§ 2500-d. New York state poison control network. 1. For the purposes of reducing the incidence, severity and expenditures for accidental, homicidal, suicidal or environmental poisoning; educating the public concerning the prevention and treatment of hazardous exposures; and organizing poison control activities on a regional basis in order to avoid duplication and waste, the commissioner shall designate facilities within the state as regional poison control centers.

2. The commissioner shall consider the following criteria in designating regional poison control centers: compliance or expected compliance with state poison control standards; location in relation to the geographical distribution of persons to be served; the need for expanded poison control services in the area to be served by the provider; whether the facility is presently providing poison control services; and the capacity of such providers to deliver and coordinate poison prevention information and poison treatment to the general public.

3. The commissioner shall establish minimum standards for designation as a regional poison control center. Such standards shall include:

a. services to be provided which may include:
(i) dissemination of expert information and consultation services to professional personnel on the diagnosis, treatment, and management of any suspected or actual poisonings;
(ii) dissemination of information, emergency first aid, and referral services to the general public;
(iii) coordination, assurance and monitoring of poison prevention and medical management programs for the professional community and the general public in the region it serves; and
(iv) collection of uniform data and research activity to enhance poison control management;

b. staffing requirements including the number, qualifications and training of personnel;

c. operational requirements including availability of and access to

services and informational resources, public and professional education, and protocols;

d. comprehensive treatment capabilities and a categorized system of treatment facilities for the region;

e. health professional outreach program; and

f. regional data collection system including a method of insuring the confidentiality of such data as is otherwise required by law.

4. The department shall make an annual report to the legislature of its findings and recommendations concerning the effectiveness, impact and benefits derived from the programs as established pursuant to this section. Such report shall be submitted on or before the first day of February and shall contain evaluations of such programs.

5. The commissioner shall appoint a committee to advise the department on matters pertaining to poison prevention and control. Membership on such committee shall include directors of regional poison control centers, consumers, industrial representatives, and representatives of state and federal agencies involved in poison safety.

6. A general hospital which is designated as a regional poison control center shall submit a budget indicating the costs of operating such center. Costs determined by the commissioner to be necessary and reasonable in order to comply with the requirements of this section shall be reimbursable and shall be allocated to costs of general hospital emergency services. Such reimbursable costs for a rate period shall be considered in the calculation of rates of payment for emergency services of a general hospital for such rate period in accordance with subdivision two of section twenty-eight hundred seven of this chapter without application of the maximum payment for the operating cost component of rates of payment for emergency services. Notwithstanding any inconsistent provision of law, reimbursable costs of a general hospital of operating a regional poison control center determined pursuant to this subdivision for annual rate periods beginning on or

after January first, nineteen hundred ninety-one through December thirty-first, nineteen hundred ninety-six allocable to emergency services provided to persons within such payor categories as specified in paragraphs (a), (b) and (c) of subdivision one of section twenty-eight hundred seven-c of this chapter for inpatient hospital services, excluding governmental agencies, shall be included in the determination of inpatient rates of payment for such payors, excluding governmental agencies, and rates of payment determined in accordance with section twenty-eight hundred seven-c of this chapter shall be adjusted on a hospital-specific basis in accordance with rules and regulations adopted by the state hospital review and planning council, subject to the approval of the commissioner, to reflect such costs and maximum inpatient charges of such general hospital computed in accordance with such section shall be adjusted accordingly; and cost based rates of payment for emergency services for such payors, other than governmental agencies, shall be calculated excluding costs of operating a regional poison control center.

7. Notwithstanding any inconsistent provision of law to the contrary, the commissioner is authorized to make grants, within amounts available therefor, to general hospitals designated as regional poison control centers to assist such general hospitals to meet reasonable costs of operation of the regional poison control center.