

# STATE OF NEW YORK

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1162

2021-2022 Regular Sessions

## IN SENATE

January 7, 2021

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Introduced by Sen. KENNEDY -- read twice and ordered printed, and when printed to be committed to the Committee on Health

AN ACT requiring New York state to develop and implement a plan for the distribution of a COVID-19 medical countermeasure in a manner that prioritizes those communities serving the most vulnerable residents of the state

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

1 Section 1. (a) The New York State Department of Health, shall develop  
2 and release to the public a plan for the equitable distribution of a  
3 COVID-19 medical countermeasure to residents of the state.

4 (b) Such plan shall be released within sixty days following approval  
5 of such a countermeasure by the United States Food and Drug Adminis-  
6 tration.

7 (c) The plan shall be formulated and implemented in a manner that  
8 prioritizes the distribution of the medical countermeasure to communi-  
9 ties and facilities serving the New York residents deemed to be most  
10 vulnerable to the immediate medical threat. The state shall identify  
11 statewide and regional areas of greatest potential need during the  
12 current COVID-19 pandemic. Factors to be taken into consideration shall  
13 include, but not be limited to the following:

14 (i) rates of infection, severity of illness, hospital capacity, recov-  
15 ery and mortality of patients in a community, with sensitivity to popu-  
16 lation characteristics, including but not limited to, age, gender,  
17 racial and/or ethnic background and income status of the members of the  
18 community, to the extent that such factors instrumentally affect the  
19 rates of infection, severity of illness, hospital capacity, recovery  
20 and/or mortality during the current COVID-19 pandemic; and

21 (ii) the ability or inability of medical providers within a community  
22 to purchase or otherwise obtain the medical countermeasure.

23 § 2. This act shall take effect immediately.

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

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