

STATE OF NEW YORK

8235

IN SENATE

February 7, 2022

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

AN ACT to amend the public health law, the environmental conservation law, the labor law and the education law, in relation to creating the environmental health tracking system

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

1 Section 1. The public health law is amended by adding a new section
2 804 to read as follows:

3 § 804. Environmental health tracking system. 1. The legislature finds
4 and declares all of the following:

5 a. There currently exist several health and environmental databases
6 maintained by the state. However, there is little or no coordination
7 between the use and analysis of these data as they pertain to environ-
8 mental health issues, or accessibility of this information by interested
9 parties and researchers. In its fight against chronic diseases, includ-
10 ing birth defects, that are related to the environment, the state must
11 give communities and public health professionals solid, reliable infor-
12 mation, which is the most basic tool with which to undertake the
13 prevention of these diseases.

14 b. Analysis of available data used to track and monitor chronic
15 diseases is critical to all of the following:

16 (1) knowing where and how to put in place the most effective strate-
17 gies to prevent diseases;

18 (2) assessing the contribution of diseases to disabilities and prema-
19 ture mortality;

20 (3) measuring the effectiveness of prevention strategies; and

21 (4) generating hypotheses that may lead to new scientific knowledge
22 about the causes of, and most effective ways to fight, chronic diseases.

23 c. State government agencies, universities and their consultants are
24 the appropriate and necessary institutions to examine whether or not,
25 and, if so, the extent to which, past environmental exposures might
26 increase the risk of chronic diseases, including, but not limited to,
27 birth defects, diabetes, heart disease, thyroid disease, reproductive

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

LBD11078-01-1

1 disorders, cancer, asthma and other respiratory conditions, Parkinson's
2 disease, Alzheimer's disease, and other neurologically degenerative
3 diseases.

4 d. The initial investment to establish the environmental health track-
5 ing system, including an analysis infrastructure to develop preventive
6 strategies, would constitute a small fraction of the annual costs of
7 controlling chronic diseases in the state.

8 e. It is the intent of the legislature in creating the environmental
9 health tracking system to form a public-private partnership to create an
10 environmental health and tracking system to do all of the following:

11 (1) provide a continually updated database, with linkages to biomon-
12 itoring information, information about exposures to other environmental
13 agents, disease type data and other data collected pursuant to this
14 section, as well as linkages to databases of the U.S. centers for
15 disease control including those in its natural environmental public
16 health tracking program and in its behavioral risk factors database, in
17 order to assess the potential impact of environmental contaminants
18 (defined as physical, chemical or biological agents) on the human body
19 and to evaluate such in relation to established disease risk factors;

20 (2) on an ongoing basis, track and evaluate a variety of chronic
21 diseases in relation to environmental exposures, including state, local
22 and international data on actual incidences of chronic disease;

23 (3) make such data available to the public in an accessible and useful
24 format; and

25 (4) ultimately provide such data to the relevant board, division, or
26 office within the department, the department of environmental conserva-
27 tion, the department of labor, the workers' compensation board, and the
28 state university of New York schools of public health at Albany and
29 Buffalo for the development of appropriate preventive strategies.

30 2. a. The environmental health tracking system is hereby established
31 in the department. The purpose of such system shall be to monitor envi-
32 ronmental exposures and chronic diseases affecting New Yorkers. The
33 state university of New York schools of public health at Albany and
34 Buffalo are directed to cooperate with the department in establishing
35 the environmental health tracking system.

36 b. The objectives of the environmental health tracking system are as
37 follows:

38 (1) to track and evaluate a variety of chronic diseases in relation to
39 environmental exposures;

40 (2) to allow both government and university investigators, their
41 consultants and public health officials to assess the impact of environ-
42 mental contaminants on the human body; and

43 (3) to provide information to the department and to the department of
44 environmental conservation for the development of appropriate preventive
45 strategies.

