Legislation Details (With Text)

File #:	Int 0503-2003	**Version:**	*	**Name:**	Distribution of a public health insurance program options pamphlet to parents and guardians of public school students.
Type:	Introduction			**Status:**	Filed
				In control:	Committee on Education
On agenda:	6/5/2003				
Enactment date:				**Enactment #:**	
Title:	A Local Law to amend the New York city charter, in relation to requiring the distribution of a public health insurance program options pamphlet to parents and guardians of public school students.				
Sponsors:					
Indexes:					
Attachments:	1. Cover Sheet				

Date	Ver.	Action By	Action	Result
6/5/2003	*	City Council	Introduced by Council	
6/5/2003	*	City Council	Referred to Comm by Council	
6/5/2003	*	City Council	Referred to Comm by Council	
12/31/2003	*	City Council	Filed (End of Session)	

Int. No. 503

By Council Members Serrano, DeBlasio, Quinn, Addabbo, Avella, Baez, Barron, Brewer, Clarke, Comrie, Espada, Felder, Fidler, Foster, Gennaro, Gerson, Gioia, Jackson, Jennings, Koppell, Lopez, Martinez, McMahon, Monserrate, Nelson, Recchia, Rivera, Sanders, Sears, Stewart, Vann, Weprin, Yassky and Moskowitz

A Local Law to amend the New York city charter, in relation to requiring the distribution of a public health insurance program options pamphlet to parents and guardians of public school students.

Be it enacted by the Council as follows:

Section 1. Legislative findings. The Council finds that children without health insurance are more likely to suffer from preventable illnesses. Many of these illnesses, if not appropriately treated, can become chronic or have other permanent consequences which can affect a child's ability to learn and develop the skills that will allow him or her to become a productive adult.

While all children in New York City are eligible for health insurance, many children do not have such insurance. For example, 19% of the uninsured individuals in New York City are children. Such an alarming figure may be due to a number of factors. For instance, many parents and guardians may be afraid to seek insurance because of their immigration status. Indeed, according to the United Hospital Fund, 43% of New York City's uninsured individuals are non-citizens. Parents and guardians who are not citizens may not be aware that children in New York City are eligible for health insurance regardless of immigration status. In

addition, as a result of job losses and a struggling economy, a family's need for health insurance may change over a period of time.

Although the Department of Education provides a public health insurance program options pamphlet to parents and guardians when they appear in person to register a child in the public school system, this distribution is insufficient to ensure that such individuals remain informed of student health insurance options. For example, a parent or guardian who receives the pamphlet when appearing in person to register a student in the second grade may never receive the pamphlet again throughout the student's educational career in the public school system. This law will ensure that parents and guardians are regularly informed of health insurance options for their children.

§ 2. Subdivision b of section 1069 of chapter forty-seven of the New York city charter is hereby amended to read as follows:

b. Participating agencies shall be required to: (i) distribute such public health insurance program options pamphlet to all persons requesting a written application for services, renewal or recertification of services or request for a change of address relating to the provision of services by such agency; provided, however, that this section shall not apply to services that must be provided to prevent actual or potential danger to the life, health or safety of any individual or to the public; (ii) include a public health insurance program options pamphlet with any agency communication sent through the United States mail for the purpose of supplying an individual with a written application for services, renewal or recertification of services or with a request for a change of address form relating to the provision of services by such agency; and (iii) provide an opportunity for an individual requesting a written application for services, renewal or recertification for services or change of address form relating to the provision of services by such agency via the Internet to request a public health insurance program options pamphlet, and provide such pamphlet, by United States mail or an Internet address where such pamphlet may be viewed or downloaded, to any person who indicates via the Internet that they wish to be sent a public health insurance program options pamphlet; provided, however, that the taxi and limousine commission shall only be required to distribute the public health insurance program options pamphlet to those persons applying for or renewing a driver's license or vehicle license as those terms are defined in section 19-502 of this code; and provided further, that the [board] <u>department</u> of education shall be required only to ensure that the public health insurance program options pamphlet is distributed to <u>(a)</u> those individuals who appear in person to register a child in the public school system[.] <u>, (b) the parents or guardians of every student before the beginning of each school year, by the inclusion of a copy of the pamphlet in the mailing of the code of conduct to such individuals as required by section 2801(4) of the education law, and, (c) where it has been ascertained that a student does not have health insurance, to the parents or guardians of such student by the mailing of a copy of such pamphlet to such parents or guardians along with an explanatory letter. Such letter shall (A) describe, in plain language, the health insurance options that are available and the fact that all children are eligible for public health insurance regardless of immigration status; (B) include contact information of a person or office knowledgeable about public health insurance options available to children; and (C) provide an address or phone number at</u>

the department of education which a parent or guardian may use to inform the department of education as to whether the student has health insurance or needs such insurance. Such letter shall be printed in multiple languages, including, but not limited to, English, Spanish, Chinese, Russian, Yiddish, Korean and Haitian-Creole.

The department of education shall also be required to maintain a database indicating the health insurance status of each student in the public school system. In particular, such database shall indicate whether: the student has health insurance; the student does not have health insurance and the department of education has permission to share contact information with a health care provider; or the student does not have health insurance and the department of education does not have permission to share contact information with a health care provider. The department of education shall make every reasonable effort to maintain the accuracy of such database and review the status of children who do not have health insurance so as to facilitate the efforts of parents or guardians to register a child with a public health insurance program.

§3. If any subsection, sentence, clause, phrase or other portion of this local law is, for any reason, declared unconstitutional or invalid, in whole or in part, by any court of competent jurisdiction, such portion shall be deemed severable and such unconstitutionality or invalidity shall not affect the validity of the remaining portions of the local law that added this section, which remaining portions shall remain in full force and effect.

§4. This local law shall take effect one hundred and eighty days after its enactment.

Grs
LS # 1455
5/8/03