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Int. No. 701

By Council Members Narcisse, Hanif, Schulman, Louis and Hudson

A Local Law to amend the New York city charter, in relation to establishing an office of organ transplant equity within the department of health and mental hygiene

Be it enacted by the Council as follows:

Section 1. Chapter 22 of the New York city charter is amended by adding a new section 570 to read as follows:

§ 570. Office of organ transplant equity. a. Definitions. For purposes of this section, the following terms have the following meanings:

National transplant waitlist. The term "national transplant waitlist" means the list established pursuant to clause (i) of subparagraph (A) of paragraph (2) of subsection (b) of section 274 of title 42 of the United States code and refers to the pool of individuals who are registered as candidates for an organ transplant.

Office. The term "office" means the office of organ transplant equity.

Organ. The term "organ" has the same meaning as set forth in section 4360 of the public health law.

Transplant center. The term "transplant center" means a unit within a hospital that performs organ transplants and organ transplant-related activities, including but not limited to qualifying individuals for organ transplants, registering individuals on the national transplant waitlist, performing organ transplant surgery, and providing care for individuals before and after they receive organ transplants.

b. Establishment of office. There shall be in the department an office of organ transplant equity, the head of which shall be a director of organ transplant equity who shall be appointed by the head of the department.

c. Powers and duties. The office shall, at a minimum, have the power and duty to:

1. Offer organ transplant care coordination services to individuals seeking an organ transplant, including but not limited to the following services:

(a) Informing such individuals about the process for obtaining an organ transplant;

(b) Assisting such individuals with obtaining health insurance, including but not limited to by providing referrals for such individuals to legal service providers with expertise in health insurance eligibility, with a focus on providing such referrals for such individuals who are non-citizens;

(c) Assisting such individuals with navigating transplant centers' intake and evaluation processes for placement on the national transplant waiting list, with a focus on providing such assistance to individuals who face barriers to placement on the national transplant waitlist because of their immigration status, spoken language, health insurance status, or ability to pay; and

(d) Acting as a liaison between individuals seeking an organ transplant and community-based organizations, legal service organizations, transplant centers, dialysis providers, other healthcare providers who make organ transplant referrals, health insurance companies, organizations offering financial assistance for organ transplant costs, and any other organizations related to organ transplant care or access;

2. Ensure that the organ transplant care coordination services required pursuant to paragraph 1 of this subdivision are available in each borough;

3. Make best efforts to cultivate partnerships with transplant centers, with the goal of offering the organ transplant care coordination services required pursuant to paragraph 1 of this subdivision in collaboration with each transplant center in the city;

4. Provide information on the department's website about how individuals seeking organ transplants can access the organ transplant care coordination services required pursuant to paragraph 1 of this subdivision and how transplant centers, dialysis providers, and other healthcare providers who make transplant referrals can support the office's provision of such services;

5. Develop informational materials and trainings for, and offer such materials and trainings to,

transplant centers, dialysis providers, and other healthcare providers who make transplant referrals, which materials and trainings shall, at a minimum, include:

(a) Discussion of implicit biases affecting organ transplant care and access;

(b) Descriptions of health insurance options for non-citizens; and

(c) Presentation of strategies to improve the equitable distribution of organs;

6. Develop informational materials in the designated citywide languages as defined in section 23-1101 for, and disseminate such materials to, individuals seeking an organ transplant, which materials shall, at a minimum, include:

(a) Information on an individual's legal rights related to the process for obtaining an organ transplant and otherwise receiving organ transplant care;

(b) Resources for assistance in obtaining health insurance and other financing for organ transplant care;

(c) An explanation of health insurance options for non-citizens as such options relate to receiving organ transplant care;

(d) An explanation of, and resources to navigate, the process for obtaining an organ transplant, including a method to contact the office; and

(e) Information about common barriers and biases affecting organ transplant care and access; and

7. Hosting outreach events, especially in communities determined by the commissioner to have limited access to organ transplants, to educate event participants about navigating the process for obtaining an organ transplant.

d. Contracts or agreements with third parties. The department may enter into contracts or agreements with third parties to implement the provisions of this section, including for administration of the organ transplant care coordination services required pursuant to paragraph 1 of subdivision c of this section.

e. Reporting. No later than 180 days after the effective date of the local law that added this section and annually thereafter, the director of organ transplant equity shall submit to the mayor and the speaker of the

council, and post on the department's website, a report on the office's activities pursuant to subdivision c of this section and outcomes for the prior year. Such director shall prepare the report in a manner that does not jeopardize the confidentiality of the individuals using the office's services and resources, and the report shall include, at a minimum, the following information:

1. A description of the organ transplant care coordination services provided pursuant to the requirements of paragraph 1 of subdivision c of this section;

2. The number of individuals receiving such services, disaggregated by race, income group, spoken language, zip code of residence, and health insurance status;

3. The number of individuals providing such services through employment by, or in partnership with, the office;

4. The locations where such services are provided;

5. A list of transplant centers, dialysis providers, other healthcare providers, and any other organizations partnering with the office, and a description of the scope of each partnership;

6. A description of the organ transplant care and access outcomes for individuals who receive such services, including but not limited to the number of individuals who obtain health insurance, are referred to a transplant center, complete a transplant center's intake and evaluation processes, are placed on the national transplant waitlist, and receive an organ transplant, with an analysis of how such outcomes vary across race, income group, spoken language, zip code of residence, and health insurance status;

7. In the event that the office, after making significant efforts, is unable to ensure that such services are available in every borough pursuant to paragraph 2 of subdivision c of this section, a list of the boroughs in which the office failed to ensure the availability of such services and the reasons for such failure;

8. A description of the materials developed pursuant to paragraphs 5 and 6 of subdivision c of this section, along with a list of locations where such materials have been disseminated;

9. An analysis of the barriers to organ transplant care and access faced by individuals using the organ

transplant care coordination services required pursuant to paragraph 1 of subdivision c of this section, and recommendations to overcome such barriers in the city; and

10. A table in which each separate row references each training and each outreach event conducted pursuant to paragraphs 5 and 7 of subdivision c of this section, using a unique identification code for each such training or event, and each such row shall include the following information set forth in separate columns:

(a) The subject of each such training or event;

(b) The date of each such training or event;

(c) The borough in which each such training or event was conducted;

(d) The zip code assigned to the location where each such training or event was conducted;

(e) The number of attendees at each such training or event, excluding department staff and any other individuals conducting each such training or event; and

(f) The targeted audience for each such training or event.

§ 2. This local law takes effect 120 days after becoming law.

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