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

S. 1770 A. 1215

2013-2014 Regular Sessions

S E N A T E - A S S E M B L Y

(PREFILED)

January 9, 2013

IN SENATE -- Introduced by Sens. LAVALLE, DeFRANCISCO, LARKIN -- read twice and ordered printed, and when printed to be committed to the Committee on Health

IN ASSEMBLY -- Introduced by M. of A. THIELE -- read once and referred to the Committee on Health

AN ACT to amend the public health law, in relation to agreements to provide county, city and town social services departments with access to death certificates

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

Section 1. Subdivision 5 of section 4174 of the public health law, as amended by chapter 170 of the laws of 1994, is amended to read as follows:

5. (a) The United States social security administration OR A COUNTY COMMISSIONER OF SOCIAL SERVICES, CITY COMMISSIONER OF SOCIAL SERVICES, TOWN SOCIAL SERVICES OFFICER OR CITY SOCIAL SERVICES OFFICER AS DEFINED IN SUBDIVISION FOURTEEN OF SECTION TWO OF THE SOCIAL SERVICES LAW may obtain information from death certificates needed in the administration of old-age and survivors insurance benefits laws AND THE ADMINISTRATION OF ASSISTANCE OR CARE AS REFERENCED IN SECTION ONE HUNDRED SIX OF THE SOCIAL SERVICES LAW, subject to the provisions of any contract entered into pursuant to paragraph (b) of this subdivision.

(b) In addition, the commissioner or any person authorized by the commissioner is authorized and directed to enter into [a contract] CONTRACTS to furnish the federal secretary of health and human services, A COUNTY COMMISSIONER OF SOCIAL SERVICES, CITY COMMISSIONER OF SOCIAL SERVICES, TOWN SOCIAL SERVICES OFFICER OR CITY SOCIAL SERVICES OFFICER AS DEFINED IN SUBDIVISION FOURTEEN OF SECTION TWO OF THE SOCIAL SERVICES LAW WITH information concerning individuals with respect to whom death

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

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certificates have been officially filed with the commissioner. Such [contract] CONTRACTS shall not include any restriction on the use of information obtained by such secretary, COMMISSIONERS OR OFFICERS pursuant to such [contract] CONTRACTS, except that such [contract] CONTRACTS may provide that such information is only to be used by the secretary (or any other federal agency), COMMISSIONERS OR OFFICERS (OR ANY OTHER COUNTY AGENCIES OR TOWN OFFICES) for purposes of ensuring that federal benefits or other payments are not erroneously paid to deceased individuals OR TO ENABLE SUCH COMMISSIONERS OR OFFICERS TO PERFORM THEIR DUTIES PURSUANT TO SECTION ONE HUNDRED SIX OF THE SOCIAL SERVICES LAW.

S 2. This act shall take effect immediately.