



2021 ANNUAL REPORT

NEW YORK STATE SENATE STANDING COMMITTEE ON HEALTH



**SENATOR
GUSTAVO RIVERA**
CHAIR

SENATOR
GUSTAVO RIVERA
33RD DISTRICT

NEW YORK
STATE
SENATE
ALBANY, NEW YORK 12247



CHAIRMAN
HEALTH
COMMITTEES:
ALCOHOLISM AND SUBSTANCE ABUSE
CRIME VICTIMS, CRIME AND CORRECTION
FINANCE
HIGHER EDUCATION
HOUSING, CONSTRUCTION AND
COMMUNITY DEVELOPMENT
MENTAL HEALTH

December 17, 2021

The Honorable Andrea Stewart-Cousins
Temporary President and Majority Leader
New York State Senate
Albany, NY 12247

Dear Senator Stewart-Cousins:

I am pleased to transmit the Annual Report of the Senate Standing Committee on Health for the 2021 Legislative Session. As Chair, I am proud to continue to address important matters under the Committee's jurisdiction. This year, we advanced important measures to protect residents and workers in nursing homes and other healthcare facilities, as well as efforts to confront the continuing COVID-19 pandemic.

During the 2021 Session, our Committee met ten times during Session and reported 138 bills. The Committee also held three hearings and one roundtable this past year.

I thank my colleagues who served on the Committee for their efforts and support of the work accomplished by the Committee this year. I appreciate the continued support from the Majority Conference in the Committee's operations.

Sincerely,

A handwritten signature in black ink, appearing to read "G. Rivera".

Gustavo Rivera
33rd District
New York State Senate

2021 LEGISLATIVE SESSION REPORT

NEW YORK STATE SENATE STANDING COMMITTEE ON HEALTH

Senator Gustavo Rivera, Chairperson

Committee Members

Brian A. Benjamin	Patrick M. Gallivan, Ranking Member
Alessandra Biaggi	Phil Boyle
Samra G. Brouk	Peter Oberacker
Brad Hoylman	Edward A. Rath III
Todd Kaminsky	Daniel G. Stec
Rachel May	
Sean M. Ryan	
Julia Salazar	
Kevin Thomas	

Committee Staff

Michela Paniccia and Tony Kergaravat, Committee Directors
Jay Baez, Legislative Director
Mary Storace, Legislative Assistant
Pardeep Singh, Senate Fellow

COMMITTEE HIGHLIGHTS

The following key bills were acted on or introduced to the Committee in 2021:

The New York Health Act

- ❖ **Establishes the New York Health Plan for state residents (S5474 Rivera - No Movement)**
 - Establishes the New York Health program, a comprehensive system of access to health insurance for New York state residents. Provides for administrative structure of the plan, powers and duties of the board of trustees, the scope of benefits, payment methodologies and care coordination. Further, establishes the New York Health Trust Fund which would hold monies from a variety of sources to be used solely to finance the plan. Enacts provisions related to financing of New York Health, including a payroll assessment, similar to the Medicare tax.

Facility Requirements

- ❖ **Establishes Clinical Staffing Committees (S1168A Rivera - Chapter 155 of 2021)**
 - Requires that every general hospital create a clinical staffing committee made up of registered nurses, licensed practical nurses, ancillary staff members and hospital administrators by January 1, 2022. The committee shall develop and oversee the implementation of a clinical staffing plan. A staffing plan shall include metrics and guidelines for staffing and be based on the number of patients in the hospital's respective units.
- ❖ **Regulation of Compassionate Care-Giving Visitors (S614B May - Chapter 89 of 2021)**
 - Directs the New York State Department of Health (DOH) to develop regulations to allow personal caregiving visitation for, the provision of routine care and support, compassionate caregiving visitation, and the provision of short-term emergency care and support at end of life or other dire circumstances. This care would be provided by individuals designated by the resident and could include family members and legal guardians. This visitation would be for residents of nursing homes and adult care facilities.
- ❖ **Establishes Nursing Home Staffing Levels (S6346 Rivera - Chapter 156 of 2021)**
 - Provides that the Commissioner of the New York State Department of Health (DOH) must establish staffing standards for nursing home minimum staffing levels and impose civil penalties for nursing homes that fail to adhere to minimum standards. Nursing homes will be required to maintain daily staffing hours equal to 3.5 hours of care per resident per day by a nurse aide, licensed practical nurse, or registered nurse.

