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

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I N A S S E M B L Y

January 28, 2009

Introduced by M. of A. ENGLEBRIGHT, GOTTFRIED, MILLMAN, J. RIVERA, FIELDS, KOON, DESTITO, PHEFFER, MARKEY, SCHROEDER, BALL, GABRYSZAK, LUPARDO -- Multi-Sponsored by -- M. of A. ALESSI, ALFANO, ARROYO, BARRA, BENEDETTO, BING, BRADLEY, BROOK-KRASNY, CAHILL, CLARK, COLTON, CUSICK, DINOWITZ, ESPAILLAT, HOOPER, HYER-SPENCER, JAFFEE, JOHN, MAYERSOHN, McENENY, NOLAN, PEOPLES, PERRY, RAMOS, REILLY, ROBINSON, SCHIMMINGER, SPANO, SWEENEY, TOWNS, WEISENBERG -- read once and referred to the Committee on Aging

AN ACT to amend the public health law, in relation to establishing an Alzheimer's disease outreach and education program

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

Section 1. The public health law is amended by adding a new section 2701-a to read as follows:

S 2701-A. ALZHEIMER'S DISEASE OUTREACH AND EDUCATION PROGRAM. 1. THE DEPARTMENT, IN CONSULTATION WITH THE OFFICE FOR THE AGING, IS HEREBY AUTHORIZED AND DIRECTED TO ESTABLISH AN ALZHEIMER'S DISEASE OUTREACH AND EDUCATION PROGRAM FOR MEDICAL AND NON-MEDICAL PROFESSIONALS, INCLUDING PHYSICIANS, NURSES, LAW ENFORCEMENT PERSONNEL AND SOCIAL SERVICES PERSONNEL WHO WORK WITH OLDER NEW YORKERS AND THEIR FAMILIES, AND FOR CONSUMERS, CAREGIVERS AND OTHER INDIVIDUALS AND ORGANIZATIONS WORKING WITH OR ON BEHALF OF PERSONS WITH ALZHEIMER'S DISEASE AND RELATED DEMENTIA. THE PURPOSE OF SUCH PROGRAM SHALL BE TO:

(A) PROMOTE EARLIER IDENTIFICATION OF DEMENTIA IN HEALTH CARE FACILITIES INCLUDING BUT NOT LIMITED TO HOSPITALS, NURSING HOMES, CLINICS AND ASSISTED LIVING FACILITIES;

(B) PROVIDE INFORMATION AND ASSISTANCE ON WHERE TO FIND COMMUNITY SUPPORT SERVICES, INCLUDING CAREGIVER SUPPORT GROUPS AND SERVICES, RESPITE, CARE MANAGEMENT AND TO SERVE AS A CLEARINGHOUSE FOR RELATED INFORMATION; AND

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

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(C) PROMOTE PUBLIC AWARENESS OF AND ACCESS TO RESOURCES AND INFORMATION CONCERNING ALZHEIMER'S DISEASE AND ANY OTHER DEMENTIA RELATED MATTERS THAT THE COMMISSIONER AND DIRECTOR OF THE OFFICE FOR THE AGING DEEM APPROPRIATE.

2. THE PROGRAM SHALL INCLUDE BUT SHALL NOT BE LIMITED TO ANY OF THE FOLLOWING ELEMENTS:

(A) EDUCATIONAL AND INFORMATIONAL MATERIALS IN PRINT, AUDIO, VISUAL, ELECTRONIC OR OTHER MEDIA;

(B) TRAINING CURRICULUM INCLUDING BEST PRACTICES FOR INSTITUTIONS OF HIGHER LEARNING AND FOR ONGOING IN-SERVICE TRAINING;

(C) PUBLIC SERVICE ANNOUNCEMENTS AND ADVERTISEMENTS; AND

(D) ESTABLISHMENT OF TOLL-FREE TELEPHONE HOTLINES AND ELECTRONIC SERVICES TO PROVIDE INFORMATION.

