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

S. 6616 A. 9717

S E N A T E - A S S E M B L Y

January 20, 2010

IN SENATE -- Introduced by Sens. MONTGOMERY, BRESLIN, DUANE, HASSELL-THOMPSON, MONSERRATE, ONORATO, OPPENHEIMER, PARKER, SAMPSON, SAVINO, THOMPSON, VALESKY -- read twice and ordered printed, and when printed to be committed to the Committee on Health

IN ASSEMBLY -- Introduced by M. of A. GOTTFRIED, JACOBS, COLTON, PAULIN, CUSICK, JOHN, PHEFFER, N. RIVERA, ROSENTHAL, KAVANAGH, MAYERSOHN, DESTITO, NOLAN -- Multi-Sponsored by -- M. of A. ALFANO, AUBRY, BARRA, BENEDETTO, CHRISTENSEN, CROUCH, DINOWITZ, GIBSON, HEASTIE, HOOPER, KOON, LIFTON, P. LOPEZ, LUPARDO, MAGEE, MARKEY, McENENY, PEOPLES-STOKES, REILLY, THIELE -- read once and referred to the Committee on Health

AN ACT to amend the public health law, in relation to school-based health centers

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

Section 1. Section 2510 of the public health law is amended by adding two new subdivisions 13 and 14 to read as follows:

13. "SCHOOL-BASED HEALTH CENTER" MEANS A CLINIC LICENSED UNDER ARTICLE TWENTY-EIGHT OF THIS CHAPTER, OR SPONSORED BY A FACILITY LICENSED UNDER THIS CHAPTER, WHICH PROVIDES PRIMARY AND PREVENTIVE HEALTH SERVICES WITHIN AN ELEMENTARY OR SECONDARY PUBLIC SCHOOL SETTING.

14. "SPONSORING ORGANIZATION" MEANS A FACILITY LICENSED UNDER ARTICLE TWENTY-EIGHT OF THIS CHAPTER WHICH ACTS AS THE SPONSOR FOR A SCHOOL-BASED HEALTH CENTER.

S 2. Paragraph (i) of subdivision 9 of section 2511 of the public health law, as relettered by section 46 of part A of chapter 1 of the laws of 2002, is relettered paragraph (j) and a new paragraph (i) is added to read as follows:

(I) NOTWITHSTANDING ANY INCONSISTENT PROVISIONS OF PARAGRAPH (A) OF THIS SUBDIVISION, THE COMMISSIONER SHALL, WITHIN AMOUNTS APPROPRIATED THEREFOR, CONTRACT WITH SCHOOL-BASED HEALTH CENTERS TO PROVIDE EDUCATION AND OUTREACH AND TO FACILITATE THE ENROLLMENT OF CHILDREN WHO MAY BE ELIGIBLE FOR BENEFITS UNDER THIS TITLE AND TITLE ELEVEN OF ARTICLE FIVE

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

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OF THE SOCIAL SERVICES LAW. IN ORDER TO BE APPROVED PURSUANT TO THIS PARAGRAPH, A SCHOOL-BASED HEALTH CENTER SHALL MEET THE CRITERIA SET FORTH IN THIS SUBDIVISION.

S 3. Subdivision 9 of section 2511 of the public health law, as amended by chapter 639 of the laws of 1996, is amended to read as follows:

9. The commissioner shall, within amounts available therefor, contract with community-based and other marketing organizations for purposes of public education, outreach, and recruitment of eligible children, including the distribution of applications and information regarding enrollment. In awarding such contracts, the commissioner shall consider the marketing, outreach and recruitment efforts of approved organizations, and the extent to which such organizations are able to effectively target efforts in geographic regions where the proportion of eligible children enrolled under this title are lower than in other geographic regions of the state. Community-based organizations shall include, but not be limited to: day care centers, schools, SCHOOL-BASED HEALTH CENTERS, community-based diagnostic and treatment centers, and hospitals.

S 4. Section 2511 of the public health law is amended by adding a new subdivision 21 to read as follows:

21. AN APPROVED ORGANIZATION SHALL NOT LIMIT AN ELIGIBLE CHILD'S DIRECT ACCESS TO PRIMARY AND PREVENTIVE HEALTH CARE SERVICES, DENTAL SERVICES OR MENTAL HEALTH SERVICES COVERED PURSUANT TO THIS TITLE FROM A SCHOOL-BASED HEALTH CENTER SERVING THE SCHOOL ATTENDED BY THE CHILD WHEN THE SPONSORING ORGANIZATION OF THE SCHOOL-BASED HEALTH CENTER IS INCLUDED IN THE PROVIDER NETWORK OF THE APPROVED ORGANIZATION IN WHICH THE CHILD IS ENROLLED. AN APPROVED ORGANIZATION SHALL PROVIDE LEVELS AND METHODS OF PAYMENT TO SCHOOL-BASED HEALTH CENTERS CONSISTENT WITH THOSE PROVIDED FOR SIMILAR SERVICES IN SIMILAR SETTINGS BY SIMILAR PROVIDERS IN THE APPROVED ORGANIZATION'S NETWORK.

S 5. This act shall take effect on the ninetieth day after it shall have become a law; provided, however, that the amendments to subdivision 9 of section 2511 of the public health law made by section two of this act shall be subject to the expiration and reversion of such subdivision pursuant to section 47 of chapter 2 of the laws of 1998, as amended, when upon such date the provisions of section three of this act shall take effect.