- ❖ **Provides Information on Violations Against a Facility (S3185 Skoufis - Chapter 344 of 2021)**
 - Requires residential healthcare facilities to provide applicants with ways by which a resident or family can look up complaints taken against the facility.
- ❖ **Establishes a Direct Care Patient Ratio and Rebate Requirement for Nursing Homes (S4336A Rivera - Passed Senate)**
 - Establishes that nursing homes are required to report revenue and expenditure on staff and maintenance. At least 70percent of all revenue must be spent on residents. The Commissioner of the New York State Department (DOH) of Health shall conduct financial audits when the 70 percent threshold is not met. This concept was included in Part GG of S2507C as part of the state budget.
- ❖ **Requires Adult Care Facilities to Include Improvement Committees with a Focus on Infection Control in Facilities' Quality Assurance Plans (S1784A Skoufis - Pending)**
 - Requires adult care facilities to include performance standards for infection control in their quality assurance plans. Each facility would be required to have a quality improvement committee to meet periodically to review the effectiveness of quality assurance plans and improvement efforts. The committee(s) would include the facility's operator, the resident council or other resident representative, and representatives from frontline employees.
- ❖ **Establishes an Infection Inspection Audit and Checklist on Nursing Homes (S1783A Skoufis - Pending)**
 - Establishes an annual infection control competency audit for facilities to adhere to which will utilize a checklist of core competencies relating to infection control, personal protective equipment, staffing, clinical care, and communication. If a facility fails to meet a requisite percentage of the criteria, it would be considered not in adherence and additional review would and compliance oversight by the Department of Health would occur.
- ❖ **Related to the Publication of Nursing Home Ratings (S553 Sanders - Chapter 441 of 2021)**
 - Requires that the most recent rating of every nursing home assigned pursuant to the U.S. Centers for Medicare and Medicaid Services (CMS), shall be prominently displayed on the home page of the department's website and at each nursing home facility.

Asthma

- ❖ **Includes Diagnosis of Asthma or Other Respiratory Diseases in the Statewide Immunization Information System (S1410 Rivera - Passed Senate)**
 - Relates to including diagnosis of asthma or other respiratory diseases for which rescue inhaler treatment is prescribed by a health care provider in the statewide immunization information system.
- ❖ **Enacts the “Lydia Soto Law” (S410A Biaggi - Passed Senate)**
 - Enacts the "Lydia Soto law," which establishes a minority coordinating council of asthmatic affairs in New York State. The council shall assess asthma risk factors for minority children in the state, identify barriers for quality asthma treatment and care for minority children, and take steps towards action.
- ❖ **Relates to Coverage for the Treatment of Asthma (S4934 Rivera - Advanced to Third Reading)**
 - Ensures that every health insurance policy includes coverage for the equipment and supplies for the treatment of asthma and for children under 19 years of age, as well as additional equipment and supplies for use in school, if recommended or prescribed.
- ❖ **Directs the New York State Department of Health to Study Asthma in Cities and Towns with Populations of More Than 90,000 (S646A Sanders - Pending)**
 - Requires the New York State Department of Health (DOH) to conduct a study on the incidences of asthma in cities and towns having a population over 90,000 people. The study should be completed by September 30, 2023.
- ❖ **Establishes a Program of Asthma Disease Management in Control within the New York State Department of Health (S1412 Rivera - Reported to Finance Committee)**
 - Establishes a comprehensive statewide asthma management and control program that coordinates the efforts of individuals, families, health care providers, schools, and community-based organizations to benefit the people of the State of New York.

Addressing Substance Use Disorder

- ❖ **Enacts the “Overdose Prevention Centers Act” (S2530 Rivera - No Movement)**
 - Establishes the Overdose Prevention Centers Act, which will allow programs in limited jurisdictions, with either State or City approval, to evaluate and test the public health impact of overdose prevention center services.

❖ **Relates to Medication Assisted Treatment for Substance Use Disorders (S649A Harckham - Pending)**

- Expands access to buprenorphine products, methadone, or long-acting injectable naltrexone for the treatment of substance use disorders. The bill also prohibits any prior authorization for such medication assisted treatments.

❖ **Directs the New York State Department of Health to Establish an Infant Recovery Centers Pilot Program (S1409 Rivera - Passed Senate)**

- Requires that the New York State Department of Health in conjunction with the Office of Alcohol and Substance Abuse Services to establish a pilot program of at least four infant recovery centers in areas of need in the state for infants experiencing opioid or other drug withdrawal symptoms.

❖ **Refers Individuals to Appropriate Service Providers for Substance Use Disorders (S4359A Harckham - Passed Senate)**

- Requires that addiction service offices provide education materials about substance abuse disorders. Requires that hospitals provide assistance within 72 hours when deemed necessary. Requires hospitals to inform at-risk patients of substance abuse resources.

Women's Health

❖ **Medicaid Coverage Period (S1411A Rivera - Passed Senate)**

- Extends Medicaid coverage for certain pregnant women who access coverage at higher income levels from the current 60-day period after a pregnancy to a year, if federal financial participation is provided, to help reduce maternal mortality and morbidity.

❖ **Relates to the Accreditation of Midwifery Birth Centers (S1414A Rivera - Pending)**

- Provides that a proposed midwifery birth center that shows the intent and capability to obtain and maintain accreditation by an accrediting body shall be deemed to meet the New York State Department of Health's requirements for initial licensing, contingent on obtaining and maintaining that accreditation.

❖ **Provides a Premium Reduction for Physicians and Midwives who Complete a Risk Management Strategies Course (S3010 Ramos - Passed Senate)**

- Provides continuing education courses that cover risk management strategies in obstetrics for physicians and midwives. Provides premium reduction for completion of these courses.

