

1823

2009-2010 Regular Sessions

I N A S S E M B L Y

January 12, 2009

Introduced by M. of A. WRIGHT, BENJAMIN, ZEBROWSKI, ESPAILLAT -- Multi-Sponsored by -- M. of A. BOYLAND, HIKIND, TOWNS, WEISENBERG -- read once and referred to the Committee on Health

AN ACT to amend the public health law, in relation to tuberculosis screening, outreach and services and making an appropriation therefor

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

1 Section 1. Title 2 of article 22 of the public health law is amended
2 by adding a new section 2220 to read as follows:
3 S 2220. TUBERCULOSIS SCREENING, OUTREACH AND SERVICES. 1. THE DEPART-
4 MENT SHALL ESTABLISH A PROGRAM, OR ENHANCE EXISTING PROGRAMS, FOR THE
5 PREVENTION, EARLY DIAGNOSIS AND TREATMENT OF CASES OF TUBERCULOSIS IN
6 AREAS OF THE STATE WHERE THE INCIDENCE OF TUBERCULOSIS PREVAILS AT
7 EPIDEMIC LEVELS. SUCH PROGRAM SHALL PROVIDE A STANDARDIZED LEVEL OF CARE
8 FOR THE SYSTEMATIC, ROUTINE AND PERIODIC EXAMINATION OF MEN, WOMEN, AND
9 CHILDREN RESIDING IN SUCH AREAS.
10 2. ANY PHYSICIAN, HEALTH CARE PROFESSIONAL, OR HEALTH ORGANIZATION WHO
11 DIAGNOSES A CASE OR PROBABLE CASE OF TUBERCULOSIS SHALL MAKE A WRITTEN
12 REPORT OF SUCH FINDING (I) TO THE PARENT OR GUARDIAN OF THE AFFECTED
13 CHILD OR TO THE AFFECTED ADULT, AS THE CASE MAY BE, AND (II) TO THE
14 LOCAL COMMISSIONER OF HEALTH OR PUBLIC HEALTH DIRECTOR AND TO THE
15 COMMISSIONER. THE LOCAL COMMISSIONER OF HEALTH OR PUBLIC HEALTH DIRECTOR
16 SHALL CAUSE TO BE EXAMINED OTHER FAMILY AND HOUSEHOLD MEMBERS OF THE
17 AFFECTED PERSON EVERY YEAR FOR THREE YEARS OR SUCH OTHER PERIOD OF TIME
18 AS THE COMMISSIONER SHALL DEEM ADVISABLE. THE LOCAL COMMISSIONER OF
19 HEALTH OR PUBLIC HEALTH DIRECTOR SHALL ADVISE OTHER FAMILY AND HOUSEHOLD
20 MEMBERS OF THE AFFECTED PERSON OF THE SERIOUSNESS OF THE DISEASE, OF THE
21 NEED TO TAKE APPROPRIATE SANITARY MEASURES, OF THE NEED TO TAKE ALL
22 PRESCRIBED MEDICATION, OF THE MEANS OF TRANSMISSION OF THE DISEASE, AND
23 OF OTHER APPROPRIATE PRECAUTIONARY MEASURES.

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

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1 3. THE COMMISSIONER, THROUGH LOCAL COMMISSIONERS OF HEALTH AND PUBLIC
2 HEALTH DIRECTORS, SHALL ESTABLISH, IN AREAS OF EPIDEMIC, A COMPREHENSIVE
3 PROGRAM, OR EXPAND EXISTING PROGRAMS, FOR INCREASED TUBERCULOSIS
4 OUTREACH AND SCREENING, UPGRADED TUBERCULOSIS REGISTRIES, ENHANCED
5 FOLLOW-UP ON TUBERCULOSIS CASE REPORTS, INCREASED CONTACT INVESTIGATION
6 WITH CASE MANAGEMENT, AND IMPROVED FOLLOW-UP ON CONTINUED TUBERCULOSIS
7 TREATMENT FOR POSITIVE CASES, INCLUDING PREVENTIVE MEDICATION AND REGU-
8 LAR SCREENING FOR HIGH RISK CASES.

9 4. THE COMMISSIONER, AND LOCAL COMMISSIONERS OF HEALTH AND PUBLIC
10 HEALTH DIRECTORS SHALL DEVELOP AND IMPLEMENT, OR ENHANCE AND FURTHER
11 IMPLEMENT, IN AREAS OF EPIDEMIC, A PROGRAM FOR THE DISBURSEMENT OF
12 GRANTS TO FACILITIES SUBJECT TO ARTICLE TWENTY-EIGHT OF THIS CHAPTER,
13 LOCAL AND STATE CORRECTIONAL FACILITIES, AND OTHER APPROPRIATE COMMUNI-
14 TY-BASED ORGANIZATIONS, INCLUDING REPRODUCTIVE HEALTH CLINICS AND
15 SERVICES, FOR THE PURPOSES OF PROVIDING THE SERVICES SET FORTH IN SUBDI-
16 VISION THREE OF THIS SECTION.

17 5. THE COMMISSIONER MAY PROMULGATE SUCH RULES AND REGULATIONS AS ARE
18 NECESSARY TO CARRY OUT THE PROVISIONS OF THIS SECTION.

19 S 2. The sum of eight million dollars (\$8,000,000), or so much thereof
20 as may be necessary, is hereby appropriated to the department of health
21 from any moneys in the state treasury in the general fund to the credit
22 of the local assistance account not otherwise appropriated for the
23 purposes of making grants provided for by the provisions of this act.
24 Such sum shall be payable on the audit and warrant of the state comp-
25 troller on vouchers certified or approved by the commissioner of health,
26 or his duly designated representative in the manner provided by law. No
27 expenditure shall be made from this appropriation until a certificate of
28 approval of availability shall have been issued by the director of the
29 budget and filed with the state comptroller and a copy filed with the
30 chairman of the senate finance committee and the chairman of the assem-
31 bly ways and means committee. Such certificate may be amended from time
32 to time by the director of the budget and a copy of each such amendment
33 shall be filed with the state comptroller, the chairman of the senate
34 finance committee and the chairman of the assembly ways and means
35 committee.

36 S 3. This act shall take effect immediately.