

7074

2011-2012 Regular Sessions

I N A S S E M B L Y

April 11, 2011

Introduced by M. of A. GOTTFRIED, DINOWITZ, PAULIN, AUBRY, COOK, GLICK, LANCMAN, MILLMAN, PHEFFER, ROBINSON -- Multi-Sponsored by -- M. of A. BRENNAN, CLARK, JACOBS, JAFFEE, P. RIVERA -- read once and referred to the Committee on Health

AN ACT to amend the public health law and the New York City health and hospitals corporation act, in relation to hospital community advisory boards

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

- 1 Section 1. Section 2803-l of the public health law, as amended by
2 chapter 639 of the laws of 1996, is amended to read as follows:
3 S 2803-l. Community service plans AND COMMUNITY ADVISORY BOARDS. 1.
4 The governing body of a [voluntary non-profit] general hospital, IN
5 COOPERATION WITH THE HOSPITAL'S COMMUNITY ADVISORY BOARD ESTABLISHED
6 UNDER THIS SECTION, must issue an organizational mission statement identifying at a minimum the populations and communities served by the
7 hospital and the hospital's commitment to meeting the health care needs
8 of the community.
9
10 2. The governing body, IN COOPERATION WITH THE HOSPITAL'S COMMUNITY
11 ADVISORY BOARD ESTABLISHED UNDER THIS SECTION must at least every three
12 years:
13 (i) review and amend as necessary the hospital mission statement;
14 (ii) solicit the views of the communities served by the hospital on
15 such issues as the hospital's performance and service priorities;
16 (iii) demonstrate the hospital's operational and financial commitment
17 to meeting community health care needs, to provide charity care services
18 and to improve access to health care services by the underserved; and
19 (iv) prepare and make available to the public a statement showing on a
20 combined basis a summary of the financial resources of the hospital and
21 related corporations and the allocation of available resources to hospital
22 purposes including the provision of free or reduced charge services.

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

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1 3. The governing body, IN COOPERATION WITH THE HOSPITAL'S COMMUNITY
2 ADVISORY BOARD, must at least annually prepare and make available to the
3 public an implementation report regarding the hospital's performance in
4 meeting the health care needs of the community, providing charity care
5 services, and improving access to health care services by the under-
6 served.

7 4. The governing body shall file with the commissioner its mission
8 statement, its annual implementation report, and at least every three
9 years a report detailing amendments to the statement and reflecting
10 changes in the hospital's operational and financial commitment to meet-
11 ing the health care needs of the community, providing charity care
12 services, and improving access to health care services by the under-
13 served. EACH OF THESE DOCUMENTS SHALL BE MADE AVAILABLE TO THE PUBLIC
14 BY THE HOSPITAL ON ITS WEBSITE AND BY THE DEPARTMENT ON ITS WEBSITE.

15 5. (I) EVERY GENERAL HOSPITAL SHALL ESTABLISH A COMMUNITY ADVISORY
16 BOARD TO CONSIDER AND ADVISE THE HOSPITAL UPON MATTERS CONCERNING THE
17 DEVELOPMENT OF ANY PLANS OR PROGRAMS OF THE HOSPITAL, AND MAY ESTABLISH
18 RULES AND REGULATIONS WITH RESPECT TO THE COMMUNITY ADVISORY BOARD.

19 (II) THE MEMBERS OF THE COMMUNITY ADVISORY BOARD SHALL BE REPRESENT-
20 TATIVES OF THE COMMUNITY SERVED BY THE HOSPITAL. THE HOSPITAL SHALL FILE
21 WITH THE COMMISSIONER, AND FROM TIME TO TIME UPDATE, AN UP-TO-DATE LIST
22 OF THE MEMBERS OF THE HOSPITAL'S COMMUNITY ADVISORY BOARD, WHICH SHALL
23 BE MADE AVAILABLE TO THE PUBLIC BY THE HOSPITAL ON ITS WEBSITE AND SHALL
24 BE MADE AVAILABLE TO THE PUBLIC BY THE DEPARTMENT ON ITS WEBSITE.

25 (III) NOTWITHSTANDING ANY INCONSISTENT PROVISION OF LAW, GENERAL,
26 SPECIAL OR LOCAL, NO OFFICER OR EMPLOYEE OF THE STATE OR OF ANY CIVIL
27 DIVISION THEREOF, SHALL BE DEEMED TO HAVE FORFEITED OR SHALL FORFEIT HIS
28 OFFICE OR EMPLOYMENT BY REASON OF HIS ACCEPTANCE OF MEMBERSHIP ON THE
29 COMMUNITY ADVISORY BOARD. NO MEMBER OF THE COMMUNITY ADVISORY BOARD
30 SHALL RECEIVE COMPENSATION OR ALLOWANCE FOR SERVICES RENDERED ON THE
31 COMMUNITY ADVISORY BOARD, EXCEPT, HOWEVER, THAT MEMBERS OF COMMUNITY
32 ADVISORY BOARDS MAY BE REIMBURSED BY THE HOSPITAL FOR NECESSARY EXPENSES
33 INCURRED IN RELATION TO SERVICE ON THE COMMUNITY ADVISORY BOARD.

34 S 2. Subdivision 11 of section 4 of section 1 of chapter 1016 of the
35 laws of 1969, enacting the New York city health and hospitals corpo-
36 ration act, as amended by chapter 116 of the laws of 1978, is amended to
37 read as follows:

38 11. (I) The corporation shall establish a community advisory board for
39 each of its hospitals to consider and advise the corporation and the
40 hospital upon matters concerning the development of any plans or
41 programs of the corporation, and may establish rules and regulations
42 with respect to such boards.

43 (II) The members of such advisory boards shall be representatives of
44 the community served by the hospital. THE CORPORATION SHALL FILE WITH
45 THE COMMISSIONER, AND FROM TIME TO TIME UPDATE, AN UP-TO-DATE LIST OF
46 THE MEMBERS OF EACH HOSPITAL'S COMMUNITY ADVISORY BOARD, WHICH SHALL BE
47 MADE AVAILABLE TO THE PUBLIC BY THE HOSPITAL ON ITS WEBSITE AND BY THE
48 DEPARTMENT OF HEALTH ON ITS WEBSITE.

49 (III) Notwithstanding any inconsistent provision of law, general,
50 special or local, no officer or employee of the state or of any civil
51 division thereof, shall be deemed to have forfeited or shall forfeit his
52 office or employment by reason of his acceptance of membership on such
53 community advisory board. No member of such board shall receive compen-
54 sation or allowance for services rendered on such board, except, howev-
55 er, that members of community advisory boards may be reimbursed for
56 necessary expenses [up to and including twenty-five dollars] during a

1 calendar month by submitting a personal summary voucher. EACH COMMUNITY
2 ADVISORY BOARD ESTABLISHED UNDER THIS SUBDIVISION SHALL SERVE AS THE
3 COMMUNITY ADVISORY BOARD FOR THE RESPECTIVE HOSPITAL UNDER SECTION
4 2803-1 OF THE PUBLIC HEALTH LAW.

5 S 3. This act shall take effect two hundred seventy days after it
6 shall have become a law. However, prior to that date, the commissioner
7 of health and each general hospital shall take actions reasonably neces-
8 sary to implement this act on that date.