

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:

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

3 TITLE 7

4 FUNDING OF FAMILY PLANNING

5 SERVICES

6 Section 2595. Funding of family planning services; reduction or elimi-
7 nation of federal funds.

8 § 2595. Funding of family planning services; reduction or elimination
9 of federal funds. 1. The commissioner, in the event of the reduction or
10 elimination of federal financial participation through the medical
11 assistance program, federal Title X funds or other federal funds related
12 to the provision of family planning services, shall provide grants to
13 providers of family planning services in the state including, but not
14 limited to, Planned Parenthood facilities. Such grants shall be awarded
15 upon application submitted and approved by the commissioner in the
16 amount equal to the federal funding for family planning services of
17 which the applicant was deprived as the result of such reduction or
18 elimination. Grants shall only be provided pursuant to this section to
19 applicants which have been certified by the director of the budget to
20 have lost federal funding for family planning services.

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

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

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

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

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

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

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

16 § 3. The sum of thirty-five million dollars (\$35,000,000), or so much
17 thereof as may be necessary, is hereby appropriated to the department of
18 audit and control from any moneys in the state treasury in the general
19 fund to the credit of the local assistance account not otherwise appro-
20 priated to the department of health for family planning services shall
21 be credited to and deposited in the family planning services contingency
22 fund established by section 85 of the state finance law, as added by
23 section two of this act. No expenditure shall be made from this appro-
24 priation until a certificate of approval of availability shall have been
25 issued by the director of the budget and filed with the state comp-
26 troller and a copy filed with the chairman of the senate finance commit-
27 tee and the chairman of the assembly ways and means committee. Such
28 certificate may be amended from time to time by the director of the
29 budget and a copy of each such amendment shall be filed with the state
30 comptroller, the chairman of the senate finance committee and the chair-
31 man of the assembly ways and means committee.

32 § 4. This act shall take effect on the one hundred twentieth day after
33 it shall have become a law. Effective immediately, the addition, amend-
34 ment and/or repeal of any rule or regulation necessary for the implemen-
35 tation of this act on its effective date are authorized and directed to
36 be made and completed on or before such effective date.