



Testimony

of

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before the

New York City Council Committee on Health

regarding

**Preconsidered Intros on Child Care Reporting, Underwater Breathing Tanks and Health
Administrative Code Changes**

May 5, 2010

City Hall
New York

Good afternoon Chairperson Arroyo and members of the Committee on Health. My name is Daniel Kass, Acting Deputy Commissioner for the Division of Environmental Health at the New York City Department of Health and Mental Hygiene (DOHMH). On behalf of Commissioner Farley, I would like to thank you for the opportunity to testify regarding Preconsidered Intros on child care reporting, underwater breathing tanks and health Administrative Code changes.

The Division of Environmental Health is committed to eliminating the risk of injury and illness related to environmental health risks by identifying potential hazards and risks to the public, providing the public with the knowledge and skills necessary to create healthy lifestyles and home and workplace environments, and investigating and monitoring conditions and/or activities with the potential for illness or injury.

As part of the Division of Environmental Health, the Bureau of Child Care is committed to ensuring safe and healthy environments for all children attending child care. Over the last few years the Bureau has greatly improved its service delivery to child care providers and families. The Bureau currently converts 60% of all new child care applications into an operating license--up from 24% in 2004. There are virtually no overdue license renewal applications, as the Bureau's timely renewal rate is over 99%. The bureau now exceeds all State level performance standards as well as its own internal performance requirements.

Although our work involves regulation and enforcement, our Bureau of Child Care also serves as a resource to new and existing providers, providing technical assistance where needed, orientation training for new providers, and translation of many of our policies and procedures into multiple languages in order to improve our communication with the child care community.

The Bureau has achieved these improvement based on a system of accountability, standard and consistent policies and procedures, and the use of statistical analysis to inform resource and management decisions. For the Preconsidered Intro on child care reporting, a bill that would require the Department to issue quarterly reports regarding child care facilities citywide, the Department believes that the report is consistent with the Bureau's efforts to maintain accountability. While there are technical changes we would like to suggest, the Department is supportive of this bill.

The Bureau of Environmental Disease Prevention, also part of the Division of Environmental Health, promotes the environmental and occupational health of New York City residents and workers through surveillance, investigations, public health assessments, communication, and policy research and development.

The Department currently has the authority to regulate the air quality standards for compressed air in underwater breathing tanks. The Compressed Gas Association's (CGA) air purity specifications (Grade E, typical use in self-contained underwater breathing apparatus "SCUBA" air) is the industry standard among users and sellers of scuba tanks, frequently referenced by leading safety organizations including the United States Department of Labor Occupational Safety and Health Administration (<http://www.osha.gov/Publications/OSHA3079/osha3079.html>). The Preconsidered Intro. on underwater breathing tanks references the current air purity standards recommended by the

Compressed Gas Association (CGA): CGA G-7.1 – 2004, Commodity Specification for Air, Fifth Edition and would be in line with the Department’s efforts to remove antiquated SCUBA language from the Health Code in the near future. For this reason, the Department supports this bill.

The Department also supports the Preconsidered Intro on technical changes to Title 17 of the Administrative Code, which would modernize various provisions of the Administrative Code. It will make technical changes such as providing a heading to “death of homeless persons and homeless shelter residents report” to the section of the Administrative Code and will repeal outdated sections of the Administrative Code that reference permits issued pursuant to Article 111 of the Health Code. The Department is proposing to repeal Article 111. This elimination reflects the modern technological advancements in dairy production, storage and distribution, which are regulated by the USDA and by the New York State Department of Agriculture and Markets. This bill will complement the removal of the outdated Health Code requirements for New York City, including milk dating, which was requested by a petition from Council Members White, Rivera, Gennaro and Comrie. This bill will also repeal the City’s licensing of medical records storage facilities. The State Health Department regulates medical facilities, including the final disposition of medical records when those facilities discontinue operations.

Thank you again for this opportunity to testify. I’m happy to answer any questions at this time.

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