



Legislation Text

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Int. No. 1046

By Council Members Abreu, Schulman, Louis, Gutiérrez, Ossé, Nurse, Williams, Hanks, Krishnan, Banks, Narcisse, Sanchez and Hudson

A Local Law in relation to establishing a pilot program to provide oral appliances to individuals diagnosed with sleep apnea

Be it enacted by the Council as follows:

Section 1. Sleep apnea treatment pilot program. a. For purposes of this local law, the following terms have the following meanings:

Department. The term “department” means the department of health and mental hygiene or another agency designated by the mayor that has appropriate subject matter expertise relating to the treatment of sleep apnea.

Health care professional. The term “health care professional” means an individual duly licensed or otherwise authorized to practice a health profession pursuant to applicable law, including, but not limited to, physicians, registered professional nurses, nurse practitioners, and physicians assistants.

Oral appliance. The term “oral appliance” means any oral device that has been cleared by the federal food and drug administration to treat, manage, or lessen the symptoms of sleep apnea, including, but not limited to, mandibular advancement devices and tongue-stabilizing devices.

Patient. The term “patient” means an individual who has been diagnosed with sleep apnea by a health care professional and who is uninsured or whose health insurance coverage requires the individual to pay an out-of-pocket cost of \$100 or more for an oral appliance.

Sleep apnea. The term “sleep apnea” means a sleep disorder in which breathing repeatedly stops and

starts. For the purposes of this section, “sleep apnea” refers to obstructive sleep apnea.

b. The department shall establish a pilot program to provide oral appliances for patients at no cost to the patient. The department shall prioritize providing oral appliances to uninsured patients.

c. Implementation. The pilot program established by subdivision b of this section shall commence no later than 180 days after the effective date of this law. The duration of such program shall be 3 years.

d. Sleep apnea treatment report. No later than 1 year after the end of the pilot program established by subdivision b of this section, the department shall submit to the mayor and the speaker of the council and post on the department’s website a report on such program. Such report shall include, but need not be limited to, the following information:

1. The number of patients that requested an oral appliance through such program, disaggregated by the age of the patient, the borough in which the patient resides, the race and ethnicity of the patient screened, and whether the patient has health insurance;

3. The number of patients that were provided with an oral appliance as required by subdivision b of this section, disaggregated by the age of the patient, the borough in which the patient resides, the race and ethnicity of the patient screened, and whether the patient has health insurance; and

4. Any challenges with establishing or administering such program and recommendations as to whether to establish a permanent sleep apnea treatment program.

e. No report required by subdivision d of this section shall contain personally identifiable information.

§ 2. This local law takes effect immediately and expires and is deemed repealed upon submission of the report required by subdivision d of this law.

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