

In Support Of New York State Senate Bill No. S5443 Restricting Public Assistance Payments For Certain Erectile Dysfunction Medication For Sex Offenders

Legislator Zimet and Legislators Aiello, Alfonso, Bartels, Berardi, Busick, Cummings, Dart, DePew, Donaldson, Every, Feldmann, Felicello, Gerentine, Harris, Hathaway, Hyatt, Kraft, Lomita, Loughran, Maloney, McAfee, Meyer, Noonan, R.A. Parete, R.S. Parete, Provenzano, Roberti, Rodriguez, Shapiro, Stock, Stoeckeler and Tipp offer the following:

WHEREAS, audits by the State Comptroller's Office showed that between January 1, 2000 and March 3, 2005, 198 Level 3 Sex Offenders in New York received Medicaid-reimbursed Viagra after their convictions. This included crimes against children as young as 2 years old, and

WHEREAS, Bill No. S5443 was introduced in the New York Senate on May 23, 2005 that would prohibit Level 3 Sex Offenders in New York from getting Medicaid-funded Viagra and other performance-enhancing drugs, and

WHEREAS, it is the responsibility of all adults to protect the welfare and safety of all of our children, and

WHEREAS, it is the County's responsibility to assure the integrity of the services provided by the County, and

WHEREAS, the Federal Center for Medicare and Medicaid Services advised State officials that they can deny Medicaid coverage for erectile dysfunction drugs for convicted sex offenders.

RESOLVED, that the Ulster County Legislature supports the passage of Senate Bill No. S5443, *[whose purpose is to eliminate medical reimbursement for erectile dysfunction medications to persons who have been assigned a Level One, Two or Three Designation pursuant to Article 6-C of the Correction Law]*, and

FURTHER RESOLVED, that the Commissioner of the Department of Social Services work with the State of New York to insure that no Ulster County Medicaid dollars are used to fund this program, and

Resolution No. 197 June 9, 2005

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FURTHER RESOLVED, that the Clerk of the Ulster County Legislature shall forward copies of this resolution to President George W. Bush, Governor George E. Pataki, Comptroller Alan Hevesi, United States Senators Hillary Rodham Clinton and Charles Schumer, United States Congressman Maurice Hinchey, Senate Majority Leader Joseph Bruno, Senate Minority Leader David A. Paterson, Assembly Speaker Sheldon Silver, Assembly Minority Leader Charles Nesbitt, New York State Senators John J. Bonacic and William J. Larkin, Jr., New York State Assemblymen Kevin Cahill, Clifford Crouch, Daniel Hooker and Thomas Kirwan, the National Association of Counties and the New York State Association of Counties,

and moves its adoption.

ADOPTED AS AMENDED BY THE FOLLOWING VOTE:

AYES: 33 NOES: 0

Legislator Zimet motioned, seconded by Legislator Harris to amend the "FIRST RESOLVED" of the resolution as indicated in [] and bold italics.

MOTION ADOPTED BY THE FOLLOWING VOTE:

AYES: 33 NOES: 0

FINANCIAL IMPACT:
NONE

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