

# STATE OF NEW YORK

7798

## IN SENATE

January 11, 2022

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

AN ACT to amend the public health law, in relation to alcohol and opioid overdose data, and to amend chapter 66 of the laws of 2016, amending the public health law relating to reporting of opioid overdose data, in relation to the effectiveness thereof

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

1 Section 1. Subdivision 5 of section 3309 of the public health law, as  
2 added by a chapter of the laws of 2021 amending the public health law  
3 relating to reporting of alcohol overdose data and amending chapter 66  
4 of the laws of 2016 amending the public health law relating to reporting  
5 of opioid overdose data, as proposed in legislative bills numbers S.  
6 6571 and A. 6166-A, is amended to read as follows:

7 5. The commissioner shall publish findings on statewide opioid [~~and~~  
8 ~~alcohol~~] overdose data that reviews overdose death rates and other  
9 information to ascertain changes in the cause and rates of opioid [~~and~~  
10 ~~alcohol~~] overdoses, including fatal opioid [~~and alcohol~~] overdoses. The  
11 report shall be submitted annually, on or before October first, to the  
12 governor, the temporary president of the senate, the speaker of the  
13 assembly and the chairs of the senate and assembly health committees,  
14 and shall be made public on the department's internet website. The  
15 report shall include, at a minimum, the following information on a coun-  
16 ty basis:

17 (a) information on opioid [~~and alcohol~~] overdoses and opioid [~~and~~  
18 ~~alcohol~~] overdose deaths, including age, gender, ethnicity, and  
19 geographic location;

20 (b) data on emergency room utilization for the treatment of opioid  
21 [~~and alcohol~~] overdose;

22 (c) data on utilization of pre-hospital services;

23 (d) data on the dispensing and utilization of opioid antagonists; and

24 (e) any other information necessary to ascertain the success of the  
25 program, areas of the state which are experiencing particularly high  
26 rates of overdoses, ways to determine if services, resources and

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

LBD09687-04-2

1 responses in particular areas of the state are having a positive impact  
2 on reducing overdoses, and ways to further reduce overdoses.

3 § 2. Subdivision 6 of section 3309 of the public health law, as added  
4 by a chapter of the laws of 2021 amending the public health law relating  
5 to reporting of alcohol overdose data and amending chapter 66 of the  
6 laws of 2016 amending the public health law relating to reporting of  
7 opioid overdose data, as proposed in legislative bills numbers S. 6571  
8 and A. 6166-A, is amended to read as follows:

9 6. The commissioner shall provide the current information and data  
10 specified by each type of drug included in the report required by subdi-  
11 vision five of this section to each county every three months. [~~Such~~  
12 The office of addiction services and supports website shall include a  
13 hyperlink to such information and data [~~shall be posted on the office of~~  
14 ~~addiction services and supports' website and~~] which may be utilized by a  
15 county or any combination thereof as it works to address the opioid  
16 epidemic.

17 § 3. Section 2 of chapter 66 of the laws of 2016, amending the public  
18 health law, relating to reporting of opioid overdose data, as amended by  
19 a chapter of the laws of 2021 amending the public health law relating to  
20 reporting of alcohol overdose data and amending chapter 66 of the laws  
21 of 2016 amending the public health law relating to reporting of opioid  
22 overdose data, as proposed in legislative bills numbers S. 6571 and A.  
23 6166-A, is amended to read as follows:

24 § 2. This act shall take effect immediately, provided, however, that  
25 subdivision 6 of section 3309 of the public health law, as added by  
26 section one of this act, shall expire and be deemed repealed March 31,  
27 2027.

28 § 4. The public health law is amended by adding a new section 2998-f  
29 to read as follows:

30 § 2998-f. Reporting of the health risk factors of excessive alcohol  
31 consumption. The department, in collaboration with the office of  
32 addiction services and supports and health care providers, shall collect  
33 data on and report the health risk factor of excessive alcohol consump-  
34 tion and alcohol poisoning, including the risk factors of heavy and  
35 binge drinking. The report shall be submitted annually, on or before  
36 November first, to the governor, the temporary president of senate, the  
37 speaker of the assembly and the chairpersons of the assembly and senate  
38 health committees. The report shall include, at a minimum, the following  
39 information on a county basis:

40 (a) information on excessive alcohol consumption and alcohol poisoning  
41 deaths, including age, gender, ethnicity, and geographic location;

42 (b) data on emergency room utilization for the treatment of alcohol  
43 poisoning; and

44 (c) any other information necessary to ascertain areas of the state  
45 which are experiencing particularly high rates of excessive alcohol  
46 consumption and alcohol poisoning, ways to determine if services,  
47 resources, and responses in particular areas of the state area having a  
48 positive impact on reducing excessive alcohol consumption and alcohol  
49 poisoning. Such reporting may be through a web-based dashboard.

50 § 5. This act shall take effect immediately, provided however that  
51 sections one, two and four of this act shall take effect on the same  
52 date and in the same manner as a chapter of the laws of 2021 amending  
53 the public health law relating to reporting of alcohol overdose data and  
54 amending chapter 66 of the laws of 2016 amending the public health law  
55 relating to reporting of opioid overdose data, as proposed in legisla-  
56 tive bills numbers S. 6571 and A. 6166-A, takes effect.