



NEW YORK STATE SENATOR

Patrick M. Gallivan

## Senator Gallivan's Votes for Week of January 22, 2024

JIM RANNEY January 25, 2024

| ISSUE: **NYS SENATE**



The following bills were approved in the NYS Senate. Senator Gallivan's vote is noted.

S158D Establishes the New York Health Information Privacy Act to require that it is unlawful for a regulated entity (meaning such that controls the processing of regulated health information of an individual who is NYS resident, could also be a service provider) from selling an individual's regulated health information to a 3rd party or otherwise process an individual's regulated health information. AYE

S1003A This bill requires NYS DOH to collect from health care facilities (to include general hospitals) a list of its policy based exclusions on an annual basis. A PRINT - Removes from the definition of “health care facility” public health centers, diagnostic treatment centers, treatment centers, maternity hospital, midwifery birth center and limited services pregnancy centers. NAY (The definition of policy-based exclusion states that the criteria, rules or policies whether formally adopted or drafted, endorsed or followed from an external source, which restrict personnel from providing licensed care could still be construed to identify institutions and providers who hold religious beliefs or moral convictions to certain procedures.)

S348C This legislation would enact the “reproductive freedom and equity grant program” by establishing within the NYS DOH a grant program to ensure access to abortion care. Such program will provide funding to abortion providers, government entities and non-profits (whose primary function is to facilitate access to abortion care) by, in part, funding uncompensated care. NAY

S201 This bill would amend insurance law to permit pregnant women to enroll in state health insurance during a special enrollment period without imposing a fee or penalty. AYE

S2039B Directs the commissioner of health, in consultation with the office of mental health and other relevant stakeholders, to develop guidance and standards for routine maternal depression screenings, referrals, diagnosis and treatment, and to provide training and materials on issues related to maternal depression. AYE

S3219A Establishes a uterine fibroids awareness and education program on the symptoms, diagnosis and treatment of uterine fibroids and the elevated risk for minority women. A PRINT - changes when the report is due. AYE

S3529A This bill would regulate ingredients in feminine hygiene products. An restricts the distribution of feminine hygiene products containing a restricted substance or using such restricted substance as a fragrance, colorant dye, preservative or other intentionally added ingredient. AYE

S3610 This bill would require the inclusion of the annual percentage of maternal deaths, before during and up to six weeks after childbirth, third trimester fetal losses and still births, hemorrhage; and injuries related to childbirth within the informational pamphlet given at the time of pre booking to prospective maternity patients and include a racial breakdown of all data points. Further provides facilities that are designated regional perinatal centers or a quaternary or tertiary care center with Level III-IV NICU an exemption from having to provide information on whether there is an arrangement for emergency transfer for critically ill pregnant people/infants to higher levels of care since they already meet this level of care. AYE

S5991A Requires maternal healthcare facilities to permit doulas to be present in the operating room while a cesarean section is being performed. AYE

S5992A This bill would require maternal health care facilities provide expecting and new mothers access to their doulas; allow a pregnant person to designate a doula to have full access to them during delivery and/or inpatient care post-delivery. AYE

S7700A This bill would direct the Commissioner to create and operate a prenatal and postpartum informational membership-based mobile application to be made available to birthing individuals who are eligible for Medicaid. NOTE - The cost of running the application could be offset by the reduction in potentially unnecessary utilization of emergency rooms and doctors visits. AYE

S7702A Requires the department of health to convene a maternal health care and birthing standards workgroup to study, evaluate and make recommendations related to the development of maternal health care and birthing standards to ensure that patients receive the highest quality of care. AYE

S8014 CHAPTER AMENDMENT - Requires that in order to commence a summary proceeding for eviction in the city of Syracuse pursuant to article 7 of the real property actions and proceedings law, the party must plead and prove compliance with any local law requiring the registration or licensure of residential rental dwellings. This makes a technical change. NAY

S8019 CHAPTER AMENDMENT - Authorizes life insurers to establish wellness programs in conjunction with the issuance of life insurance policies; provides for full or partial reimbursement for the cost of a device and associated subscription that can be used to track activity or biometric data; provides for discounts on life insurance and on products or services intended to incent positive behavioral changes. This legislation would allow life insurance companies to establish wellness program in connection with its life insurance policies. AYE

S8028 CHAPTER AMENDMENT - Establishes an emergency evacuation plan for individuals with disabilities; establishes \$500 fine for a knowing failure to comply with such standards. This legislation amends the underlying chapter by clarifying the standards are to be developed in consultation with the Chief Disability Officer and advocates for individuals with disabilities. AYE

S8035 CHAPTER AMENDMENT - Requires owners and agents of multiple residences and multiple dwellings to provide names and contact information of residents to emergency personnel upon the request of such personnel, where the physical safety of such residents must be accounted for by ascertaining their whereabouts. This legislation amends the

underlying chapter by adding clarifying language that public housing authorities may update their residence list upon annual recertification of tenants. NAY (Puts additional requirements on landlords or their agents.)