Lead Poisoning Prevention

❖ **Dakota's Law (S5024B Rivera - Passed Senate)**

- As part of the lead poisoning prevention program, primary health care providers shall provide a parent or guardian of a child under six years of age with anticipatory guidance on lead poisoning prevention as part of routine care, including their right to inspection if the child is in an area of high risk. Primary health care providers shall conduct a lead exposure risk assessment questionnaire at each routine well-child visit, or at least annually if a child has not had a routine well-child visit from when they are at six months old until the age of six. Pre-kindergarten institutions shall also be granted access to the statewide immunization information system, the blood lead information in such systems, and the citywide immunization registry.

❖ **Potable Water Testing in School Buildings (S2122A Rivera - Pending)**

- Relates to standards and testing of potable water in school buildings and requires that tap water provided by school districts shall be free to occupants of the school. Removes an exemption of certain schools for testing.

❖ **Potable Water Testing at State and Local Parks (S1256A Gianaris - Passed Senate)**

- Requires potable water testing at state and local parks, at least once every three years. Provides that any finding of lead contamination must be abated within 90 days.

❖ **Seasonal Products and Decorative Lighting Containing Lead (S5675A Reichlin-Melnick - Chapter 634 of 2021)**

- Provides that on each seasonal and decorative lighting product manufactured, sold, or delivered by a manufacturer or distributed in the state that contains an electrical cord casing in which lead is present in a quantity greater than one hundred parts per million, there shall be a warning label on such product. There shall be civil penalties imposed on an individual, corporation, or association who violates this act.

PASSED BOTH HOUSES

Bill	Sponsor	Summary	Significant Action
S553	Sanders	Requires that the most recent rating of every nursing home assigned pursuant to the U.S. Centers for Medicare and Medicaid Services (CMS rating), shall be prominently displayed on the home page of the department's website and at each nursing home facility.	Chapter 441 of 2021
S577	Sanders	Requires that the child health plus program include ostomy equipment and supplies as a covered health care service.	Chapter 436 of 2021
S614B	May	Directs the Department of Health (DOH) to develop regulations to allow personal caregiving visitation for, the provision of routine care and support, compassionate caregiving visitation, and the provision of short-term emergency care and support at end of life or other dire circumstances. This care would be provided by individuals designated by the resident and could include family members and legal guardians. This visitation would be for residents of nursing homes and adult care facilities.	Chapter 89 of 2021
S646B	Sanders	Requires the New York State Department of Health (DOH) to conduct a study on the incidences of asthma in cities and towns having a population over 90,000 people. The study should be completed by September 30, 2023.	Pending.
S649A	Harckham	Expands access to buprenorphine products, methadone, or long-acting injectable naltrexone for the treatment of substance use disorders. The bill also prohibits any prior authorization for such medication assisted treatments.	Pending.

S1016B Gaughran	Establishes the Dominic Murray Sudden Cardiac Arrest Prevention Act. This Act directs the commissioners of the Department of Education (DOE) and Department of Health (DOH) to establish rules and regulations for the treatment and monitoring of students in school districts, boards of cooperative educational services, and nonpublic schools who exhibit signs or symptoms of sudden cardiac arrest.	Chapter 500 of 2021
S1168A Rivera	Requires that every general hospital create a clinical staffing committee made up of registered nurses, licensed practical nurses, ancillary staff members and hospital administrators by January 1, 2022. The committee shall develop and oversee the implementation of a clinical staffing plan. A staffing plan shall include metrics and guidelines for staffing and be based on the number of patients in the hospital's respective units.	Chapter 155 of 2021
S1201A Harckham	Requires the Department of Health (DOH) to maintain a schedule of when they will offer competency exams to qualified home care service workers residing outside of the state to fill any shortage of home care services working in the state.	Pending.
S1451A Rivera	Includes consideration in the Certificate of Need Process of a project's impact on medically underserved groups in New York State to the documentation required for an applicant to submit to the review to consider when reviewing their application.	Pending.
S1759A Skoufis	Directs the commissioner of the New York State Department of Health to promulgate the first list of emerging contaminants within 30 days of enactment. Thereafter, the commissioner shall add new emerging contaminants to the list at least once every three years.	Pending.
S1783A Skoufis	Establishes an annual infection control competency audit for facilities to adhere to which will utilize a checklist of core competencies relating to infection control, personal protective equipment, staffing, clinical care, and communication. If a facility fails to meet 60% of the criteria, it will be considered not in adherence and monthly audits will commence until a facility meets at least 85% adherence with the criteria.	Pending.