46 c. To examine the relationships between chronic diseases and the envi-
47 ronment, using, to the maximum extent possible, existing health and
48 environmental data, the commissioner, based upon the recommendations of
49 the working group required pursuant to this section, shall:

50 (1) on an ongoing basis, survey a cross section of the overall popu-
51 lation in the state, including, to the extent possible, regional data to
52 assess geographic variation, including chronically ill patients, and
53 their environmental exposures;

54 (2) on a continuing and periodic basis, conduct science based biomon-
55 itoring, using CDC validated, analytical protocols and CDC's guidelines
56 and practices for ethical treatment of and communications of information

1 to participants in biomonitoring programs, for a cross section of the
2 population, including, to the extent possible, regional data to assess
3 geographic variation; and

4 (3) on an ongoing basis, link data created by such surveys and biomon-
5 itoring activities to other health and environmental databases, such as
6 birth certificates, neonatal blood tests, records of hospital admis-
7 sions, records of emergency room visits and mortality data.

8 3. On or before September first, two thousand twenty-one, the depart-
9 ment, in consultation with the department of environmental conservation,
10 the department of labor, and the state university of New York schools of
11 public health at Albany and Buffalo, shall create a working group of
12 technical experts in public health, epidemiology, biostatistics, envi-
13 ronmental medicine, risk analysis, exposure assessment, developmental
14 biology, laboratory sciences, bioethics, and toxicology, including
15 experts who have knowledge of the sensitivity and exposure of children,
16 women of child-bearing age, seniors and disparately affected populations
17 to environmental hazards, to do all the following:

18 a. develop possible approaches to implementing the environmental
19 health tracking system, including an estimated cost and potential fund-
20 ing alternatives for each approach;

21 b. on or before September first, two thousand twenty-three, prepare
22 and submit a report to the department, the department of environmental
23 conservation, the department of labor, the state university of New York
24 schools of public health at Albany and Buffalo, the temporary president
25 of the senate, the speaker of the assembly, the chairpersons of the
26 senate and assembly environmental conservation committees, the chair-
27 persons of the senate finance and assembly ways and means committees,
28 and the chairpersons of the senate and assembly health committees on the
29 possible approaches to implementing an environmental health tracking
30 system for the state; and

31 c. determine the health and environmental criteria needed to examine
32 the relationship between chronic diseases, including birth defects, and
33 the environment.

34 4. The department and the state university of New York schools of
35 public health at Albany and Buffalo and their consultants are directed
36 to cooperate in creating the working group pursuant to subdivision three
37 of this section.

38 5. On or before January first, two thousand twenty-four, the depart-
39 ment shall adopt and implement the approach recommended by the working
40 group that it determines most closely meets the findings and require-
41 ments of subdivision one of this section, after opportunity for inde-
42 pendent, scientific peer review and public comment.

43 6. Nothing in this section shall be construed to supersede any confi-
44 dentiality provisions of any law.

45 § 2. The environmental conservation law is amended by adding a new
46 section 3-0320 to read as follows:

47 § 3-0320. Environmental health tracking system.

48 The department shall cooperate with state agencies, universities, and
49 their consultants to provide all information and other relevant and
50 necessary expertise to meet the requirements of section eight hundred
51 four of the public health law.

52 § 3. The labor law is amended by adding a new section 888 to read as
53 follows:

54 § 888. Environmental health tracking system. The board shall cooperate
55 with state agencies, universities, and their consultants to provide all

1 information and other relevant and necessary expertise to meet the
2 requirements of section eight hundred four of the public health law.

3 § 4. The education law is amended by adding a new section 355-e to
4 read as follows:

5 § 355-e. State university of New York schools of public health at
6 Albany and Buffalo and their consultants to participate in the creation
7 of the environmental health tracking system working group. The state
8 university of New York schools of public health at Albany and Buffalo
9 and their consultants shall participate in the creation of the environ-
10 mental health tracking system working group pursuant to section eight
11 hundred four of the public health law.

12 § 5. This act shall take effect immediately.