

Warren County Board of Supervisors

RESOLUTION NO. 732 OF 2022

RESOLUTION INTRODUCED BY SUPERVISORS SEEBER, HOGAN, BRAYMER, LEGGETT AND DRISCOLL

RESOLUTION IN SUPPORT OF ENACTMENT OF LEGISLATION TO AMEND THE PUBLIC HEALTH LAW IN RELATION TO MUNICIPAL LIMITED HEALTH CARE SERVICE FACILITIES

WHEREAS, 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, and

WHEREAS, 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, and

WHEREAS, the existing Article 28 statute and regulations are intended, and were originally written, to govern hospitals and other “full-service” diagnostic and treatment centers, and

WHEREAS, at an earlier point in the state’s history, many LHDs served as safety net providers of direct primary care, but, 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, and

WHEREAS, 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, and

WHEREAS, despite this change in service provision, LHD 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, and

WHEREAS, meeting these stringent, and often onerous and expensive, regulatory mandates impose significant administrative costs on municipalities, and thus, on local property taxpayers, and

WHEREAS, counties believe that the update to the Public Health Law proposed in A.5177 (Paulin) will enable the State Commissioner of Health to revise the regulations that are now unnecessarily complex for most LHDs, ensuring that the requirements reflect the level of services that they provide, now, therefore, be it

RESOLVED, that the Warren County Board of Supervisors calls on the Governor and State Legislature to revise the current Article 28 regulatory framework for municipal limited health care service facilities, and be it further

RESOLVED, that the Clerk of the Board of Supervisors shall forward copies of this resolution to the Governor of the State of New York, the New York State Legislature, New York State Department of Health Commissioner Mary Bassett, and all others deemed necessary and proper.