S1784A Skoufis	Requires that adult care facilities establish and incorporate quality assurance committees in each adult care facility's quality assurance plan. The inclusion of front-line workers, employees, residents, and family members of residents in the quality assurance committees shall be mandated.	Pending.
S2119 Rivera	Creates definition of "source plasma donation center" and authorizes these centers to collect source plasma using plasmapheresis and hire qualified staff.	Pending.
S2122A Rivera	Requires triennial testing of school water for Lead and requires that water in schools be free for occupants. Set lead action level to .005 mg/L. Lead testing results shall be made public.	Pending.
S2127 Rivera	Defines "School Based Health Center" as providing primary care for kids in school. Allows SBHCs to operate as fee-for-service and choose to participate in Medicaid managed care.	Pending.
S2191 Kavanagh	Requires antimicrobial stewardship in every hospital and nursing home in the state. Requires antimicrobial resistance training and infection control for staff. Each antimicrobial stewardship program will be reviewed annually.	Pending.
S2122A Rivera	Relates to standards and testing of potable water in school buildings and requires that tap water provided by school districts shall be free to occupants of the school. Removes an exemption of certain schools for testing.	Pending.
S2966A Harckham	Requires that the first dose of a prescribed opioid, when used outside a hospital or nursing home, be accompanied by an opioid antagonist when the patient is in distress from opioid risk factors.	Pending.
S2987A Parker	Declares racism as a public health crisis and establishes a "racial equity working group" to develop recommendations to reduce racial and ethnic disparities. Requires a report to the governor every 2 years.	Pending.
S3536A Kennedy	Establishes "Bryce's Law." Requires grease traps at food establishments to be designed to withstand expected loads and prevents unauthorized access.	Pending.

S3762	Breslin	Describes the duty of pharmacy benefit managers and disclosures they must make about health plans to a patient. PBMs must register with the superintendent of insurance and enable the superintendent authority to establish standards of ethics and disciplinary action.	Pending.
S4085A	Hinchey	Authorizes air transport ambulance service providers to store and distribute human blood at all their facilities and distribute human blood and blood products, as well as to initiate and administer transfusions of the same, while providing air transport services.	Pending.
S4316	Rivera	Adds adrenoleukodystrophy and glucose-6-phosphate dehydrogenase deficiency to the required list of screenings for all newborns.	Pending
S4345	Brouk	Authorizes children's summer camps to employ medical professionals within the scope of practice for campers. Authorizes camps for children with disabilities or employs licensed professionals.	Chapter 289 of 2021
S4375	Tedisco	Adds forest rangers, park rangers, and environmental conservation police officers to eligible persons authorized to administer epinephrine.	Chapter 194 of 2021
S4377	May	Requires the nursing home residents' bill of rights to be translated into six non-English languages, as well as to post the bill of rights in all resident's rooms with contact information.	Pending.
S4478	Brouk	Prohibits the use of pesticides at children's overnight or summer day camps and provides an exception where emergency application is approved by local or state officials.	Pending.
S4516C	Kaplan	Clarifies that a COVID-19 Vaccination Card shall be considered a written instrument. Computer tampering when a person intentionally alters or destroys computer material indicating a person did or did not receive a vaccination against COVID-19, shall be considered a third-degree offense.	Pending.

S4807A Stavisky	Authorizes licensed pharmacists to administer immunizations that are recommended by the Centers for Disease Control and Prevention to patients eighteen years or older, including Hepatitis A, Hepatitis B, Measles, Mumps, COVID-19, among other immunizations. Licensed pharmacies who administer an immunization shall report the immunization to the New York State Department of Health.	Chapter 555 of 2021
S4893A Rivera	Ensures that nursing home operators and owners who come before the Public Health and Health Planning Council (PHHPC) for change of ownership or operations, are reviewed and approved based upon several quality metrics before they are entrusted with the care of additional individuals. Enhances transparency around related assets and operations of nursing homes, as well as of applications for changes to ownership and/or operation of a facility.	Chapter 102 of 2021
S4962 Reichlin-Melnick	Adds schools to the list of entities permitted to download data from the New York State Immunization Information System.	Pending.
S5177 Biaggi	Repeals the emergency or disaster treatment protection act, which protects health care facilities and health care professionals from liability that may result from treatment of individuals with COVID-19 under conditions resulting from circumstances associated with the public health emergency.	Chapter 96 of 2021
S5506A Hinchey	Permits up to one hundred percent of beds in hospice residences to be dually certified as both hospice and in-patient beds.	Chapter 193 of 2021
S5560A Reichlin-Melnick	Provides for a system that streamlines the process by which funds are distributed to municipalities to finance early intervention programs. This can provide relief to municipalities across the state and improve their ability to effectively administer early intervention services to children who need such services.	Pending.

S5606B Sanders	Requires that hospitals distribute literature created by the commissioner of the New York State Department of Health to patients who are at a high risk of sickle cell disease.	Pending.
S5675A Reichlin-Melnick	Provides that on each seasonal and decorative lighting product manufactured, sold, or delivered by a manufacturer or distributed in the state that contains an electrical cord casing in which lead is present in a quantity greater than one hundred parts per million, there shall be a warning label on such product. There shall be civil penalties imposed on an individual, corporation, or association who violates this act.	Chapter 47 of 2021
S5885A Stec	Allows health care professionals to perform services at the Ironman triathlon held on July 25, 2021 in Lake Placid, New York.	Chapter 172 of 2021
S5944A Rivera	Extends the authorization of convening a working group on rare diseases and extends the deadline for such working group to submit a report on their findings regarding rare diseases.	Chapter 199 of 2021
S5973 Hinchey	Allows for donate life registration on electronic applications administered by the Office of Temporary Disability Assistance, the Higher Education Services Corporation, and on mandatory electronic tax filings.	Pending.
S6346 Rivera	Provides that the commissioner of the New York State Department of Health must establish staffing standards for nursing home minimum staffing levels and impose civil penalties for nursing homes that fail to adhere to minimum standards. Nursing homes will be required to maintain daily staffing hours equal to 3.5 hours of care per resident per day by a nurse aide, licensed practical nurse, or registered nurse.	Chapter 156 of 2021
S6375 Savino	Directs the commissioner of the New York State Department of Health to conduct a study on the delivery of ambulatory care and other medical care in the state, in response to the COVID-19 pandemic.	Pending.
S6542 Kaplan	Requires the New York State Department of Health to undertake a rate study for the Medicaid reimbursement of ambulettes.	Chapter 632 of 2021

