

7074

2011-2012 Regular Sessions

I N   A S S E M B L Y

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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 2803-1 of the public health law, as amended by  
2     chapter 639 of the laws of 1996, is amended to read as follows:  
3     S 2803-1. 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 iden-  
7     tifying at a minimum the populations and communities served by the  
8     hospital and the hospital's commitment to meeting the health care needs  
9     of the community.  
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 hospi-  
22    tal 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.