AN ACT requiring New York state to develop and implement a plan for the distribution of a COVID-19 medical countermeasure in a manner that prioritizes those communities serving the most vulnerable residents of the state

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

Section 1. (a) The New York State Department of Health, shall develop and release to the public a plan for the equitable distribution of a COVID-19 medical countermeasure to residents of the state.

(b) Such plan shall be released within sixty days following approval of such a countermeasure by the United States Food and Drug Administration.

(c) The plan shall be formulated and implemented in a manner that prioritizes the distribution of the medical countermeasure to communities and facilities serving the New York residents deemed to be most vulnerable to the immediate medical threat. The state shall identify statewide and regional areas of greatest potential need during the current COVID-19 pandemic. Factors to be taken into consideration shall include, but not be limited to the following:

(i) rates of infection, severity of illness, hospital capacity, recovery and mortality of patients in a community, with sensitivity to population characteristics, including but not limited to, age, gender, racial and/or ethnic background and income status of the members of the community, to the extent that such factors instrumentally affect the rates of infection, severity of illness, hospital capacity, recovery and/or mortality during the current COVID-19 pandemic; and

(ii) the ability or inability of medical providers within a community to purchase or otherwise obtain the medical countermeasure.

§ 2. This act shall take effect immediately.

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