S T A T E O F N E W Y O R K

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I N S E N A T E

June 2, 2010

Introduced by Sens. STACHOWSKI, PARKER -- read twice and ordered printed, and when printed to be committed to the Committee on Commerce, Economic Development and Small Business

AN ACT to amend the economic development law, in relation to the establishment of the New York state task force on health care cost reduction through entrepreneurial innovation

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. The economic development law is amended by adding a new section 139 to read as follows:

S 139. NEW YORK STATE TASK FORCE ON HEALTH CARE COST REDUCTION THROUGH ENTREPRENEURIAL INNOVATION. 1. THE LEGISLATURE FINDS THAT OPPORTUNITIES EXIST TO IMPROVE HEALTH CARE DELIVERY, AND HEALTH THROUGH NONSURGICAL AND NON-PHARMACOLOGICAL MEANS BY ENCOURAGING COOPERATION OF HEALTH CARE PROVIDERS, MANUFACTURERS, SERVICE PROVIDERS, RESEARCHERS AND ENGINEERS TO DEVELOP INNOVATIVE SOLUTIONS. BY DEVELOPING PRODUCTS THAT HELP OUR SENIORS STAY IN THEIR HOMES LONGER, PEOPLE ON SPECIAL DIETS GET THE FOOD THAT THEY NEED AT A COST THEY CAN AFFORD, OR ENABLING REMOTE EMERGENCY WORKERS TO RESPOND MORE EFFECTIVELY, ULTIMATELY, HEALTH CARE COSTS ARE REDUCED. THEREFORE, THE LEGISLATURE ESTABLISHES THE NEW YORK STATE TASK FORCE ON HEALTH CARE COST REDUCTION THROUGH ENTREPRENEURIAL INNOVATION IN ORDER TO DEVELOP A COMPREHENSIVE STATEWIDE PLAN FOR DEVELOPMENT OF INDUSTRIES THAT DELIVER PRODUCTS AND SERVICES TO REDUCE THE COST OF HEALTH CARE WHILE CREATING JOBS AND STIMULATING ECONOMIC ACTIVITY THROUGHOUT THE STATE.

2. THE DEPARTMENT, IN COOPERATION WITH THE DEPARTMENT OF HEALTH, SHALL ESTABLISH A TASK FORCE TO UNDERTAKE AN ASSESSMENT OF CONDITIONS THAT ARE TREATED IN THE HEALTH CARE SYSTEM WHERE COSTS ARE LOWERED THROUGH USE OF CURRENTLY AVAILABLE OR NEW PRODUCTS OR SERVICES AND DEVELOP A PLAN FOR NEW YORK STATE PUBLIC, NOT-FOR-PROFIT AND PRIVATE HEALTH CARE PROVIDERS TO WORK TOGETHER WITH INNOVATIVE SERVICE AND MANUFACTURING BUSINESSES TO DEVELOP AND PROMOTE THE USE OF INNOVATIVE PRODUCTS AND SERVICES THAT LOWER HEALTH CARE COST WHILE IMPROVING HEALTH CARE OUTCOMES FOR PATIENTS, CAREGIVERS AND COMMUNITIES. THE TASK FORCE SHALL ISSUE A

EXPLANATION--Matter in ITALICS (underscored) is new; matter in brackets [ ] is old law to be omitted.

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PRELIMINARY REPORT TO THE GOVERNOR AND LEGISLATURE OF ITS FINDINGS, CONCLUSIONS, AND RECOMMENDATIONS WITHIN NINETY DAYS AFTER THE EFFECTIVE DATE OF THIS SECTION AND A FINAL REPORT OF ITS FINDINGS, CONCLUSIONS, AND RECOMMENDATIONS NO LATER THAN ONE HUNDRED FIFTY DAYS AFTER THE EFFECTIVE DATE OF THIS SECTION. THE NEW YORK STATE TASK FORCE ON HEALTH CARE COST REDUCTION THROUGH ENTREPRENEURIAL INNOVATION REPORT SHALL INCLUDE, BUT NOT BE LIMITED TO, THE FOLLOWING:

(A) AN INVENTORY OF TARGETED HEALTH CARE CONDITIONS FOR A COST REDUCTION PLAN AND THE RELATED PRODUCTS AND/OR SERVICES TO BE DEVELOPED, SUCH AS:

(I) PRODUCTS THAT MEET THE NEEDS OF SPECIAL DIETS, SUCH AS FOR THOSE WITH FOOD ALLERGIES, CELIAC DISEASE AND LACTOSE INTOLERANCE;

(II) PRODUCTS USED IN THE WORKPLACE TO PREVENT INJURIES FROM REPETITIVE STRESS, BURNS OR FALLS;

(III) PRODUCTS USED IN REHABILITATION AND RECOVERY FROM SURGICAL PROCEDURES OR INJURY;

(IV) PRODUCTS USED TO ALLOW HOMES TO BE ACCESSIBLE TO THE DISABLED, OR TO ALLOW SENIORS TO AGE IN PLACE;

(V) PRODUCTS FOR IMPROVING EMERGENCY OR FIRST RESPONDER SERVICES; AND

(VI) PRODUCTS TO PROVIDE FOR EFFICIENT AND EFFECTIVE REMOTE OR VIRTUAL AND ELECTRONICALLY ENABLED REMOTE HEALTH CARE, INCLUDING LOCATOR TECHNOLOGY.

