
A.7755 Gottfried S.5096 Golden	Authorize Assisted Living Programs to admit or retain a chronically chairfast individual, provided that individual is otherwise eligible to participate in the program.	Chapter 454
A.7758 Lifton S.5534-A Hannon	Authorize hospice residences to have up to sixteen beds of which up to twenty-five percent would be allowed to be dually-certified as residential and inpatient hospice beds.	Chapter 512

<u>BILL/SPONSOR</u>	<u>DESCRIPTION</u>	<u>ACTION</u>
A.7835-A Gottfried S.5628-A Hannon	Require the Department of Health to develop, in collaboration with operators, a streamlined application process for existing Adult Care Facility and Assisted Living Residences operators, which are in good standing and seeking approval of an additional facility by January 1, 2014.	Chapter 414
A.7838 Silver	Extend to all health care providers the charge limitation that currently prohibits non-participating physicians from charging Medicare beneficiaries more than certain amount; and extend the charge limitation to medically necessary services in the event a beneficiary exhausts any capped benefit for healthcare services.	Passed Assembly

SECTION III

Public Hearings of 2013

- Subject:** The Department of Environmental Conservation's proposed high volume hydraulic fracturing regulations
Joint with Environmental Conservation Committee and the Administrative Regulations Review Commission
- Date/Place:** January 10 – Albany
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- Subject:** The Brooklyn health care crisis
- Date/Place:** February 8 – Brooklyn
-
- Subject:** The New York Health Benefit Exchange and its impact on immigrants and their families
Joint with the Insurance Committee and the Task Force on New Americans
- Date/Place:** September 16 – New York City
-
- Subject:** Early Intervention fiscal agent implementation
Joint with the Insurance and Oversight, Analysis and Investigation Committees
- Date/Place:** October 22 – Albany
-
- Subject:** Medical marijuana legislation
- Date/Place:** December 5 – Buffalo
December 18 – Mineola, Long Island