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

3304--A

2011-2012 Regular Sessions

I N A S S E M B L Y

January 24, 2011

Introduced by M. of A. GOTTFRIED, JACOBS, ROSENTHAL, TITONE, LANCMAN, JAFFEE, GIBSON, CRESPO, SCARBOROUGH, P. RIVERA -- Multi-Sponsored by -- M. of A. BING, BRENNAN, HAYES, HIKIND, JEFFRIES, LENTOL, McENENY, WEISENBERG -- read once and referred to the Committee on Health -- reported and referred to the Committee on Ways and Means -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the public health law, in relation to health-related legal services programs

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

Section 1. The public health law is amended by adding a new section 22 to read as follows:

S 22. HEALTH-RELATED LEGAL SERVICES PROGRAM. 1. AS USED IN THIS SECTION, "HEALTH-RELATED LEGAL SERVICES PROGRAM" MEANS A PROGRAM THAT IS A COLLABORATION BETWEEN HEALTH CARE SERVICE PROVIDERS AND LEGAL SERVICES PROGRAMS TO PROVIDE ON SITE LEGAL SERVICES WITHOUT CHARGE TO ASSIST, ON A VOLUNTARY BASIS, INCOME ELIGIBLE PATIENTS AND THEIR FAMILIES TO RESOLVE LEGAL MATTERS OR NEEDS THAT HAVE AN IMPACT ON PATIENT HEALTH OR ARE CREATED OR AGGRAVATED BY A PATIENT'S HEALTH. FOR THE PURPOSE OF THIS SECTION, LEGAL MATTERS MAY INCLUDE, BUT SHALL NOT BE LIMITED TO:

(A) HOUSING, INCLUDING UTILITIES;

(B) PUBLIC OR PRIVATE HEALTH INSURANCE COVERAGE;

(C) EMPLOYMENT AND ELIGIBILITY FOR EMPLOYMENT BENEFITS;

(D) GOVERNMENT BENEFITS;

(E) IMMIGRATION;

(F) FAMILY LAW, INCLUDING, BUT NOT LIMITED TO, DOMESTIC VIOLENCE, GUARDIANSHIP, CUSTODY, AND CHILD SUPPORT;

(G) ADVANCE PLANNING, INCLUDING, BUT NOT LIMITED TO, WILLS, HEALTH CARE PROXIES, POWERS OF ATTORNEY AND PERMANENCY PLANNING;

(H) SPECIAL EDUCATION; AND

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

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(I) DEBTOR AND CREDITOR ISSUES.

2. THE DEPARTMENT MAY DESIGNATE HEALTH-RELATED LEGAL SERVICES PROGRAMS THAT COMPLY WITH STANDARDS AND GUIDELINES ESTABLISHED FOR SUCH PROGRAMS. THE DEPARTMENT SHALL WORK WITH LEGAL SERVICES ORGANIZATIONS, COMMUNITY HEALTH ADVOCACY ORGANIZATIONS, HOSPITALS, DIAGNOSTIC AND TREATMENT CENTERS AND OTHER PRIMARY AND SPECIALTY HEALTH CARE PROVIDERS, TO ESTABLISH STANDARDS AND GUIDELINES FOR HEALTH-RELATED LEGAL SERVICES PROGRAMS THAT ARE DESIGNATED UNDER THIS SECTION.

3. A HEALTH-RELATED LEGAL SERVICES PROGRAM DESIGNATED UNDER THIS SECTION SHALL BE A NOT-FOR-PROFIT ENTITY OPERATED BY OR AFFILIATED WITH ONE OR MORE LEGAL SERVICES ORGANIZATIONS, LAW SCHOOLS, SOCIAL SERVICES ORGANIZATIONS, OR HEALTH CARE PROVIDERS, AND IT SHALL COMPLY WITH THE STANDARDS, GUIDELINES AND REGULATIONS UNDER THIS SECTION, AND HAVE DEMONSTRATED ABILITY AND EXPERIENCE TO PROVIDE HIGH QUALITY HEALTH-RELATED LEGAL SERVICES MEETING THE NEEDS OF THE POPULATION TO BE SERVED.

S 2. This act shall take effect immediately.