Legislation Details (With Text)

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4/25/2014	*	Committee on Mental Health, Developmental Disability, Alcoholism, Substance Abuse and Disability Services	Hearing Held by Committee	
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Int. No. 286

By Council Members Vallone, Cohen, Gibson, Cumbo, Cabrera, Chin, Koo, Rose, Deutsch and Koslowitz

A Local Law to amend the administrative code of the city of New York, in relation to the creation of voluntary registry for persons with special medical needs.

Be it enacted by the Council as follows:

Section 1. Title 10 of the administrative code of the city of New York is amended to add a new chapter 9, to read as follows:

Chapter 9

Voluntary Special Medical Needs Registry

§10-901 Definitions.
§10-902 Voluntary Registry.
§10-903 Registration Requirements.
§10-904 Disclosure of Information.
§10-905 Rules.

§10-901 Definitions. For the purposes of this chapter the following terms shall have the following meanings:

a. "Agent" shall mean: (1) a parent of a person with special medical needs; (2) a legally appointed guardian or custodian of a person with special medical needs; or (3) any person granted authority to act as attorney-in-fact for a person with special medical needs under a power of attorney that grants power over benefits from governmental programs under New York State General Obligations Law §5-1502J or power over all other matters as set forth in New York State General Obligations Law §5-1502N;

b. "Commissioner" shall mean the police commissioner of the city of New York or his or her designee;

c. "Department" shall mean the police department of the city of New York;

d. "GPS tracking device" shall mean a device that communicates with global positioning satellites to determine an individual's physical location and transmits such location to a remote server.

e. "Registrant" shall mean a person with special medical needs, as defined by this section, who has voluntarily registered, personally or through an agent, to be included on the department's special medical needs registry;

f. "Special medical needs" shall mean autism spectrum disorder, alzheimer's disease or other dementia, or any other medically diagnosed illness that either (i) renders a person unable to communicate or unable to recognize familiar faces or places; or (ii) causes a person to be prone to wandering or elopement.

§10-902 Voluntary Registry. Within sixty days of the enactment of this law, the department shall create and maintain a voluntary registry of persons with special medical needs who reside within the city of New York. The registry shall include, at a minimum, the name, address, telephone number, medical condition,

and physical features of each registrant, as well as the contact information for all agents of registrants and any other persons designated as an emergency contact for a registrant. In addition, the registry shall include a unique access code or any other type of information necessary to access the GPS tracking device being worn by the registrant in the event that such registrant is reported missing.

§10-903 Registration Requirements. To be included on the department's special medical needs registry, a person with special medical needs must personally, or through his or her agent, provide the department with all necessary information, as prescribed by the commissioner. Once enrolled, all registrants will receive a department approved GPS tracking device, which is to be worn by the registrant so that the department is able to locate such registrant should such registrant be reported missing in a manner to be prescribed by the commissioner pursuant to this chapter. The department shall only track the location of registrants in the event that such registrant has been reported missing to the department by an agent of the registrant or any other persons designated as an emergency contact for a registrant, including school administrators or camp employees if such person has been designated as an emergency contact.

§10-904 Disclosure of Information. In the event that a registrant is reported missing, the department may, as appropriate and necessary, share information contained in the registry established pursuant to this chapter with other city agencies, including, but not limited to, the fire department, the office of emergency management, the human resources administration, the department for the aging, the department of health and mental hygiene, the department of education, and the department of transportation.

§10-905 Rules. Within one hundred and twenty days of the enactment of this law, the commissioner shall make and promulgate rules and regulations necessary for the proper implementation of this chapter. The rules and regulations shall include, but not be limited to:

a. The form and manner in which a person with special medical needs, either personally or through his or her agent, can voluntarily register to be a part of the department's special medical needs registry;

b. The medical information needed by the department to confirm the existence of a special medical

need, as defined in this chapter;

c. The identifying, medical, and other information to be collected by the department at the time of registration in order to assist the department and medical services providers in the event that the registrant is reported missing;

d. The manner in which the department shall monitor GPS tracking devices;

e. The protocols to be followed for tracking registrants, such as the manner in which a registrant must be reported missing;

f. A description of the efforts the department shall undertake to educate and inform the residents of the City of New York that such registry is available; and

g. Guidelines to ensure that a registrant's identifying information remains private to the greatest extent possible.

§2. This law shall take effect sixty days after its enactment into law.

CJG
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