S6575	Savino	Makes care and services provided by licensed mental health practitioners eligible for coverage under the Medicaid program.	Pending.
S6576	Savino	Makes care and services provided by licensed clinical social workers eligible for coverage under Medicaid.	Pending.
S6603	Skoufis	Requires Medicaid managed care plans to reimburse retail pharmacies in an amount equal to the fee-for-service rate. Also allows retail pharmacies the opportunity to participate in another provider's network under the medical assistance program. Pharmacy benefit managers shall be prohibited from limiting an individual's option to receive medications from non-mail order pharmacies.	Pending.
S6801	Rivera	Extends provisions providing enhanced consumer and provider protections under contracts with managed care organizations.	Chapter 181 of 2021
S6818	Serrano	Extends authorization for certain health care professionals licensed to practice in other jurisdictions to practice in the state in connection with an event sanctioned by New York Road Runners	Chapter 230 of 2021
S6896	Rivera	Extends provisions of Child Health Plus related to presumptive eligibility, preventing fraud of the program, and establishing premiums until July 2023.	Chapter 182 of 2021
S7055	Cooney	Extends 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 2024.	Chapter 185 of 2021
S7059	Rivera	Extends provisions related to medical reimbursement and welfare reform until June 2023.	Chapter 186 of 2021
S7062	Rivera	Makes permanent the pilot program allowing an individual that is an emergency medical technician (EMT), Advanced EMT, EMT-Critical Care, or Paramedic to renew their certification without taking a traditional recertification course and state examinations.	Chapter 233 of 2021

S7102	Addabbo	Extends provisions related to energy audits and/or disaster preparedness reviews of residential healthcare facilities by the commissioner until July 2024.	Chapter 125 of 2021
S3185	Skoufis	Requires residential healthcare facilities to provide applicants with ways that a resident or family can look up complaints taken against the facility.	Chapter 344 of 2021

SUMMARY OF COMMITTEE ACTIVITY

Bill	Sponsor	Summary	Significant Action
S238	Thomas	Enacts "Vincent Scheppa's law" authorizing, in certain cases, the provision of private duty nursing services to a medical assistance recipient by a relative who is a registered professional nurse	Passed Senate Only
S410A	Biaggi	Enacts the "Lydia Soto law," which establishes a minority coordinating council of asthmatic affairs in New York State. The council shall assess asthma risk factors for minority children in the state, identify barriers for quality asthma treatment and care for minority children and take steps towards action.	Passed Senate Only
S484A	Krueger	Relates to requiring a medical facility or related services to obtain express prior written consent before the making and/or broadcasting of visual images of a patient's medical treatment	Passed Senate Only
S525	Biaggi	Relates to the treatment of domestic violence victims and documentation of injuries and evidence. Provides that domestic violence evidence shall be collected and maintained, as well as provided to the alleged victim upon request. The office of victim services shall cover the costs of a domestic violence forensic exam.	Advanced to Third Reading
S534A	Kaplan	Requires that certain information about the facility be included in all informational materials provided to prospective maternity patients at all hospitals and birth centers.	Passed Senate Only
S591	Benjamin	Updates training for prescribers of controlled substances to include best practices for patient centered care, social determinants of health, and co-occurring disorders.	Passed Senate Only
S677A	Harckham	Requires that if a coroner, pathologist, medical examiner, or other person qualified to conduct an examination of a deceased person discovers that at the time of death, the individual was afflicted with Lyme or other tick-borne diseases, they shall report the case promptly to the New York State Department of Health (DOH).	Passed Senate Only

S723A	Hoylman	Authorizes pre-schools to keep epinephrine auto-injectors (Epi-Pen) devices on their premises.	Passed Senate Only
S916	Sanders	Requires the Medicaid program to provide coverage for maternity patients and their newborns for hospital stays of at least 48 hours for natural delivery and 96 hours following caesarean section as is currently provided by private insurers and health maintenance organizations (HMOs).	Advanced to Third Reading
S956	Gaughran	Relates to cost recovery by municipalities and other recipients from responsible parties. Ensures that responsible parties do not benefit from state assistance payments or grants made by the Environmental Facilities Corporation to municipalities and recipients and unnecessarily burden taxpayers.	Passed Senate Only
S1029	Stewart-Cousins	Allows medically fragile young adults to continue to receive the same degree of care that they have received throughout their lives and giving them a greater likelihood of survival into adulthood.	Reported to Finance Committee
S1043A	Ramos	Codifies the training of Cafeteria staff in the prevention and response of anaphylaxis in schools.	Reported to Finance Committee
S1080A	Gounardes	Mandates that in the event of a declared state disaster emergency, the New York State Department of Health must issue guidelines to all residential healthcare facilities on proper medical procedures. Procedures shall include maintenance and record-keeping of personal protective equipment daily usage, communications with residents regarding suspected infections in the facility, information about alternative care options, among other procedures. Residential healthcare facilities shall provide daily reporting to the New York State Department of Health and local health departments on metrics related to the spread of disease in that facility.	Reported to Finance Committee

