



A.4712/S.4390 (PAULIN/RIVERA)
AN ACT to amend the public health law, in relation to
Municipal limited health care service facilities

The New York State Association of County Health Officials (NYSACHO) strongly supports the above-referenced legislation, which would authorize the New York State Commissioner of Health to align regulatory requirements with the limited scope of public health related clinical services provided by local health departments.

Under current law, the 58 local health departments (LHDs) in New York State that provide any direct health care services in clinic settings are regulated under Article 28 of the Public Health Law as diagnostic and treatment centers. Yet most LHDs provide only a limited set of direct care services necessary to support their mandated, core public health activities, as defined under Article 6 of the Public Health Law.

The existing Article 28 statute and regulations are intended, and were originally written, to govern hospitals and other “full-service” diagnostic and treatment centers. At an earlier point in the state’s history, many local health departments served as safety net providers of direct primary care. Today, very few LHDs continue to provide a level of direct primary care services similar to those provided in the traditional Article 28 regulated facilities. In most communities, this need is now met by other safety net providers, such as federally qualified health care centers and expanded hospital-based clinics.

Despite this change in service provision, local health departments Article 28 facilities are still required to comply with all current regulations, regardless of the applicability to the more limited public health services they provide, such as vaccinations. Meeting these stringent - and often onerous and expensive - regulatory mandates imposes significant administrative costs on municipalities, and thus, on local property taxpayers.

NYSACHO believes that the update to the Public Health Law proposed in this legislation will enable the state commissioner to rationalize regulation that is now unnecessarily complex for most local health departments, assuring that the requirements reflect the level of services that they provide. NYSACHO therefore supports this legislation and recommends its passage.

NYSACHO Contact: Sarah Ravenhall, Executive Director, sarah@nysacho.org