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

4158--A

2009-2010 Regular Sessions

I N S E N A T E

April 15, 2009

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:

Section 1. The tax law is amended by adding a new section 630-c to read as follows:

S 630-C. GIFT FOR SCHOOL-BASED HEALTH CENTERS. EFFECTIVE FOR ANY TAX YEAR COMMENCING ON OR AFTER JANUARY FIRST, TWO THOUSAND TEN, AN INDIVIDUAL IN ANY TAXABLE YEAR MAY ELECT TO CONTRIBUTE TO THE SCHOOL-BASED HEALTH CENTERS FUND. SUCH CONTRIBUTION SHALL BE IN ANY WHOLE DOLLAR AMOUNT AND SHALL NOT REDUCE THE AMOUNT OF STATE TAX OWED BY SUCH INDIVIDUAL. THE COMMISSIONER SHALL INCLUDE SPACE ON THE PERSONAL INCOME TAX RETURN TO ENABLE A TAXPAYER TO MAKE SUCH CONTRIBUTION. THE COMMISSIONER SHALL ALSO ENSURE THAT A DESCRIPTION OF A SCHOOL-BASED HEALTH CENTER IS INCLUDED WITHIN THE TAX FORM PREPARATION INSTRUCTION BOOKLET. NOTWITHSTANDING ANY OTHER PROVISION OF LAW ALL REVENUES COLLECTED PURSUANT TO THIS SECTION SHALL BE CREDITED TO THE SCHOOL-BASED HEALTH CENTERS FUND AND USED ONLY FOR THOSE PURPOSES ENUMERATED IN SECTION EIGHTY-ONE OF THE STATE FINANCE LAW.

S 2. The state finance law is amended by adding a new section 81 to read as follows:

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

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

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

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

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

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

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

A. COMPREHENSIVE PHYSICAL HEALTH AND MENTAL HEALTH ASSESSMENTS;

B. DIAGNOSIS AND TREATMENT OF ACUTE ILLNESSES;

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

D. ROUTINE MANAGEMENT OF CHRONIC DISEASES;

E. HEALTH EDUCATION;

F. MENTAL HEALTH COUNSELING AND REFERRALS;

G. IMMUNIZATIONS;

H. WORKING PAPERS AND SPORTS PHYSICALS; AND

I. POPULATION-BASED PRIMARY PREVENTION.

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

S 3. This act shall take effect immediately.