

3888

2009-2010 Regular Sessions

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:

1 Section 1. The public health law is amended by adding a new section
2 2701-a to read as follows:
3 S 2701-A. ALZHEIMER'S DISEASE OUTREACH AND EDUCATION PROGRAM. 1. THE
4 DEPARTMENT, IN CONSULTATION WITH THE OFFICE FOR THE AGING, IS HEREBY
5 AUTHORIZED AND DIRECTED TO ESTABLISH AN ALZHEIMER'S DISEASE OUTREACH AND
6 EDUCATION PROGRAM FOR MEDICAL AND NON-MEDICAL PROFESSIONALS, INCLUDING
7 PHYSICIANS, NURSES, LAW ENFORCEMENT PERSONNEL AND SOCIAL SERVICES
8 PERSONNEL WHO WORK WITH OLDER NEW YORKERS AND THEIR FAMILIES, AND FOR
9 CONSUMERS, CAREGIVERS AND OTHER INDIVIDUALS AND ORGANIZATIONS WORKING
10 WITH OR ON BEHALF OF PERSONS WITH ALZHEIMER'S DISEASE AND RELATED DEMEN-
11 TIA. THE PURPOSE OF SUCH PROGRAM SHALL BE TO:
12 (A) PROMOTE EARLIER IDENTIFICATION OF DEMENTIA IN HEALTH CARE FACILI-
13 TIES INCLUDING BUT NOT LIMITED TO HOSPITALS, NURSING HOMES, CLINICS AND
14 ASSISTED LIVING FACILITIES;
15 (B) PROVIDE INFORMATION AND ASSISTANCE ON WHERE TO FIND COMMUNITY
16 SUPPORT SERVICES, INCLUDING CAREGIVER SUPPORT GROUPS AND SERVICES,
17 RESPIRE, CARE MANAGEMENT AND TO SERVE AS A CLEARINGHOUSE FOR RELATED
18 INFORMATION; AND

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

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1 (C) PROMOTE PUBLIC AWARENESS OF AND ACCESS TO RESOURCES AND INFORMA-
2 TION CONCERNING ALZHEIMER'S DISEASE AND ANY OTHER DEMENTIA RELATED
3 MATTERS THAT THE COMMISSIONER AND DIRECTOR OF THE OFFICE FOR THE AGING
4 DEEM APPROPRIATE.

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

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

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

11 (C) PUBLIC SERVICE ANNOUNCEMENTS AND ADVERTISEMENTS; AND

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

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

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

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

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

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

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

53 S 2. This act shall take effect immediately.