

Cancer Incidence and Environmental Facilities Mapping

This Act creates a system to map incidences of cancer and “environmental facilities” throughout the state.

Submitted as:
New York
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Status: Enacted into law in 2008.

Suggested State Legislation

(Title, enacting clause, etc.)

1 Section 1. [*Short Title.*] This Act shall be cited as “An Act to Authorize Mapping Cancer
2 Incidences and Environmental Facilities.”

3
4 Section 2. [*Collaboration Between State Agencies to Create Cancer Incidence and*
5 *Environmental Facility Maps.*] The [department of health] and [department of environmental
6 conservation] shall collect and develop information about cancer cases and environmental
7 facilities in this state for the purpose of plotting the incidence of cancer and environmental
8 facilities on computer generated maps. For purposes of this Act, an “environmental facility” is a
9 facility as defined under [insert citation].

10
11 Section 3. [*Examining and Reporting the Scientific Strengths and Limitations of*
12 *Environmental Facilities and Cancer Incidence Mapping.*]

13 (A) Within [one hundred eighty days of the effective date of this Act], the [health
14 department] shall:

15 (1) examine the scientific strengths and limitations of such mapping and overlay
16 methodologies for cancer tracking and geospatial linking to significant disease risk factors;

17 (2) develop guidance for both the appropriate use and communication of such
18 information; and

19 (3) establish safeguards to prevent misuse of such methodologies including but
20 not limited to:

21 (a) collecting data to assure the accuracy of cancer diagnoses;

22 (b) identifying the appropriate uses of such mapping;

23 (c) ensuring the protection of the confidentiality of all individual medical
24 data; and

25 (d) preventing inappropriate release or use of such data.

26 (B) Within [one hundred eighty days of the effective date of this Act], the [health
27 department] shall issue a report of its findings under subsection (A) of this section. A draft of
28 that report shall be subject to public review and comment before the report is issued in its final
29 format.

30
31 Section 4. [*Computer Mapping System.*]

32 (A) After the final report required by Section 3 (B) of this Act is issued, the [department
33 of environmental conservation] shall establish and maintain a computer mapping system for
34 plotting the incidences of cancer reported in the database established by Section 6 of this Act and
35 the environmental facilities listed in the database established by Section 7 of this Act.

36 (B) Prior to plotting such data, the [department of environmental conservation] shall use a
37 spatial filter, or such other statistical method as may be required, to detect statistical anomalies
38 for the purposes of identifying cancer clusters.

39 (C) Plotting shall be by census block, except in cases where such plotting could make it
40 possible to identify any cancer patient, as determined by the [state department of health], in
41 which case census blocks shall be aggregated for plotting to protect the identity of such person.
42

43 Section 5. [*Reporting Cancer Cases to State Department of Health*].

44 (A) Every physician, dentist and other health care provider shall give notice immediately
45 but not later than [one hundred eighty days] after every case of cancer or other malignant disease
46 comes under their care, to the [department of health]. The information reported to the [state
47 department of health] shall include, but is not limited to, genetic history, occupational history,
48 age, residence history, and other relevant information as the [department of health] determines.

49 (B) The [department of health], in consultation with [insert agency], shall aggregate the
50 data reported under this section and all related data being collected by the [department of health]
51 for other purposes.

52 (C) The [department of health] shall develop procedures to ensure correct counting of
53 cancer cases and other malignant diseases reported under this section.
54

55 Section 6. [*Cancer Incidence Database*].

56 (A) The [department of health] shall establish and maintain a cancer incidence database
57 consisting of the information reported under Section 5 of this Act and resulting from a review of
58 existing, applicable, [department of health] records as of the effective date of this Act.

59 (B) The cancer incidence database shall be compatible with the environmental facilities
60 database established by Section 7 of this Act.

61 (C) The cancer incidence database established by this Section of this Act shall be
62 accessible to the [department of environmental conservation].

63 (D) The [department of health] shall provide to the [department of environmental
64 conservation] cancer incidence data to be plotted on computer generated maps as required by this
65 Act and in accordance with methodologies and safeguards established pursuant [insert citation].
66 This data shall be posted on the [department of health's] webpage.

67 (E) The [department of health] will work with the [department of environmental
68 conservation] to provide all data and any other information in possession of the [department of
69 health] and any assistance necessary to comply with this Act.
70

71 Section 7. [*Environmental Facility Database*].

72 (A) The [department of environmental conservation] shall establish and maintain an
73 environmental facility database.

74 (B) That database shall be compatible with the cancer incidence database established by
75 Section 6 of this Act.

76 (C) The [department of health] shall be granted access to the environmental facility
77 database.

78 (D) The [department of environmental protection] shall make available to the public
79 within [ninety days] after the adoption and issuance of the report on cancer incidence mapping

80 pursuant to Section 3 (B) of this Act information about facilities and sites subject to this section
81 in possession of the [department of environmental protection] and required for the environmental
82 facility and cancer incidence maps.

83

84 Section 8. [*Reporting the Status of the Cancer Incidence Maps.*]

85 (A) The [department of environmental conservation] shall submit [quarterly] reports to
86 the [governor], [president of the senate], and the [speaker of the assembly] about the status of
87 developing the environmental facility and cancer incidence maps required by this Act and any
88 related findings by the [department of environmental conservation].

89 (B) The [department of environmental conservation] shall develop a plan to use state
90 research money to examine the location of environmental facilities and sites subject to this Act to
91 identify and focus on statistical anomalies and areas of high concentrations of cancer cases
92 known as cancer clusters.

93 (C) The [department of environmental conservation] shall issue a report to the
94 [governor], [president of the senate] by [insert date] about the plan required by Section 8 (B) by
95 [insert date] and include any related findings concerning the the maps required by this Act or
96 from the research required by Section 8 (B) of this Act.

97

98 Section 9. [*Severability.*] [Insert severability clause.]

99

100 Section 10. [*Repealer.*] [Insert repealer clause.]

101

102 Section 11. [*Effective Date.*] [Insert effective date.]