

707

2015-2016 Regular Sessions

I N   A S S E M B L Y

January 7, 2015

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Introduced by M. of A. ENGLEBRIGHT, ROBINSON -- Multi-Sponsored by -- M.  
of A. CLARK, CYMBROWITZ, PERRY -- read once and referred to the  
Committee on Health

AN ACT to amend the public health law and the environmental conservation  
law, in relation to plans and specifications for hospitals

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

1     Section 1. Subdivision 1 of section 201 of the public health law is  
2     amended by adding a new paragraph (t) to read as follows:  
3     (T) PURSUANT TO SUBDIVISION THREE-E OF SECTION TWENTY-EIGHT HUNDRED  
4     TWO OF THIS CHAPTER, ANNUALLY PROVIDE ALL NECESSARY INFORMATION TO  
5     HOSPITALS, REGARDING EXISTING AND KNOWN LOCATIONS OF ENVIRONMENTAL  
6     HAZARDS SUCH AS RADON, LEAD AND OTHER TOXIC CONTAMINANTS. WHENEVER A  
7     HOSPITAL REQUESTS SUCH INFORMATION FROM THE DEPARTMENT SUCH INFORMATION  
8     SHALL BE PROVIDED WITHIN THIRTY DAYS OF RECEIPT OF SUCH REQUEST;  
9     S 2. Section 2802 of the public health law is amended by adding two  
10    new subdivisions 3-d and 3-e to read as follows:  
11    3-D. THE COMMISSIONER SHALL NOT APPROVE AN APPLICATION FOR THE  
12    CONSTRUCTION OF A HOSPITAL UNLESS SUCH APPLICATION SHALL PROVIDE FOR THE  
13    FOLLOWING WHERE APPLICABLE: HEATING, VENTILATION AND AIR CONDITIONING  
14    SYSTEMS CONSTRUCTED, MAINTAINED OR UPGRADED TO MEET CURRENTLY ACCEPTED  
15    INDUSTRY VENTILATION STANDARDS; PLACEMENT OF AIR INTAKE VENTS SO AS TO  
16    MAXIMIZE HEALTHFUL INDOOR AIR QUALITY; DESIGN PRACTICES THAT MINIMIZE  
17    INGRESS OF AND CONDITIONS FAVORABLE TO PEST POPULATIONS; CONSTRUCTION  
18    TECHNIQUES AND VENTILATION SYSTEMS DESIGNED TO CONTROL RADON LEVELS IN  
19    INDOOR AIR; AND LIGHTING, SANITATION, STORM DRAINAGE, AND HEALTH, FIRE  
20    AND ACCIDENT PROTECTION ADEQUATE TO MAINTAIN HEALTHFUL, SAFE AND  
21    COMFORTABLE CONDITIONS THEREIN.  
22    3-E. EVERY APPLICATION FOR THE CONSTRUCTION OF A HOSPITAL SHALL DEMON-  
23    STRATE THAT THE APPLICANT HAS IN ITS SELECTION OF THE SITE OR SITES FOR  
24    THE CONSTRUCTION OF SUCH HOSPITAL TAKEN INTO CONSIDERATION THE PROXIMITY

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

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1 OF SUCH SITE OR SITES TO EXISTING AND KNOWN ENVIRONMENTAL HAZARDS,  
2 INCLUDING INDUSTRIAL FACILITIES, COMBUSTION FACILITIES, INACTIVE HAZARD-  
3 OUS WASTE SITES, MUNICIPAL LANDFILLS AND OTHER ENVIRONMENTAL HAZARDS AS  
4 DETERMINED BY THE DEPARTMENT AND THE DEPARTMENT OF ENVIRONMENTAL CONSER-  
5 VATION, AND AVOIDANCE OF SUCH WHERE PRUDENT.

6 S 3. The environmental conservation law is amended by adding a new  
7 section 3-0321 to read as follows:

8 S 3-0321. INFORMATION FOR DEPARTMENT OF HEALTH AND HOSPITALS.

9 PURSUANT TO SUBDIVISION THREE-E OF SECTION TWENTY-EIGHT HUNDRED TWO OF  
10 THE PUBLIC HEALTH LAW, THE DEPARTMENT SHALL ANNUALLY PROVIDE ALL NECES-  
11 SARY INFORMATION TO THE DEPARTMENT OF HEALTH, REGARDING EXISTING AND  
12 KNOWN LOCATIONS OF INDUSTRIAL FACILITIES, COMBUSTION FACILITIES, INAC-  
13 TIVE HAZARDOUS WASTE SITES, MUNICIPAL LANDFILLS AND OTHER ENVIRONMENTAL  
14 HAZARDS. WHENEVER A HOSPITAL REQUESTS SUCH INFORMATION FROM THE DEPART-  
15 MENT, SUCH INFORMATION SHALL BE PROVIDED WITHIN THIRTY DAYS OF RECEIPT  
16 OF SUCH REQUEST.

17 S 4. This act shall take effect on the one hundred eightieth day after  
18 it shall have become a law; provided that any rules and regulations  
19 necessary to implement the provisions of this act on its effective date  
20 are authorized and directed to be promulgated on or before such date.