3. IN ORDER TO DEVELOP MATERIALS MENTIONED IN THIS SECTION, THE DEPARTMENT SHALL PRODUCE, MAKE AVAILABLE TO OTHERS FOR REPRODUCTION, OR CONTRACT WITH NOT-FOR-PROFIT CORPORATIONS WHOSE PRIMARY PURPOSE IS TO PROVIDE FAMILY INTERVENTION SERVICES RELATED TO ALZHEIMER'S DISEASE ON A STATEWIDE BASIS IN ORDER TO POSTPONE OR PREVENT NURSING HOME PLACEMENTS OF INDIVIDUALS WITH ALZHEIMER'S DISEASE OR OTHER DEMENTIA. THESE MATERIALS SHALL BE MADE AVAILABLE TO THE PUBLIC FREE OF CHARGE AS APPROPRIATE OR FOR A FEE UNDER CERTAIN CIRCUMSTANCES. THE COMMISSIONER MAY REQUIRE ANY HEALTH CARE PROVIDER TO MAKE THESE MATERIALS AVAILABLE TO PATIENTS WHERE APPROPRIATE AND ENCOURAGE NON-MEDICAL PROFESSIONALS TO MAKE THEM AVAILABLE TO THE CLIENTS THEY SERVE.

4. IN EXERCISING ANY OF HIS OR HER POWERS UNDER THIS SECTION, THE COMMISSIONER SHALL CONSULT WITH APPROPRIATE HEALTH CARE PROFESSIONALS AND PROVIDERS, SENIOR SERVICE PROVIDERS, ORGANIZATIONS REPRESENTING PERSONS WITH DEMENTIA OR COGNITIVE IMPAIRMENTS, CONSUMERS AND PATIENTS OR ORGANIZATIONS REPRESENTING THEM.

5. THE COMMISSIONER SHALL ENSURE THAT ALL INFORMATION AND MATERIALS PRODUCED UNDER THIS SECTION ARE MAINTAINED AND UPDATED TO REFLECT BEST PRACTICE RECOMMENDATIONS AND ARE CULTURALLY AND LINGUISTICALLY APPROPRIATE FOR THE COMMUNITIES SERVED BY THE ALZHEIMER'S DISEASE OUTREACH AND EDUCATION PROGRAM. THE DEPARTMENT SHALL POST ELECTRONIC COPIES OF OUTREACH MATERIAL, INCLUDING BEST PRACTICES, ON ITS WEBSITE. THE OFFICE FOR THE AGING SHALL POST THE SAME INFORMATION ON ITS WEBSITE.

6. THE COMMISSIONER MAY APPOINT ADVISORY COUNCILS RELATING TO VARIOUS MATTERS UNDER THIS SECTION. ALL SUCH COUNCILS SHALL INCLUDE REPRESENTATION OF HEALTH CARE PROFESSIONALS, PROVIDERS, SENIOR SERVICE PROVIDERS, ORGANIZATIONS REPRESENTING PERSONS WITH DEMENTIA OR COGNITIVE IMPAIRMENTS, CONSUMERS, PATIENTS AND OTHER APPROPRIATE INTERESTS. THE MEMBERS OF THE COUNCILS SHALL RECEIVE NO COMPENSATION FOR THEIR SERVICES, BUT SHALL BE ALLOWED THEIR ACTUAL AND NECESSARY EXPENSES INCURRED IN PERFORMANCE OF THEIR DUTIES.

7. IN ADDITION TO STATE FUNDS APPROPRIATED TO ADMINISTER THIS SECTION, THE COMMISSIONER MAY ACCEPT GRANTS FROM PUBLIC OR PRIVATE SOURCES. THE COMMISSIONER, IN ADMINISTERING THIS SECTION, SHALL SEEK TO COORDINATE THE DEPARTMENT'S PROGRAMS AND ACTIVITIES UNDER THIS SECTION WITH OTHER PUBLIC AND PRIVATE PROGRAMS, AND MAY UNDERTAKE JOINT OR COOPERATIVE PROGRAMS WITH OTHER PUBLIC OR PRIVATE ENTITIES.

8. THE COMMISSIONER MAY MAKE RULES AND REGULATIONS NECESSARY AND APPROPRIATE FOR THE IMPLEMENTATION OF THIS SECTION.

S 2. This act shall take effect immediately.