

5322

2009-2010 Regular Sessions

I N A S S E M B L Y

February 12, 2009

Introduced by M. of A. MAISEL, DINOWITZ, BROOK-KRASNY, ROSENTHAL, JAFFEE
-- Multi-Sponsored by -- M. of A. V. LOPEZ, MARKEY, MAYERSOHN, MCENE-
NY, PHEFFER, SWEENEY -- read once and referred to the Committee on
Health

AN ACT to amend the state finance law, in relation to creating the lymph-
hedema and lymphatic diseases research fund

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

1 Section 1. The state finance law is amended by adding a new section
2 99-q to read as follows:
3 S 99-Q. LYMPHEDEMA AND LYMPHATIC DISEASES RESEARCH AND EDUCATION FUND.
4 1. THERE IS HEREBY ESTABLISHED IN THE JOINT CUSTODY OF THE COMMISSIONER
5 OF TAXATION AND FINANCE AND THE COMPTROLLER, A SPECIAL FUND TO BE KNOWN
6 AS THE LYMPHEDEMA AND LYMPHATIC DISEASES RESEARCH AND EDUCATION FUND,
7 HEREFTER THE "FUND."
8 2. SUCH FUND SHALL CONSIST OF ALL MONIES APPROPRIATED, CREDITED, OR
9 TRANSFERRED THERETO FROM ANY OTHER FUND OR SOURCE PURSUANT TO LAW.
10 NOTHING CONTAINED IN THIS SECTION SHALL PREVENT THE STATE FROM RECEIVING
11 GRANTS, GIFTS OR BEQUESTS FOR THE PURPOSES OF THE FUND AS DEFINED IN
12 THIS SECTION AND DEPOSITING THEM INTO THE FUND ACCORDING TO LAW.
13 3. MONIES OF THE FUND SHALL BE EXPENDED ONLY FOR LYMPHEDEMA AND LYMP-
14 HATIC DISEASES RESEARCH AND EDUCATION PROJECTS APPROVED BY THE DEPART-
15 MENT OF HEALTH.
16 4. (A) "LYMPHEDEMA" SHALL MEAN AN ACCUMULATION OF LYMPHATIC FLUID IN
17 THE INTERSTITIAL TISSUE THAT CAUSES SWELLING, MOST OFTEN IN THE ARMS
18 AND/OR LEGS, AND OCCASIONALLY IN OTHER PARTS OF THE BODY, REGARDLESS OF
19 CAUSE.
20 (B) "LYMPHATIC DISEASES" SHALL INCLUDE BUT NOT BE LIMITED TO: INSUF-
21 FICIENCY OF LYMPHATIC CIRCULATORY FUNCTION (TO INCLUDE ALL FORM OF LYMP-
22 HEDEMA), LIPEDEMA, COMPLEX CONGENITAL DISEASES OF THE LYMPHATIC VASCULA-
23 TURE, INCLUDING LYMPHANGIOMATOSIS, LYMPHANGIOLEIO-MYOMATOSIS,

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

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1 LYMPHANGIECTASIAS, LYMPHANGIOMAS, CYSTIC HYGROMAS, GORHAM'S DISEASE,
2 LYMPHANGIOSARCOMA, AND COMPLEX VASCULAR/LYMPHATIC MALFORMATIONS.

3 (C) "LYMPHEDEMA AND LYMPHATIC DISEASES RESEARCH AND EDUCATION
4 PROJECTS" SHALL MEAN RESEARCH BY QUALIFIED RESEARCHERS, AS DETERMINED BY
5 THE DEPARTMENT OF HEALTH, TO STIMULATE RESEARCH ON THE PATHOGENESIS AND
6 NEW TREATMENTS FOR LYMPHEDEMA AND LYMPHATIC DISEASES. EDUCATION PROJECTS
7 ARE THOSE PROJECTS WHICH PROMOTE AND PROVIDE INFORMATION ON LYMPHEDEMA
8 AND LYMPHATIC DISEASES INCLUDING: PREVENTION, DIAGNOSIS, TREATMENT,
9 LONG-TERM CHRONIC CARE, AND/OR RESEARCH BY QUALIFIED ORGANIZATIONS AS
10 DETERMINED BY THE DEPARTMENT OF HEALTH.

11 5. MONIES SHALL BE PAYABLE FROM THE FUND ON THE AUDIT AND WARRANT OF
12 THE COMPTROLLER ON VOUCHERS APPROVED AND CERTIFIED BY THE COMMISSIONER
13 OF HEALTH.

14 6. TO THE EXTENT PRACTICABLE, THE COMMISSIONER OF HEALTH SHALL ENSURE
15 THAT ALL MONIES RECEIVED DURING A FISCAL YEAR ARE EXPENDED PRIOR TO THE
16 END OF THAT FISCAL YEAR.

17 S 2. This act shall take effect immediately.