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

2199

2011-2012 Regular Sessions

I N A S S E M B L Y

January 14, 2011

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 ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. Title 2 of article 22 of the public health law is amended by adding a new section 2220 to read as follows:

S 2220. TUBERCULOSIS SCREENING, OUTREACH AND SERVICES. 1. THE DEPARTMENT SHALL ESTABLISH A PROGRAM, OR ENHANCE EXISTING PROGRAMS, FOR THE PREVENTION, EARLY DIAGNOSIS AND TREATMENT OF CASES OF TUBERCULOSIS IN AREAS OF THE STATE WHERE THE INCIDENCE OF TUBERCULOSIS PREVAILS AT EPIDEMIC LEVELS. SUCH PROGRAM SHALL PROVIDE A STANDARDIZED LEVEL OF CARE FOR THE SYSTEMATIC, ROUTINE AND PERIODIC EXAMINATION OF MEN, WOMEN, AND CHILDREN RESIDING IN SUCH AREAS.

2. ANY PHYSICIAN, HEALTH CARE PROFESSIONAL, OR HEALTH ORGANIZATION WHO DIAGNOSES A CASE OR PROBABLE CASE OF TUBERCULOSIS SHALL MAKE A WRITTEN REPORT OF SUCH FINDING (I) TO THE PARENT OR GUARDIAN OF THE AFFECTED CHILD OR TO THE AFFECTED ADULT, AS THE CASE MAY BE, AND (II) TO THE LOCAL COMMISSIONER OF HEALTH OR PUBLIC HEALTH DIRECTOR AND TO THE COMMISSIONER. THE LOCAL COMMISSIONER OF HEALTH OR PUBLIC HEALTH DIRECTOR SHALL CAUSE TO BE EXAMINED OTHER FAMILY AND HOUSEHOLD MEMBERS OF THE AFFECTED PERSON EVERY YEAR FOR THREE YEARS OR SUCH OTHER PERIOD OF TIME AS THE COMMISSIONER SHALL DEEM ADVISABLE. THE LOCAL COMMISSIONER OF HEALTH OR PUBLIC HEALTH DIRECTOR SHALL ADVISE OTHER FAMILY AND HOUSEHOLD MEMBERS OF THE AFFECTED PERSON OF THE SERIOUSNESS OF THE DISEASE, OF THE NEED TO TAKE APPROPRIATE SANITARY MEASURES, OF THE NEED TO TAKE ALL PRESCRIBED MEDICATION, OF THE MEANS OF TRANSMISSION OF THE DISEASE, AND 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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3. THE COMMISSIONER, THROUGH LOCAL COMMISSIONERS OF HEALTH AND PUBLIC HEALTH DIRECTORS, SHALL ESTABLISH, IN AREAS OF EPIDEMIC, A COMPREHENSIVE PROGRAM, OR EXPAND EXISTING PROGRAMS, FOR INCREASED TUBERCULOSIS OUTREACH AND SCREENING, UPGRADED TUBERCULOSIS REGISTRIES, ENHANCED FOLLOW-UP ON TUBERCULOSIS CASE REPORTS, INCREASED CONTACT INVESTIGATION WITH CASE MANAGEMENT, AND IMPROVED FOLLOW-UP ON CONTINUED TUBERCULOSIS TREATMENT FOR POSITIVE CASES, INCLUDING PREVENTIVE MEDICATION AND REGULAR SCREENING FOR HIGH RISK CASES.

4. THE COMMISSIONER, AND LOCAL COMMISSIONERS OF HEALTH AND PUBLIC HEALTH DIRECTORS SHALL DEVELOP AND IMPLEMENT, OR ENHANCE AND FURTHER IMPLEMENT, IN AREAS OF EPIDEMIC, A PROGRAM FOR THE DISBURSEMENT OF GRANTS TO FACILITIES SUBJECT TO ARTICLE TWENTY-EIGHT OF THIS CHAPTER, LOCAL AND STATE CORRECTIONAL FACILITIES, AND OTHER APPROPRIATE COMMUNITY-BASED ORGANIZATIONS, INCLUDING REPRODUCTIVE HEALTH CLINICS AND SERVICES, FOR THE PURPOSES OF PROVIDING THE SERVICES SET FORTH IN SUBDIVISION THREE OF THIS SECTION.

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

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

S 3. This act shall take effect immediately.