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

2949

2009-2010 Regular Sessions

I N S E N A T E

March 6, 2009

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

AN ACT to amend the education law, the social services law and the public health law, in relation to requiring children attending public schools to provide proof of health insurance coverage

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

Section 1. The section heading of section 903 of the education law, as amended by chapter 281 of the laws of 2007, is amended and a new subdivision 5 is added to read as follows:

Students to furnish health certificates[; and] , dental health certificates AND PROOF OF HEALTH INSURANCE COVERAGE.

5. PROOF OF HEALTH INSURANCE COVERAGE SHALL BE FURNISHED BY EACH STUDENT IN THE PUBLIC SCHOOLS UPON HIS OR HER ENTRANCE IN SUCH SCHOOLS AND UPON HIS OR HER ENTRY INTO THE GRADES PRESCRIBED BY THE COMMISSIONER IN REGULATIONS. WHERE A CHILD IS UNABLE TO PROVIDE PROOF OF HEALTH INSURANCE COVERAGE THE SUPERINTENDENT SHALL PROVIDE SUCH CHILD'S PARENT OR LEGAL GUARDIAN WITH CONTACT INFORMATION FOR FACILITATED ENROLLMENT PROGRAMS ESTABLISHED PURSUANT TO SECTION THREE HUNDRED SIXTY-NINE-EE OF THE SOCIAL SERVICES LAW, SECTION TWENTY-FIVE HUNDRED ELEVEN OF THE PUBLIC HEALTH LAW AND SECTION FOUR THOUSAND THREE HUNDRED TWENTY-SEVEN OF THE INSURANCE LAW AND SHALL SEND A NOTICE REGARDING SUCH STUDENT TO A LOCAL ORGANIZATION CONTRACTED TO PROVIDE FACILITATED ENROLLMENT ASSISTANCE PURSUANT TO SUCH SECTIONS.

S 2. Paragraph (a) of subdivision 4 of section 369-ee of the social services law, as added by chapter 1 of the laws of 1999, is amended to read as follows:

(a) The commissioner shall develop and implement locally-tailored education, outreach and facilitated enrollment strategies targeted to individuals who may be eligible for benefits under this title or title eleven of this article. Such strategies shall include, but not be limit-

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

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ed to, contracting with community-based organizations to perform education, outreach and facilitated enrollment. In awarding the contracts, the commissioner shall consider the extent to which the organizations, or coalitions of organizations, are able to target efforts effectively in geographic areas in which there is a high proportion of uninsured individuals and a low proportion of eligible individuals receiving benefits under title eleven of this article. In approving organizations to undertake activities pursuant to this subdivision, within a defined geographic region, the commissioner shall make a good faith effort to ensure that the organizations are broadly inclusive of organizations in the region able to target effectively individuals who may be eligible for coverage under this title or title eleven of this article. THE COMMISSIONER, AND ANY ORGANIZATION CONTRACTED TO PERFORM FACILITATED ENROLLMENT UNDER THIS SUBDIVISION, SHALL PROVIDE UPDATED CONTACT INFORMATION ON JULY FIRST OF EACH YEAR TO ANY SCHOOL DISTRICT WHICH IS LOCATED WITHIN THE AREA SERVED BY SUCH ORGANIZATION. WHERE THERE IS NO ORGANIZATION PROVIDING FACILITATED ENROLLMENT SERVICES COVERING AN AREA IN WHICH A SCHOOL DISTRICT IS LOCATED THE COMMISSIONER SHALL PROVIDE SUCH SCHOOL DISTRICT WITH FACILITATED ENROLLMENT SERVICES FOR STUDENTS WHO ARE UNABLE TO PROVIDE PROOF OF HEALTH INSURANCE COVERAGE PURSUANT TO SECTION NINE HUNDRED THREE OF THE EDUCATION LAW.

S 3. Paragraph (a) of subdivision 9 of section 2511 of the public health law, as amended by chapter 2 of the laws of 1998, is amended to read as follows:

(a) The commissioner shall develop and implement locally-tailored public education, outreach and facilitated enrollment strategies targeted to children who may be eligible for benefits under this title or title eleven of article five of the social services law, and may contract with community based organizations including but not limited to, child advocacy organizations, providers, school-based health centers and local government. In awarding contracts, the commissioner shall consider the extent to which such organizations, or coalitions of organizations, are able to target efforts effectively in geographic regions of the state where the proportion of children enrolled under this title and title eleven of article five of the social services law is lower than other geographic regions of the state. In approving entities to undertake activities pursuant to this subdivision, within a defined geographic region, the commissioner shall make a good faith effort to assure that a coalition is broadly inclusive of organizations able to target effectively children who may be eligible under this title and title eleven of article five of the social services law. THE COMMISSIONER, AND ANY ORGANIZATION CONTRACTED TO PERFORM FACILITATED ENROLLMENT UNDER THIS SUBDIVISION, SHALL PROVIDE UPDATED CONTACT INFORMATION ON JULY FIRST OF EACH YEAR TO ANY SCHOOL DISTRICT WHICH IS LOCATED WITHIN THE AREA SERVED BY SUCH ORGANIZATION. WHERE THERE IS NO ORGANIZATION PROVIDING FACILITATED ENROLLMENT SERVICES COVERING AN AREA IN WHICH A SCHOOL DISTRICT IS LOCATED THE COMMISSIONER SHALL PROVIDE SUCH SCHOOL DISTRICT WITH FACILITATED ENROLLMENT SERVICES FOR STUDENTS WHO ARE UNABLE TO PROVIDE PROOF OF HEALTH INSURANCE COVERAGE PURSUANT TO SECTION NINE HUNDRED THREE OF THE EDUCATION LAW.

S 4. 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, community-based diagnostic and treatment centers, and hospitals. THE COMMISSIONER, AND ANY ORGANIZATION CONTRACTED TO PERFORM FACILITATED ENROLLMENT UNDER THIS SUBDIVISION, SHALL PROVIDE UPDATED CONTACT INFORMATION ON JULY FIRST OF EACH YEAR TO ANY SCHOOL DISTRICT WHICH IS LOCATED WITHIN THE AREA SERVED BY SUCH ORGANIZATION. WHERE THERE IS NO ORGANIZATION PROVIDING FACILITATED ENROLLMENT SERVICES COVERING AN AREA IN WHICH A SCHOOL DISTRICT IS LOCATED THE COMMISSIONER SHALL PROVIDE SUCH SCHOOL DISTRICT WITH FACILITATED ENROLLMENT SERVICES FOR STUDENTS WHO ARE UNABLE TO PROVIDE PROOF OF HEALTH INSURANCE COVERAGE PURSUANT TO SECTION NINE HUNDRED THREE OF THE EDUCATION LAW.

S 5. This act shall take effect on the first of July next succeeding the date on which 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 three of this act shall be subject to the expiration and reversion of such subdivision pursuant to chapter 2 of the laws of 1998, when upon such date the provisions of section four of this act shall take effect.