S1121	Kaminsky	Provides that the New York State Department of Health shall establish an indoor air quality program within one year of enactment. The air quality program shall require that the Department promulgate regulations for inspections, evaluations, notifications, and best practices to improve indoor air quality in covered entities, and to conduct inspections of schools for air quality issues upon written complaint.	Reported to Finance Committee
S1147	Kaminsky	Establishes a municipal epinephrine bulk purchase program to enable municipalities to make bulk purchases of epinephrine for use by municipal first responder agencies and elementary and secondary schools in such municipalities.	Reported to Finance Committee
S1162A	Kennedy	Requires the New York State Department of Health to develop and release a plan for the equitable distribution of COVID-19 medical countermeasures to state residents. Prioritization of the distribution of the medical countermeasure shall be made to communities that are deemed to be the most vulnerable.	Passed Senate Only
S1169	Rivera	Creates the Clinical Trial Access and Education Fund, a state grant program within the New York State Department of Health to provide funding to address the major barriers to participation in clinical trials in the state.	Reported to Finance Committee
S1172B	Rivera	Includes within a hospital patient's bill of rights additional provisions which clearly state a patient's right to receive certain information so that they can in turn consent.	Passed Senate Only
S1256A	Gianaris	Requires potable water testing at state and local parks, at least once every three years. Provides that any finding of lead contamination must be abated within ninety days.	Passed Senate Only
S1324	Tedisco	Exempts lemonade stands operated by persons under the age of 16 from being deemed "Temporary food establishments" and thus subject to New York State Department of Health permitting requirements.	Reported to Finance Committee

S1374	Sanders	Includes among the initiatives authorized under the Hospital-Home Care-Physician Collaborative Program, programs to address disparities in health care access or treatment and/or conditions of higher prevalence in certain populations such as: racial and ethnic minority groups; persons with disabilities; women. lower income individuals; and persons living in rural and other medically unserved and underserved geographic areas.	Passed Senate Only
S1409	Rivera	Requires that the New York State Department of Health, in conjunction with the Office of Alcohol and Substance Abuse Services, establish a pilot program of at least four infant recovery centers in areas of need in the state for infants experiencing opioid or other drug withdrawal symptoms.	Passed Senate Only
S1410	Rivera	Relates to including diagnosis of asthma or other respiratory diseases for which rescue inhaler treatment is prescribed by a health care provider in the statewide immunization information system. This information shall be available to schools, day care providers, and camps.	Passed Senate only
S1411A	Rivera	Extend Medicaid coverage for certain pregnant women who access coverage at higher income levels from the current 60-day period after a pregnancy to a year, if federal financial participation is provided, to help reduce maternal mortality and morbidity.	Passed Senate Only
S1412	Rivera	Establishes a comprehensive statewide asthma management and control program which coordinates the efforts of individuals, families, health care providers, schools, and community-based organizations to benefit the people of the state of New York.	Reported to Finance Committee
S1482A	Serrano	Relates to the transfer of patient health information and medical records among health care providers. Broadens application to licensed professionals who either maintain, or who need, access to such information. Further expands the definition of medical records to include all health related records; and prohibits fees for providing certain medical records.	Advanced to Third Reading

S1576	Rivera	Relates to violations of safety conditions in adult care facilities. Increases potential fines for violations from \$1,000 per day to \$2,000 per violation per day, and \$3,000 per violation per day for repeat violations. Prohibits reductions in fines in certain circumstances where a patient is endangered or harmed.	Advanced to Third Reading
S1577	Rivera	Provides those services to medical assistance recipients suffering from traumatic brain injuries or qualifying for nursing home diversion and transition services shall be provided outside of managed programs	Passed Senate Only
S1578A	Rivera	Includes applied behavioral analysis by a licensed behavioral analyst or certified behavior analyst assistant under standard coverage for Medicaid recipients.	Passed Senate Only
S1590	Rivera	Allows, hospitals, emergency medical services, physicians, and home care agencies, in joint partnership, to develop and implement a collaborative program where at-risk individuals living in the community can be served by EMS for care other than initial emergency medical care and transportation to the hospital.	Advanced to Third Reading
S1592	Rivera	Provides that the New York State Medicaid Director shall be confirmed with the advice and consent of the State Senate.	Passed Senate Only
S1594	Rivera	Enacts the "New York state living donor support act." This act shall provide state reimbursement to living organ donors, who are state residents, for medical and associated expenses incurred as a result of the organ donation when the organ donation is made to another New York state resident.	Reported to Finance Committee
S1742	Skoufis	Permits licensed pharmacists to order and administer infectious diseases tests approved by the United States Food and Drug Administration in a declared state of emergency.	Advanced to Third Reading