S8054 CHAPTER AMENDMENT - Requires the division of housing and community renewal to provide an annual report on the New York access to home programs. This legislation amends the underlying chapter by modifying the reporting requirements to include number of applications received, areas served, number of beneficiaries awarded, the average award, and the number of applicants deemed ineligible, aligning closer to the capabilities of the Division of Housing and Community Renewal. AYE

S8059 CHAPTER AMENDMENT - Relates to the disclosure of beneficial owners of limited liability companies and foreign limited liability companies and certain information about such beneficial owners; requires the secretary of state to maintain a public database of all business entities organized in the state and all foreign business entities with authority to do business in the state. Makes several changes from the original bill, including redefining several terms and repealing several sections. NAY

S8060 CHAPTER AMENDMENT - Directs regulation of closed loop boreholes installed for the purpose of facilitating a geothermal heating or cooling system by December 31, 2024. Makes changes to provisions of Chapter 483 of the laws of 2023 to provide the Department of Environmental Conservation (DEC) with the authority to regulate closedloop geothermal boreholes over 500 feet deep in a manner more consistent with industry standards. AYE

S8073 CHAPTER AMENDMENT - Requires civil service examination announcements to be issued to the local board of cooperative educational services (BOCES), high schools, colleges, universities, local social services districts, and job training programs. This legislation amends the underlying chapter by providing that the civil service examination notice requirements

shall apply to school districts, BOCES, public colleges and universities, and local social services districts and specifies that these requirements are applicable to the extent practicable for job training programs. AYE

S8078 CHAPTER AMENDMENT - Relates to the use of waste tire management and recycling fee funds; directs certain funds to be used by the department of economic development for funding demonstration projects relating to reuse in agricultural settings and for conducting analysis of waste tire reuse opportunities. Makes changes to provisions of Chapter 651 of the laws of 2023 to remove the analysis of waste tire reuse opportunities. AYE

S8088 CHAPTER AMENDMENT - Permits a claimant to submit an order determining compensation from the workers' compensation board as proof of disability for purposes of real property tax exemptions. Chapter amendment would permit municipalities to establish an adjustment percentage to be applied to the exemption percentage schedule for certain exemptions based upon permanent partial disabilities. AYE

S8002 CHAPTER AMENDMENT - This underlying chapter directs the Department of Health to create the Adult Cystic Fibrosis Assistance program to provide financial support to adults with cystic fibrosis who are underinsured and need assistance accessing needed services for the treatment of their condition. This legislation amends this chapter by codifying the program as it currently operates rather than to re-establish the program as it existed prior to its repeal in 2020. AYE

S8006 CHAPTER AMENDMENT - Requires the collection of certain demographic information about the sexual orientation and gender identity by certain state agencies, boards and commissions. This legislation amends the underlying chapter by allowing agencies to comply to the extent practicable and requiring entities that cannot comply to post a written progress report to their website. NAY (No legitimate purpose.)

S8009 CHAPTER AMENDMENT - Changes the controlling law for orders not to resuscitate for residents of mental hygiene facilities. This legislation amends the underlying chapter to clarify sections of the Public Health Law that were vague in identifying patients that are subject to rules and regulations established under the Office of Mental Health (OMH) and the Office for People with Developmental Disabilities(OPWDD)and that orders for the withdrawal of life saving treatment remains in effect with the patient is transferred between a hospital's medical and psychiatric units. AYE

S8030 CHAPTER AMENDMENT - Requires bodily injury be covered under supplementary uninsured/underinsured motorist insurance coverage for police vehicles. This amendment makes technical changes, as well as removes reference to self-insurance, conforms provisions with current law which clarifies applicability of such provisions are to vehicles "principally garaged or used in this state." AYE

S8033 CHAPTER AMENDMENT - Provides for reimbursements for certain home health services that meet the definition of core public health services. This legislation amends the underlying chapter by moving the source of Law from Public Health Law Article 6 to Public Health Article 36. The legislation clarifies what the core public health services are, what constitutes minimal patient contact and removes the limitation that local health departments are exempt only when the core public health services are provided by a nurse. AYE

S8034 CHAPTER AMENDMENT - Relates to emergency response plans relating to the notification of location of downed wires from a municipal emergency official or individual. This legislation amends public service law to clarify the plan and process required for utilities when responding to reports of downed wires made by individual customers. AYE

S8066 CHAPTER AMENDMENT - Establishes an agrivoltaics research program to develop innovative science-based solutions to facilitate the co-location of crops and photovoltaics while promoting the biodiversity of endemic flora and fauna. This legislation amends the underlying chapter to attach the program to an appropriation. AYE

S8069 CHAPTER AMENDMENT - Authorizes the manufacture of beer, spirits, cider, wine and mead at the community college in Broome county and the Cornell university, acting on behalf of the New York state college of agriculture and life sciences and the New York state agricultural experiment station. This is a chapter amendment that makes changes to provisions of L.2023, c.713, to change the type of license these institutions will be issued, declaring their lands to be located on farms for the purpose of obtaining their license, clarifying the serving of alcoholic beverages during events at these locations, and making some technical changes. AYE

S8070 CHAPTER AMENDMENT - Enacts the "Tax-free debt forgiveness act". This is a chapter amendment that makes changes to provisions of L.2023, c.750, to define the tax years this is in effect, to apply this deduction to all federal student debt, and to clarify this only applies to forgiven debt if it counts as income for federal purposes. AYE

S8085 CHAPTER AMENDMENT - Allows New York sire stakes eligibility for foals sired by New York state stallions, either in-state or out-of-state. Makes changes to provisions of Chapter 506 of the laws of 2023 that allows New York sire stakes eligibility for foals sired by New York State stallions. AYE