

STATE OF NEW YORK

8171

2021-2022 Regular Sessions

IN ASSEMBLY

July 7, 2021

Introduced by M. of A. SOLAGES -- read once and referred to the Committee on Higher Education

AN ACT to amend the public health law, in relation to the creation of the health professional nutrition education office

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

1 Section 1. Article 2 of the public health law is amended by adding a
2 new title 8 to read as follows:

TITLE VIII

HEALTH PROFESSIONAL NUTRITION EDUCATION OFFICE

Section 269. Definitions.

6 269-a. Office of health professional nutrition education
7 created.

8 269-b. Health professional nutrition education council.

9 269-c. Preparation and distribution of reports.

10 § 269. Definitions. For purposes of this title:

11 1. "Health professional" shall mean a physician or other individual
12 providing medical and/or health care services under articles one hundred
13 thirty-one, one hundred thirty-one-B and one hundred thirty-three of the
14 education law.

15 2. "Health professional training program" shall mean medical schools,
16 graduate medical education programs, dental schools, physician assistant
17 programs, and other institutions that educate and train health profes-
18 sionals.

19 3. "Office" shall mean the office of health professional nutrition
20 education, as created pursuant to section two hundred sixty-nine-a of
21 this title.

22 4. "Health professional nutrition education council" or "council"
23 shall mean the advisory body to the commissioner, created pursuant to
24 the provisions of section two hundred sixty-nine-b of this title.

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

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1 § 269-a. Office of health professional nutrition education created.
2 There is hereby created an office of health professional nutrition
3 education within the department. Such office shall:

4 1. Assist health professional training programs in developing curric-
5 ula and programs to improve the education of health professionals in
6 the topics of diet and nutrition. This may be accomplished by establish-
7 ing core competencies in nutrition for relevant health professional
8 training programs, acting as a clearinghouse for information about
9 existing initiatives and available curricular offerings, and providing
10 recognition for health professional training programs with excellent
11 curricular offerings in nutrition.

12 2. Apply for grants and accept gifts from private and public sources
13 for research to improve and enhance the education of health profes-
14 sionals regarding diet and nutrition. The office shall also promote
15 nutrition education research in universities and colleges, including
16 research regarding the impact of physician nutrition education on popu-
17 lation health.

18 3. Together with the council, serve as liaison to the department on
19 matters regarding the education of health professionals in nutrition.
20 This function shall include the provision of staff support to the coun-
21 cil and the preparation and distribution of triennial reports as
22 provided for in section two hundred sixty-nine-c of this title.

23 § 269-b. Health professional nutrition education council. 1. There
24 shall be established within the office a health professional nutrition
25 education council to be composed of the commissioner and fourteen
26 members to be appointed by the governor with the advice and consent of
27 the senate. The governor shall designate one of the members of the
28 public health and health planning council as its chair. The members of
29 the council shall include deans or other representatives of health
30 professional training programs; representatives of health professionals;
31 and individuals with expertise in public health, health planning, health
32 workforce education, nutrition dietetics, and lifestyle medicine.

33 2. a. The council shall, at the request of the commissioner, consider
34 any matter relating to the nutrition education and training of health
35 professionals, and may advise the commissioner thereon; and it may, from
36 time to time, submit to the commissioner any recommendations relating to
37 the provision of health professional nutrition education.

38 b. The council shall also assist the office with its responsibilities
39 as delineated in section two hundred sixty-nine-a of this title;
40 contribute to the triennial report required pursuant to section two
41 hundred sixty-nine-c of this title; and act as liaison and advocate on
42 health professional nutrition education matters.

43 3. a. The terms of office of members of the council shall be three
44 years. The members of the council shall continue in office until the
45 expiration of their terms and until their successors are appointed and
46 have qualified. Such appointments shall be made by the governor, with
47 the advice and consent of the senate, within one year following the
48 expiration of such terms.

49 b. Vacancies shall be filled by appointment by the governor for the
50 unexpired terms within one year of the date upon which such vacancies
51 occur.

52 4. The council shall meet as frequently as its business may require,
53 but not less than two times a year. Meetings may be called by the chair-
54 person at the request of the commissioner.

1 5. The members of the council shall serve without compensation other
2 than reimbursement of actual and necessary expenses incurred in the
3 performance of their duties hereunder.

4 6. Staff support for the council shall be provided for by the office
5 as provided for in section two hundred sixty-nine-a of this title.

6 7. The entirety of each meeting of the council shall be live webcast
7 to the public on the department's website and shall be archived on the
8 department's website, for a period of no less than two years, within
9 twenty-four hours of the adjournment of the last meeting. The depart-
10 ment shall provide notice to the public, via the department's website,
11 of the availability of the live webcast of each such meeting.

12 § 269-c. Preparation and distribution of reports. The department shall
13 submit a triennial report to the governor and the legislature describing
14 the activities of the office, the status of health professional nutri-
15 tion education in New York, and the policy options available to increase
16 health professional nutrition education. The first such report shall be
17 transmitted on or before September first, two thousand twenty-four. Such
18 reports shall contain the following information:

19 1. Activities of the office, expenditures incurred in carrying out
20 such activities, and anticipated activities to be undertaken in the
21 future.

22 2. Progress in carrying out the functions and duties listed in section
23 two hundred sixty-nine-a of this title.

24 3. An analysis of the status of health professional nutrition educa-
25 tion in New York, the policy options available to encourage health
26 professional training programs to provide adequate nutrition education,
27 and the policy options available to encourage health professionals them-
28 selves to obtain adequate nutrition education. Such analysis shall be
29 conducted in cooperation with the council.

30 4. Any recommended improvements to programs and/or regulations that
31 would improve the nutrition education of health professionals.

32 § 2. This act shall take effect immediately.