S2022A	May	Requires the New York State Department of Health to make publicly available department inspections of nursing homes and other residential health facilities during and after the COVID-19 pandemic and onwards.	Advanced to Third Reading
S2032	Akshar	Authorizes the establishment of accidental fatality review teams by local health departments with expertise in the subject area.	Reported to Finance Committee
S2103A	Sepúlveda	Requires informed consent or “lawful representative” of a patient to give consent before a healthcare professional can order or increase a dose of psychotropic medication to a patient.	Advanced to Third Reading
S2121B	Rivera	When appealing medical necessity denial of medically fragile children, a health plan reviewer must be a relevant pediatric expert. Requires insurers to cover medically fragile children.	Passed by Senate Only
S2521B	Rivera	Requires that hospitals notify patients of “Facility fees” seven days prior to the date of service of that fee and if the patient's insurance will cover that fee.	Passed by Senate Only
S2527A	Rivera	Establishes a medical indemnity fund administrator and advisory panel to oversee receiving and resolving complaints of qualified plaintiffs. The administrator shall be someone with expertise in neurological injuries.	Reported to Finance Committee
S2528	Rivera	Prohibits the termination of a healthcare professional without written explanation except in cases where there is harm to patients, fraud, or disciplinary action by the state or a government agency. The healthcare professional shall have the right to request a hearing to dispute the termination.	Advanced to Third Reading
S2529	Rivera	Classifies pharmacists as licensed healthcare professionals, and allows them to perform non-invasive lab tests specified by the Commissioner of the New York State Department of Health.	Advanced to Third Reading

S2533	Rivera	Requires that home health care agencies be paid for their services within 30 days of their claim. Each payment in violation of these provisions shall be owed with interest.	Advanced to Third Reading
S2539B	Rivera	Ensures that all "Covered Health Services" shall be included under the Child Health Insurance plan.	Reported to Finance Committee
S2542A	Rivera	Establishes the "look-back period" up to October 1st, 2020 or later for transferred valuable assets for persons applying for Medicaid. Allows applicants for home care to provide proof of assets later.	Passed Senate Only
S2543	Rivera	Provides reimbursement for personal protective equipment for home care workers and personal assistants through managed long-term plans.	Reported to Finance Committee
S2998A	Harckham	Qualified peer recovery advocates and peer telehealth services for reimbursement under public health law.	Passed Senate Only
S3010	Ramos	Provides continuing education courses that cover risk management strategies in obstetrics for physicians and midwives. Provides premium reduction for completion of these courses.	Passed Senate Only
S3060	Rivera	Requires the Public Health and Health Planning Council to notify the public about changes to certifications to the New York State Department of Health within 30 days and allow for a public response. Allows 90 days for all other stakeholders to propose changes to certifications. Requires residential health facilities to make public all assets, operations, and familial ownership. Stakeholders shall be notified of new management and staffing changes.	Advanced to Third Reading
S3061A	Rivera	Requires reporting of COVID-19 deaths from nursing homes and adult care facilities starting from March 1, 2020, and weekly thereafter, to the Health Emergency Response System. Information on communicable diseases in these facilities should be made public. If the person lived somewhere else immediately before dying in a nursing home, this shall be reported as a nursing home death.	Passed Senate Only

S3077	Salazar	Requires every medical student, resident, and physician assistant to undergo anti-bias training. Proof of completion shall be provided by the student, and each department must submit a report to the Governor annually.	Passed Senate Only
S3231A	Sanders	Prohibits the use of “most favored nation” clauses for healthcare services and bans language that prohibits physician referrals. Also prohibits insurers from substituted drugs without doctor or pharmacist approval.	Advanced to Third Reading
S3647	Ortt	Defines a “member of the military reserves” as an active-duty member of the United States army, navy, air force, marines, coast guard, army national guard, air national guard, and or reserves. Establishes a designated person to receive decedent remains upon the death of a service member.	Passed Senate Only
S3866	Kennedy	Requires airports to provide lactation accommodations including privacy, a chair, electrical outlets. This shall be maintained by the Port Authority.	Passed Senate Only
S3966A	Reichlin-Melnick	Requires children's camps to ascertain whether an employee or volunteer is a registered sex offender before they start working.	Passed Senate Only
S4102A	Savino	Establishes automated devices for dispensing medications in nursing homes. Requires record keeping and ownership by a pharmacy in the state. The machine shall be video monitored during both loading and losses.	Passed Senate Only
S4150B	Reichlin-Melnick	Enacts the “Shepherd Patterson Law.” This law shall require the New York State Department of Health to develop pamphlets for health care professionals to give to parents or guardians with children who may have a disability.	Passed Senate Only
S4335A	Benjamin	Allows for witnessing of a healthcare proxy via audio or visual means, provided that the witness is not a resident of the New York State Office of Mental Health or New York State Office for People with Developmental Disabilities. Also allows for telephone use where video usage is not possible.	Advanced to Third Reading

