

2199

2011-2012 Regular Sessions

I N   A S S E M B L Y

January 14, 2011

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Introduced by M. of A. WRIGHT, ZEBROWSKI -- Multi-Sponsored by -- M. of  
A. BOYLAND, HIKIND, TOWNS, WEISENBERG -- read once and referred to the  
Committee on Health

AN ACT to amend the public health law, in relation to tuberculosis  
screening, outreach and services and making an appropriation therefor

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

1     Section 1. Title 2 of article 22 of the public health law is amended  
2     by adding a new section 2220 to read as follows:  
3     S 2220. TUBERCULOSIS SCREENING, OUTREACH AND SERVICES. 1. THE DEPART-  
4     MENT SHALL ESTABLISH A PROGRAM, OR ENHANCE EXISTING PROGRAMS, FOR THE  
5     PREVENTION, EARLY DIAGNOSIS AND TREATMENT OF CASES OF TUBERCULOSIS IN  
6     AREAS OF THE STATE WHERE THE INCIDENCE OF TUBERCULOSIS PREVAILS AT  
7     EPIDEMIC LEVELS. SUCH PROGRAM SHALL PROVIDE A STANDARDIZED LEVEL OF CARE  
8     FOR THE SYSTEMATIC, ROUTINE AND PERIODIC EXAMINATION OF MEN, WOMEN, AND  
9     CHILDREN RESIDING IN SUCH AREAS.  
10    2. ANY PHYSICIAN, HEALTH CARE PROFESSIONAL, OR HEALTH ORGANIZATION WHO  
11    DIAGNOSES A CASE OR PROBABLE CASE OF TUBERCULOSIS SHALL MAKE A WRITTEN  
12    REPORT OF SUCH FINDING (I) TO THE PARENT OR GUARDIAN OF THE AFFECTED  
13    CHILD OR TO THE AFFECTED ADULT, AS THE CASE MAY BE, AND (II) TO THE  
14    LOCAL COMMISSIONER OF HEALTH OR PUBLIC HEALTH DIRECTOR AND TO THE  
15    COMMISSIONER. THE LOCAL COMMISSIONER OF HEALTH OR PUBLIC HEALTH DIRECTOR  
16    SHALL CAUSE TO BE EXAMINED OTHER FAMILY AND HOUSEHOLD MEMBERS OF THE  
17    AFFECTED PERSON EVERY YEAR FOR THREE YEARS OR SUCH OTHER PERIOD OF TIME  
18    AS THE COMMISSIONER SHALL DEEM ADVISABLE. THE LOCAL COMMISSIONER OF  
19    HEALTH OR PUBLIC HEALTH DIRECTOR SHALL ADVISE OTHER FAMILY AND HOUSEHOLD  
20    MEMBERS OF THE AFFECTED PERSON OF THE SERIOUSNESS OF THE DISEASE, OF THE  
21    NEED TO TAKE APPROPRIATE SANITARY MEASURES, OF THE NEED TO TAKE ALL  
22    PRESCRIBED MEDICATION, OF THE MEANS OF TRANSMISSION OF THE DISEASE, AND  
23    OF OTHER APPROPRIATE PRECAUTIONARY MEASURES.

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

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1 3. THE COMMISSIONER, THROUGH LOCAL COMMISSIONERS OF HEALTH AND PUBLIC  
2 HEALTH DIRECTORS, SHALL ESTABLISH, IN AREAS OF EPIDEMIC, A COMPREHENSIVE  
3 PROGRAM, OR EXPAND EXISTING PROGRAMS, FOR INCREASED TUBERCULOSIS  
4 OUTREACH AND SCREENING, UPGRADED TUBERCULOSIS REGISTRIES, ENHANCED  
5 FOLLOW-UP ON TUBERCULOSIS CASE REPORTS, INCREASED CONTACT INVESTIGATION  
6 WITH CASE MANAGEMENT, AND IMPROVED FOLLOW-UP ON CONTINUED TUBERCULOSIS  
7 TREATMENT FOR POSITIVE CASES, INCLUDING PREVENTIVE MEDICATION AND REGU-  
8 LAR SCREENING FOR HIGH RISK CASES.

9 4. THE COMMISSIONER, AND LOCAL COMMISSIONERS OF HEALTH AND PUBLIC  
10 HEALTH DIRECTORS SHALL DEVELOP AND IMPLEMENT, OR ENHANCE AND FURTHER  
11 IMPLEMENT, IN AREAS OF EPIDEMIC, A PROGRAM FOR THE DISBURSEMENT OF  
12 GRANTS TO FACILITIES SUBJECT TO ARTICLE TWENTY-EIGHT OF THIS CHAPTER,  
13 LOCAL AND STATE CORRECTIONAL FACILITIES, AND OTHER APPROPRIATE COMMUNI-  
14 TY-BASED ORGANIZATIONS, INCLUDING REPRODUCTIVE HEALTH CLINICS AND  
15 SERVICES, FOR THE PURPOSES OF PROVIDING THE SERVICES SET FORTH IN SUBDI-  
16 VISION THREE OF THIS SECTION.

17 5. THE COMMISSIONER MAY PROMULGATE SUCH RULES AND REGULATIONS AS ARE  
18 NECESSARY TO CARRY OUT THE PROVISIONS OF THIS SECTION.

19 S 2. The sum of eight million dollars (\$8,000,000), or so much thereof  
20 as may be necessary, is hereby appropriated to the department of health  
21 from any moneys in the state treasury in the general fund to the credit  
22 of the local assistance account not otherwise appropriated for the  
23 purposes of making grants provided for by the provisions of this act.  
24 Such sum shall be payable on the audit and warrant of the state comp-  
25 troller on vouchers certified or approved by the commissioner of health,  
26 or his duly designated representative in the manner provided by law. No  
27 expenditure shall be made from this appropriation until a certificate of  
28 approval of availability shall have been issued by the director of the  
29 budget and filed with the state comptroller and a copy filed with the  
30 chairman of the senate finance committee and the chairman of the assem-  
31 bly ways and means committee. Such certificate may be amended from time  
32 to time by the director of the budget and a copy of each such amendment  
33 shall be filed with the state comptroller, the chairman of the senate  
34 finance committee and the chairman of the assembly ways and means  
35 committee.

36 S 3. This act shall take effect immediately.