

S T A T E   O F   N E W   Y O R K

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4158--A

2009-2010 Regular Sessions

I N   S E N A T E

April 15, 2009

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Introduced by Sens. MONTGOMERY, HASSELL-THOMPSON, OPPENHEIMER, THOMPSON -- read twice and ordered printed, and when printed to be committed to the Committee on Investigations and Government Operations -- recommitted to the Committee on Investigations and Government Operations in accordance with Senate Rule 6, sec. 8 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the tax law and the state finance law, in relation to providing a tax check-off box on personal income tax return forms for gifts to the school-based health centers fund

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

1     Section 1. The tax law is amended by adding a new section 630-c to  
2     read as follows:  
3     S 630-C. GIFT FOR SCHOOL-BASED HEALTH CENTERS. EFFECTIVE FOR ANY TAX  
4     YEAR COMMENCING ON OR AFTER JANUARY FIRST, TWO THOUSAND TEN, AN INDIVID-  
5     UAL IN ANY TAXABLE YEAR MAY ELECT TO CONTRIBUTE TO THE SCHOOL-BASED  
6     HEALTH CENTERS FUND. SUCH CONTRIBUTION SHALL BE IN ANY WHOLE DOLLAR  
7     AMOUNT AND SHALL NOT REDUCE THE AMOUNT OF STATE TAX OWED BY SUCH INDIVIDUAL.  
8     THE COMMISSIONER SHALL INCLUDE SPACE ON THE PERSONAL INCOME TAX  
9     RETURN TO ENABLE A TAXPAYER TO MAKE SUCH CONTRIBUTION. THE COMMISSIONER  
10    SHALL ALSO ENSURE THAT A DESCRIPTION OF A SCHOOL-BASED HEALTH CENTER IS  
11    INCLUDED WITHIN THE TAX FORM PREPARATION INSTRUCTION BOOKLET. NOTWITH-  
12    STANDING ANY OTHER PROVISION OF LAW ALL REVENUES COLLECTED PURSUANT TO  
13    THIS SECTION SHALL BE CREDITED TO THE SCHOOL-BASED HEALTH CENTERS FUND  
14    AND USED ONLY FOR THOSE PURPOSES ENUMERATED IN SECTION EIGHTY-ONE OF THE  
15    STATE FINANCE LAW.  
16    S 2. The state finance law is amended by adding a new section 81 to  
17    read as follows:

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

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1 S 81. SCHOOL-BASED HEALTH CENTERS FUND. 1. THERE IS HEREBY ESTABLISHED  
2 IN THE JOINT CUSTODY OF THE COMPTROLLER AND THE COMMISSIONER OF HEALTH,  
3 A SPECIAL FUND TO BE KNOWN AS THE "SCHOOL-BASED HEALTH CENTERS FUND".

4 2. SUCH FUND SHALL CONSIST OF ALL REVENUES RECEIVED PURSUANT TO THE  
5 PROVISIONS OF SECTION SIX HUNDRED THIRTY-C OF THE TAX LAW, AND ALL OTHER  
6 MONEYS APPROPRIATED, CREDITED, OR TRANSFERRED THERETO FROM ANY OTHER  
7 FUND OR SOURCE PURSUANT TO LAW. NOTHING CONTAINED HEREIN SHALL PREVENT  
8 THE STATE FROM RECEIVING GRANTS, GIFTS OR BEQUESTS FOR THE PURPOSES OF  
9 THE FUND AS DEFINED IN THIS SECTION AND DEPOSITING THEM INTO THE FUND  
10 ACCORDING TO LAW.

11 3. MONIES OF THE FUND SHALL BE EXPENDED TO FUND EXPANSION OF MEDICAL  
12 SERVICES AT EXISTING SCHOOL-BASED HEALTH CENTERS OR TO ESTABLISH NEW  
13 SCHOOL-BASED HEALTH CENTERS.

14 4. MONIES SHALL BE PAYABLE FROM THE FUND ON THE AUDIT AND WARRANT OF  
15 THE COMPTROLLER ON VOUCHERS APPROVED AND CERTIFIED BY THE COMMISSIONER  
16 OF HEALTH.

17 5. AMOUNTS EXPENDED FOR SCHOOL-BASED HEALTH CENTERS PURSUANT TO THIS  
18 SECTION SHALL NOT AFFECT THE AMOUNT THAT WOULD OTHERWISE BE APPROPRIATED  
19 FOR SCHOOL-BASED HEALTH CENTERS UNDER ANY OTHER PROVISION OF LAW.

20 6. SERVICES PERFORMED BY SCHOOL-BASED HEALTH CENTERS AVAILABLE FOR  
21 MONEYS FROM THIS FUND SHALL INCLUDE, BUT NOT BE LIMITED TO:

22 A. COMPREHENSIVE PHYSICAL HEALTH AND MENTAL HEALTH ASSESSMENTS;

23 B. DIAGNOSIS AND TREATMENT OF ACUTE ILLNESSES;

24 C. VISION, HEARING, DENTAL, NUTRITIONAL, AND TUBERCULOSIS SCREENINGS;

25 D. ROUTINE MANAGEMENT OF CHRONIC DISEASES;

26 E. HEALTH EDUCATION;

27 F. MENTAL HEALTH COUNSELING AND REFERRALS;

28 G. IMMUNIZATIONS;

29 H. WORKING PAPERS AND SPORTS PHYSICALS; AND

30 I. POPULATION-BASED PRIMARY PREVENTION.

31 SERVICES SHALL BE PROVIDED ON-SITE BY A MULTI-DISCIPLINARY TEAM  
32 CONSISTING OF A MID-LEVEL PRACTITIONER, A MENTAL HEALTH COUNSELOR, AND A  
33 MEDICAL ASSISTANT IN CONSULTATION WITH A PHYSICIAN. THE CENTERS SHALL  
34 ALSO PROVIDE ACCESS TO HEALTH CARE TWENTY-FOUR HOURS PER DAY, SEVEN DAYS  
35 PER WEEK.

36 S 3. This act shall take effect immediately.