S4340A	Hinchey	Provides authorization to sell hemp flowers by authorized license holders to individuals over twenty-one years of age. Hemp flowers sold shall not be more than three-tenths THC.	Reported to Finance Committee
S4359A	Harckham	Requires that addiction service offices provide education materials about substance abuse disorders. Requires that hospitals aid within 72 hours when deemed necessary. Requires hospitals to inform at risk patients of substance abuse resources.	Passed Senate Only
S4486	Harckham	Amends provisions related to the audit and review of medical assistance program funds by the Medicaid inspector general. Prohibits additional review without error or new information. Requires application of rules in place at the time funds were paid to providers and requires notice to recipients of medical assistance funds of certain investigations.	Passed Senate Only
S4520	Sepúlveda	Allows the commissioner of the New York State Department of Health to include dentists in the Doctors Across New York program to provide dental services to underserved areas of the state and extends the duration of the program.	Reported to Finance Committee
S4532	Brouk	Helps to prevent the abuse and diversion of opioid analgesic drugs by ensuring that abuse-deterrent drugs approved by the FDA are accessible to patients, and that insurance coverage does not disadvantage access for patients to drugs approved by the FDA as abuse-deterrent.	Passed Senate Only
S4685	Rivera	Restores the medical futility standard form as a basis for surrogate consent to a Do Not Resuscitate (DNR) order, and for a DNR order for a patient without a surrogate.	Advanced to Third Reading
S4934	Rivera	Ensures that every health insurance policy includes coverage for the equipment and supplies for the treatment of asthma, and for children under nineteen years of age, additional equipment and supplies for use in school, if recommended or prescribed.	Advanced to Third Reading

S4935	Rivera	Ensures that rescue inhaler treatment devices are readily available for life support and emergency assistance to all entities and persons that currently have access to epinephrine through a non-patient specific prescription and that those entities and persons are protected from liability when using such devices to assist someone in need.	Passed Senate Only
S4965	Rivera	Provides for automatic enrollment in a managed long term care plan when a person determined to be eligible has not chosen a plan within the first 75 days of eligibility and extends that eligibility if auto-assignment is not completed within the 75-day period. Also provides for simplification of the Medicaid recertification process for managed care plans and long-term care plans.	Passed Senate Only
S5024B	Rivera	As part of the lead poisoning prevention program, primary health care providers shall provide a parent or guardian of a child under six years of age anticipatory guidance on lead poisoning prevention as part of routine care, including their right to inspection if the child is an area of high risk. Primary health care providers shall conduct a lead exposure risk assessment questionnaire at each routine well-child visit, or at least annually if a child has not had a routine well-child visit from when they are at six months old until the age of six. Pre-kindergarten institutions shall also be granted access to the statewide immunization information system, the blood lead information in such systems, and the citywide immunization registry.	Passed Senate Only
S5118A	Rivera	Provides parity to durable medical equipment providers by requiring Medicaid managed care organizations to reimburse such providers at no less than one hundred percent of the medical assistance durable medical equipment and complex rehabilitation technology fee schedule for the same service or item.	Advanced to Third Reading
S5139	Rivera	Enables loans for certain expenses that support and enhance sustainable Community Health Care Revolving Capital Fund capital projects, including specific operational costs associated with delivering patient services.	Reported to Finance Committee

S5199	Hinchey	Requires the New York State Department of Health analysis of data in the prescription monitoring program registry.	Passed Senate Only
S5327	Rivera	Makes technical, minor, and coordinating amendments regarding health care agents and proxies, decisions under the family health care decisions act, and nonhospital orders not to resuscitate.	Advanced to Third Reading
S5487	Rivera	Provides that health care plan participation by physicians shall be reported, for the purpose of physician profiles, by health care plans. Physicians shall periodically submit information for his or her physician profile within six months of his or her triennial re-registration to practice. Physicians shall be authorized to designate a designee to submit his or her information for the physician profile.	Passed Senate Only
S5505	Rivera	Enacts provisions regarding the delivery of health care services via telehealth, including requiring coverage and setting reimbursement rates under certain health care plans.	Advanced to Third Reading
S6201	May	Supports the recruitment of geriatricians by making them dual-eligible for the physician loan repayment program and the physician practice support program. Such applicants must agree to specialize in geriatric care for at least five years.	Reported to Finance Committee
S6435A	Breslin	Relates to utilization review program standards and requires use of evidence-based and peer reviewed clinical review criteria. Provides for prescription drug formulary changes and pre-authorization for certain health care services.	Advanced to Third Reading
S6534A	Rivera	Establishes the primary care reform commission to review, examine, and make findings on the level of primary care spending by all payers in the context of all health care spending in the state. The commission shall publish an annual report on their findings and make recommendations to increase and strengthen spending on primary care in the state, taking care to avoid increasing costs to patients or the total cost of health care.	Reported to Finance Committee

S6541	Rivera	Restricts vaccine registry information from discovery and other processes. Requires the commissioner of the New York State Department of Health and the New York City commissioner of health and mental hygiene to develop regulations to protect patient vaccine information from disclosure.	Reported to Finance Committee
S6921	Breslin	Provides a prioritization of written notice methods for New Yorkers registering in the New York State Donate Life Registry to require, where possible, in-person or electronic notice to those persons.	Passed Senate Only



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STANDING COMMITTEE
HEALTH