



Legislation Details (With Text)

File #: Int 1580-2019 **Version:** A **Name:** Public hearing on public burial and related issues.
Type: Introduction **Status:** Enacted
In control: Committee on Health

On agenda: 5/29/2019

Enactment date: 12/4/2019 **Enactment #:** 2019/214

Title: A Local Law in relation to a public hearing on public burial and related issues

Sponsors: Deborah L. Rose, Ben Kallos, Farah N. Louis, Alicka Ampry-Samuel, Diana I. Ayala, Robert F. Holden, Andrew Cohen

Indexes: Report Required, Sunset Date Applies

Attachments: 1. Summary of Int. No. 1580-A, 2. Summary of Int. No. 1580, 3. Int. No. 1580, 4. May 29, 2019 - Stated Meeting Agenda with Links to Files, 5. Hearing Transcript - Stated Meeting 5-29-19, 6. Minutes of the Stated Meeting - May 29, 2019, 7. Minutes of the Recessed Meeting of May 29, 2019 Held on June 13, 2019, 8. Committee Report 5/30/19, 9. Hearing Testimony 5/30/19, 10. Hearing Transcript 5/30/19, 11. Proposed Int. No. 1580-A - 9/19/19, 12. Committee Report 11/12/19, 13. Hearing Transcript 11/12/19, 14. Committee Report - Stated Meeting, 15. November 14, 2019 - Stated Meeting Agenda with Links to Files, 16. Hearing Transcript - Stated Meeting 11-14-19, 17. Minutes of the Stated Meeting - November 14, 2019, 18. Int. No. 1580-A (FINAL), 19. Fiscal Impact Statement, 20. Mayor's Letter, 21. Local Law 214

| Date | Ver. | Action By | Action | Result |
|------------|------|-----------------------------------|------------------------------|--------|
| 5/29/2019 | * | City Council | Introduced by Council | |
| 5/29/2019 | * | City Council | Referred to Comm by Council | |
| 5/30/2019 | * | Committee on Health | Hearing Held by Committee | |
| 5/30/2019 | * | Committee on Health | Laid Over by Committee | |
| 5/30/2019 | * | Committee on Transportation | Hearing Held by Committee | |
| 5/30/2019 | * | Committee on Transportation | Laid Over by Committee | |
| 5/30/2019 | * | Committee on Parks and Recreation | Hearing Held by Committee | |
| 5/30/2019 | * | Committee on Parks and Recreation | Laid Over by Committee | |
| 11/12/2019 | * | Committee on Health | Hearing Held by Committee | |
| 11/12/2019 | * | Committee on Health | Amendment Proposed by Comm | |
| 11/12/2019 | * | Committee on Health | Amended by Committee | |
| 11/12/2019 | A | Committee on Health | Approved by Committee | Pass |
| 11/14/2019 | A | City Council | Approved by Council | Pass |
| 11/14/2019 | A | City Council | Sent to Mayor by Council | |
| 12/4/2019 | A | Mayor | Hearing Held by Mayor | |
| 12/4/2019 | A | Mayor | Signed Into Law by Mayor | |
| 12/5/2019 | A | City Council | Recved from Mayor by Council | |

Int. No. 1580-A

By Council Members Rose, Kallos, Louis, Ampry-Samuel, Ayala, Holden and Cohen

A Local Law in relation to a public hearing on public burial and related issues

Be it enacted by the Council as follows:

Section 1. Public burial hearing. a. There shall be a public hearing, information about which shall be posted on the department's website at least 30 days in advance, to provide the public an opportunity to comment on and make recommendations regarding changes to the laws, rules, regulations, policies and procedures related to public burial.

b. The commissioner of social services, or their designee, shall convene and preside over the public hearing. The chief executive officer of the New York city health and hospitals corporation or such designee shall be invited to attend the public hearing with the representatives of city agencies identified herein. The following agency officers, or their designees, shall also attend the public hearing:

1. The commissioner of health and mental hygiene;
2. The commissioner of correction;
3. The chief medical examiner;
4. The commissioner of parks and recreation;

c. The department of social services shall invite, at least 30 days in advance of the hearing, through a written invitation, at least the following members of the public to provide public testimony:

1. At least two advocates who specialize in issues related to public burial or Hart island;
2. At least one member of the public who has opted for public burial of a deceased person; and
3. At least one member of the public who specializes in medical ethics or issues relating to medical

privacy.

d. The commissioner of social services shall request that testimony include, but need not be limited to, the following:

1. The process for identifying, finding and contacting next of kin or legally responsible relative when a

deceased individual is identified for public burial;

2. Support for and communication with next of kin or legally responsible relative who choose to direct the disposition of the decedent's remains to public burial or seek assistance from the department of social services' burial programs, including what information is provided regarding public burial, burial assistance program and Hart island;

3. Procedures for burial of indigent, unclaimed individuals and individuals wherein the next of kin or legally responsible relative directs disposition of the remains to public burial;

4. The department of social services' burial assistance program;

5. The feasibility of implementation of a cremation assistance program or providing cremation as an alternative to public burial;

6. The feasibility or potential feasibility of public burial in locations other than Hart island, both inside and outside of the city;

7. The plan for the future operation of Hart island;

8. Recommendations for promoting efficiency and accessibility to the public of existing and proposed programs in connection with public burial; and

9. Recommendations for changes to the system allowing the public to find burial information on Hart island, that takes into consideration the public interest in searching such information and in protecting personally identifying information and medical privacy.

e. The department of social services shall submit to the mayor and speaker of the council and post on its website a report summarizing and, where appropriate, responding to such testimony no later than January 15, 2020.

§ 2. This local law takes effect immediately and is deemed repealed on January 15, 2020 or the day after submission of the report required by section one of this local law, whichever is later.

09/16/19 6:00 pm