(B) AN INVENTORY OF NEW YORK STATE'S CURRENT INDUSTRIES AND RESOURCES THAT PROVIDE PRODUCTS AND SERVICES RELATED TO HEALTH CARE COST REDUCTION PLANS AS WELL AS CURRENTLY UNMET NEEDS, SHOWING GEOGRAPHIC AND INDUSTRY BASED STRENGTHS AND WEAKNESSES. PARTICULAR ATTENTION SHALL BE GIVEN TO THE CURRENT AND FUTURE OPPORTUNITIES FOR SMALL AND EMERGING MANUFACTURING AND TECHNOLOGY BUSINESS THROUGHOUT NEW YORK STATE AS WELL AS THE RELEVANT SPECIALIZED RESEARCH AND DEVELOPMENT CAPABILITIES OF THE STATE'S UNIVERSITIES AND COLLEGES.

(C) RECOMMENDATIONS FOR DEVELOPMENT OF PRODUCTS AND SERVICES AND ACCOMPANYING BENCHMARKS, TIMELINES AND GOALS THAT CAN BE IMPLEMENTED AND PROMOTED BY THE DEPARTMENT WHILE WORKING WITH STAKEHOLDERS, INCLUDING, BUT NOT LIMITED TO, BUSINESSES, RESEARCH INSTITUTIONS, STATE AGENCIES AND AUTHORITIES, INDUSTRY AND TRADE GROUPS, AND LOCAL, REGIONAL AND STATEWIDE HEALTHCARE PROVIDERS.

(D) IN ORDER TO ACHIEVE THESE GOALS, THE TASK FORCE MAY HOLD PUBLIC HEARINGS, AND SHALL HAVE THE POWERS OF A LEGISLATIVE COMMITTEE PURSUANT TO THE LEGISLATIVE LAW.

(E) TO THE MAXIMUM EXTENT FEASIBLE, THE TASK FORCE SHALL BE ENTITLED TO REQUEST AND RECEIVE AND SHALL UTILIZE AND BE PROVIDED WITH SUCH FACILITIES, RESOURCES, AND DATA OF ANY DEPARTMENT, DIVISION, BOARD, BUREAU, COMMISSION, OR AGENCY OF THE STATE OR ANY POLITICAL SUBDIVISION THEREOF AS IT MAY REASONABLY REQUEST TO CARRY OUT PROPERLY ITS POWERS AND DUTIES PURSUANT TO THIS SECTION. THE TASK FORCE MAY USE RESOURCES OF THE DEPARTMENT AS IT MAY DEEM NECESSARY FOR THE PERFORMANCE OF ITS FUNCTIONS.

3. NEW YORK STATE TASK FORCE ON HEALTH CARE COST REDUCTION THROUGH ENTREPRENEURIAL INNOVATION SHALL BE COMPOSED OF NINETEEN MEMBERS AS FOLLOWS:

(A) TWO EX-OFFICIO MEMBERS, WHO MAY DESIGNATE A REPRESENTATIVE TO ACT ON HIS OR HER BEHALF:

(I) THE COMMISSIONER OF THE DEPARTMENT OF ECONOMIC DEVELOPMENT; AND

(II) THE COMMISSIONER OF THE DEPARTMENT OF HEALTH.

(B) FIVE MEMBERS APPOINTED BY THE GOVERNOR, FOUR MEMBERS APPOINTED BY THE TEMPORARY PRESIDENT OF THE SENATE, FOUR MEMBERS APPOINTED BY THE

SPEAKER OF THE ASSEMBLY, TWO MEMBERS APPOINTED BY THE MINORITY LEADER OF THE SENATE AND TWO MEMBERS APPOINTED BY THE MINORITY LEADER OF THE ASSEMBLY. SUCH MEMBERS SHALL BE LEADERS IN THE RELEVANT AREAS OF HEALTH SERVICE DELIVERY, ADVANCED MANUFACTURING, RESEARCH AND DEVELOPMENT, NEW PRODUCT DEVELOPMENT AND COMMERCIALIZATION. THE GOVERNOR SHALL DESIGNATE A CHAIRPERSON OF THE TASK FORCE. VACANCIES IN THE MEMBERSHIP OF THE TASK FORCE SHALL BE FILLED IN THE MANNER PROVIDED FOR ORIGINAL APPOINTMENTS.

(C) APPOINTING AUTHORITIES SHALL APPOINT MEMBERS OF THE TASK FORCE ON OR BEFORE THIRTY DAYS AFTER THE EFFECTIVE DATE OF THIS SECTION AND THE TASK FORCE SHALL CONVENE ITS FIRST MEETING ON OR BEFORE THIRTY DAYS THEREAFTER.

4. NOTWITHSTANDING THE PROVISIONS OF SECTION SEVENTY-FOUR OF THE PUBLIC OFFICERS LAW, SECTION EIGHT HUNDRED SIX OF THE GENERAL MUNICIPAL LAW OR ANY OTHER PROVISION OF LAW, MEMBERSHIP ON THE COMMISSION OF ANY STATE OR MUNICIPAL OFFICER OR EMPLOYEE SHALL NOT CONSTITUTE THE VIOLATION OF ANY CODE OF ETHICS OR A CONFLICT OF INTEREST. THE MEMBERS OF THE TASK FORCE SHALL RECEIVE NO COMPENSATION FOR THEIR SERVICES, BUT SHALL BE ALLOWED THEIR ACTUAL AND NECESSARY EXPENSES INCURRED IN THE PERFORMANCE OF THEIR DUTIES PURSUANT TO THIS SECTION.

S 2. This act shall take effect on the thirtieth day after it shall have become a law.