STATE OF NEW YORK

1053

2019-2020 Regular Sessions

IN SENATE

January 10, 2019

Introduced by Sen. PERSAUD -- read twice and ordered printed, and when printed to be committed to the Committee on Finance

AN ACT to amend the public health law and the state finance law, in relation to the provision of family planning services; and making an appropriation therefor

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. Article 25 of the public health law is amended by adding a new title 7 to read as follows:

TITLE 7
FUNDING OF FAMILY PLANNING SERVICES

Section 2595. Funding of family planning services; reduction or elimination of federal funds.

§ 2595. Funding of family planning services; reduction or elimination of federal funds. 1. The commissioner, in the event of the reduction or elimination of federal financial participation through the medical assistance program, federal Title X funds or other federal funds related to the provision of family planning services, shall provide grants to providers of family planning services in the state including, but not limited to, Planned Parenthood facilities. Such grants shall be awarded upon application submitted and approved by the commissioner in the amount equal to the federal funding for family planning services of which the applicant was deprived as the result of such reduction or elimination. Grants shall only be provided pursuant to this section to applicants which have been certified by the director of the budget to have lost federal funding for family planning services.

2. The commissioner shall promulgate such rules and regulations as he or she shall deem necessary to implement the provisions of this section.

§ 2. The state finance law is amended by adding a new section 85 to read as follows:

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

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§ 85. Family planning services contingency fund. 1. There is hereby established in the custody of the state comptroller a special fund to be known as the "family planning services contingency fund".

2. The family planning services contingency fund shall consist of all monies appropriated or transferred to such fund pursuant to law, all monies required by any other provision of law to be paid into or credited to the fund, and any interest earnings which may accrue from the investment of monies in the fund.

3. Monies of the fund, when allocated, shall be made available to the department of health for the funding of family planning services in accordance with title seven of article twenty-five of the public health law.

4. Monies shall be payable from the fund on the audit and warrant of the comptroller on vouchers approved and certified by the commissioner of health.

§ 3. The sum of thirty-five million dollars ($35,000,000), or so much thereof as may be necessary, is hereby appropriated to the department of audit and control from any moneys in the state treasury in the general fund to the credit of the local assistance account not otherwise appropriated to the department of health for family planning services shall be credited to and deposited in the family planning services contingency fund established by section 85 of the state finance law, as added by section two of this act. No expenditure shall be made from this appropriation until a certificate of approval of availability shall have been issued by the director of the budget and filed with the state comptroller and a copy filed with the chairman of the senate finance committee and the chairman of the assembly ways and means committee. Such certificate may be amended from time to time by the director of the budget and a copy of each such amendment shall be filed with the state comptroller, the chairman of the senate finance committee and the chairman of the assembly ways and means committee.

§ 4. This act shall take effect on the one hundred twentieth day after it shall have become a law. Effective immediately, the addition, amendment and/or repeal of any rule or regulation necessary for the implementation of this act on its effective date are authorized and directed to be made and completed on or before such effective date.