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

6438--A

2011-2012 Regular Sessions

I N A S S E M B L Y

March 16, 2011

Introduced by M. of A. N. RIVERA, RAMOS, RODRIGUEZ, LINARES, ARROYO, P. RIVERA, ROBERTS, MAISEL, RUSSELL, COOK, GIBSON, TITUS -- Multi-Sponsored by -- M. of A. AUBRY, BRENNAN, CAMARA, CASTRO, CRESPO, JACOBS, JEFFRIES, V. LOPEZ, McENENY, MENG, MONTESANO, MOYA, ORTIZ, PERRY, J. RIVERA, ROBINSON, SCARBOROUGH, STEVENSON -- read once and referred to the Committee on Health -- recommitted to the Committee on Health in accordance with Assembly Rule 3, sec. 2 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the public health law, in relation to requiring the department of health to report on funding under the affordable care act; and providing for the repeal of such provisions upon expiration thereof

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

Section 1. Legislative intent. 1. The legislature hereby finds that almost seventy-five percent of all health care costs are incurred in the treatment of preventable diseases; that Americans, including New Yorkers, are suffering from increasing rates of chronic diseases which include: obesity, hypertension, asthma, coronary disease, diabetes and other illnesses; that these problems are compounded by racial, ethnic and income disparities that disproportionally impact low-income and minority communities, and that the federal government has decided to target Affordable Care Act funding to preventive care through grants to the states.

2. Congress has in its wisdom created funding programs to reduce the rising costs of health care including creating Community Transformation Grants. The Affordable Care Act authorized an innovative program to help local communities address racial and ethnic health disparities and reduce chronic diseases by promoting healthy living and tackling the social and economic causes of poor health. These grants are the major

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

LBD08847-03-2

provision in the law designed to address the root causes of health disparities. They provide an important opportunity to engage community members in devising solutions that improve their lives. The grants are also designed to develop community-based prevention strategies that work and can be models for other locations.

3. The Affordable Care Act authorized the program to begin in 2010 and run through 2014. No request for grant proposals has been issued by the New York State Department of Health, and it appears that the first grants will not be awarded until 2011.

4. Congress will pay for the Community Transformation Grants from the Prevention and Public Health Fund also established by the Affordable Care Act.

5. Congress has appropriated $15 billion for the Prevention and Public Health Fund from 2010-2019 for a variety of prevention initiatives. Congress has taken steps toward authorizing hundreds of millions of dollars for the grants in 2011.

6. The need for a proper accounting and distribution of these funds by amount and community is information needed by policymakers as they evaluate the effectiveness, inclusion and outcome of proposed disease prevention efforts in New York state.

S 2. The public health law is amended by adding a new article 27-M to read as follows:

ARTICLE 27-M

REPORT ON FUNDING UNDER THE AFFORDABLE CARE ACT

SECTION 2799-T. REPORT ON FUNDING UNDER THE AFFORDABLE CARE ACT.

S 2799-T. REPORT ON FUNDING UNDER THE AFFORDABLE CARE ACT. 1. THE DEPARTMENT SHALL SUBMIT A REPORT, ELECTRONIC FORMAT ONLY, TO EACH MEMBER OF THE LEGISLATURE, THE CHAIR OF THE LEGISLATIVE WOMEN'S CAUCUS AND THE CHAIR OF THE NEW YORK STATE BLACK, PUERTO RICAN, HISPANIC AND ASIAN CAUCUS, DETAILING THE USE OF FEDERAL DOLLARS DESIGNATED UNDER THE PREVENTION AND PUBLIC HEALTH FUND AND COMMUNITY TRANSFORMATION GRANTS CREATED BY THE AFFORDABLE CARE ACT, PUBLIC LAW 111-148 OF THE ONE HUNDRED ELEVENTH CONGRESS. SUCH REPORT SHALL BE DELIVERED TO EACH MEMBER OF THE LEGISLATURE WITHIN FORTY-FIVE DAYS FROM THE DATE SUCH FUNDS WERE AWARDED, DISTRIBUTED OR SPENT FOR EACH YEAR.

2. SUCH REPORT SHALL INCLUDE, BUT SHALL NOT BE LIMITED TO:

(A) THE TOTAL AMOUNT OF MONEY AWARDED TO NEW YORK STATE;

(B) THE NUMBER OF FUNDING AWARDS MADE;

(C) THE NUMBER OF AWARDS AND AMOUNT BY COUNTY;

(D) THE NUMBER OF AWARDS AND AMOUNT BY DISEASE;

(E) THE TOTAL NUMBER OF AWARDS AND AMOUNT BY ZIP CODE;

(F) THE TOTAL NUMBER OF APPLICANTS FOR AWARDS;

(G) THE TOTAL NUMBER OF APPLICANTS BY COUNTY;

(H) THE TOTAL NUMBER OF APPLICANTS BY ZIP CODE;

(I) THE TOTAL NUMBER OF DISEASES TARGETED FOR PREVENTION FUNDING; AND

(J) GENERAL DATA ON EACH DISEASE TARGETED FOR PREVENTION FUNDING THAT INCLUDES DEMOGRAPHIC DATA ON DISEASE PREVALENCE BY COUNTY, RACE, ETHNICITY AND GENDER OR AS AVAILABLE FROM MEDICAL AND RESEARCH LITERATURE ON DISEASE.

3. SUCH REPORT SHALL BE MADE AVAILABLE TO THE PUBLIC ON THE DEPARTMENT'S WEBSITE.

S 3. This act shall take effect immediately and shall expire December 31, 2019, when upon such date the provisions of this act shall be deemed repealed.