

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:

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

4 Students to furnish health certificates[; and] , dental health certifi-
5 cates AND PROOF OF HEALTH INSURANCE COVERAGE.

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

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

21 (a) The commissioner shall develop and implement locally-tailored
22 education, outreach and facilitated enrollment strategies targeted to
23 individuals who may be eligible for benefits under this title or title
24 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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1 ed to, contracting with community-based organizations to perform educa-
2 tion, outreach and facilitated enrollment. In awarding the contracts,
3 the commissioner shall consider the extent to which the organizations,
4 or coalitions of organizations, are able to target efforts effectively
5 in geographic areas in which there is a high proportion of uninsured
6 individuals and a low proportion of eligible individuals receiving bene-
7 fits under title eleven of this article. In approving organizations to
8 undertake activities pursuant to this subdivision, within a defined
9 geographic region, the commissioner shall make a good faith effort to
10 ensure that the organizations are broadly inclusive of organizations in
11 the region able to target effectively individuals who may be eligible
12 for coverage under this title or title eleven of this article. THE
13 COMMISSIONER, AND ANY ORGANIZATION CONTRACTED TO PERFORM FACILITATED
14 ENROLLMENT UNDER THIS SUBDIVISION, SHALL PROVIDE UPDATED CONTACT INFOR-
15 MATION ON JULY FIRST OF EACH YEAR TO ANY SCHOOL DISTRICT WHICH IS
16 LOCATED WITHIN THE AREA SERVED BY SUCH ORGANIZATION. WHERE THERE IS NO
17 ORGANIZATION PROVIDING FACILITATED ENROLLMENT SERVICES COVERING AN AREA
18 IN WHICH A SCHOOL DISTRICT IS LOCATED THE COMMISSIONER SHALL PROVIDE
19 SUCH SCHOOL DISTRICT WITH FACILITATED ENROLLMENT SERVICES FOR STUDENTS
20 WHO ARE UNABLE TO PROVIDE PROOF OF HEALTH INSURANCE COVERAGE PURSUANT TO
21 SECTION NINE HUNDRED THREE OF THE EDUCATION LAW.

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

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

51 S 4. Subdivision 9 of section 2511 of the public health law, as
52 amended by chapter 639 of the laws of 1996, is amended to read as
53 follows:

54 9. The commissioner shall, within amounts available therefor, contract
55 with community-based and other marketing organizations for purposes of
56 public education, outreach, and recruitment of eligible children,

1 including the distribution of applications and information regarding
2 enrollment. In awarding such contracts, the commissioner shall consider
3 the marketing, outreach and recruitment efforts of approved organiza-
4 tions, and the extent to which such organizations are able to effec-
5 tively target efforts in geographic regions where the proportion of
6 eligible children enrolled under this title are lower than in other
7 geographic regions of the state. Community-based organizations shall
8 include, but not be limited to: day care centers, schools, community-
9 based diagnostic and treatment centers, and hospitals. THE COMMISSION-
10 ER, AND ANY ORGANIZATION CONTRACTED TO PERFORM FACILITATED ENROLLMENT
11 UNDER THIS SUBDIVISION, SHALL PROVIDE UPDATED CONTACT INFORMATION ON
12 JULY FIRST OF EACH YEAR TO ANY SCHOOL DISTRICT WHICH IS LOCATED WITHIN
13 THE AREA SERVED BY SUCH ORGANIZATION. WHERE THERE IS NO ORGANIZATION
14 PROVIDING FACILITATED ENROLLMENT SERVICES COVERING AN AREA IN WHICH A
15 SCHOOL DISTRICT IS LOCATED THE COMMISSIONER SHALL PROVIDE SUCH SCHOOL
16 DISTRICT WITH FACILITATED ENROLLMENT SERVICES FOR STUDENTS WHO ARE
17 UNABLE TO PROVIDE PROOF OF HEALTH INSURANCE COVERAGE PURSUANT TO SECTION
18 NINE HUNDRED THREE OF THE EDUCATION LAW.

19 S 5. This act shall take effect on the first of July next succeeding
20 the date on which it shall have become a law; provided, however, that
21 the amendments to subdivision 9 of section 2511 of the public health
22 law, made by section three of this act shall be subject to the expira-
23 tion and reversion of such subdivision pursuant to chapter 2 of the laws
24 of 1998, when upon such date the provisions of section four of this act
25 shall take effect.