



**Department  
of Health**

**Testimony of Howard A. Zucker, M.D., J.D.  
Commissioner of Health**

**Joint Legislative Public Hearing  
on the State Fiscal Year 2020-2021 Executive Budget Proposal**

**January 29<sup>th</sup>, 2020  
Legislative Office Building  
Hearing Room B**

Good morning, Chairpersons Krueger and Rivera, Weinstein and Gottfried, and members of the New York State Senate and Assembly.

I am here to present Governor Cuomo's Fiscal Year 2021 Executive Budget as it relates to the health of all New Yorkers. I am joined by Donna Frescatore, the State Medicaid Director and Director of the New York State of Health.

As you are aware, New York State faces a significant budgetary challenge this year. But from the perspective of the Department of Health, challenges are everyday events and not things that bring systems to a halt.

Just last year, the State experienced the largest measles outbreak in 30 years, primarily in New York City and the Lower Hudson Valley area. The outbreak and the Department's response were unprecedented in our measles-elimination era.

The Department collaborated with our local health and community partners to combat the outbreak through education, contact investigations, and ultimately, the administration of nearly 85,000 doses of the MMR—measles, mumps, and rubella—vaccine in the affected counties.

The Governor signed legislation removing vaccination exemptions that could have made the outbreak worse, and we thank our partners in the Legislature for that effort. In the end, we successfully contained an aggressive outbreak and stopped the United States from losing its measles elimination status.

But before we even had the chance to exhale, we found ourselves face-to-face with a new health threat: a severe pulmonary illness associated with the use of vaping products.

The challenges here were twofold: legal e-cigarette flavorings that hook kids on nicotine through predatory marketing, and the dangerous vaping products sold in the illegal, unregulated market.

The Department led with a vigorous response consisting of regulations to ban the sale of flavored e-cigarettes, public education, case investigations, laboratory testing, and a series of proposed legislation. Our own Wadsworth Center was the nation's first laboratory to identify vitamin E acetate in the illicit vaping products as a likely source of this illness. Our discovery framed a national narrative and led to accolades from the CDC.

And now, just a few months later, we are doing the same with the evolving threat of the novel coronavirus. Internally, the Department had it pegged as a likely new coronavirus when it was still being labeled internationally as a "mysterious pneumonia virus." It was nowhere on the health radar even two months ago, and now we're once again at the forefront of the issue.

The ongoing and new challenges met and addressed by the Department are manifold -- Zika, Ebola, and C. auris, the medication-resistant infection that is increasingly being identified in long term healthcare settings. Two years ago, on the one hundredth anniversary of the 1918 influenza pandemic, we experienced one of the worst flu seasons since we began tracking in 2004. This year, we again face an uncompromising influenza season, while tackling a hepatitis A outbreak in several parts of the state, and, when it gets warmer, we will collect and test over 100,000 ticks to combat the ongoing challenge of Lyme disease.

We are not just reactive to public health challenges; we are proactive—taking action and making investments to protect drinking water from contaminants, investigating counties with atypical cancer rates, and implementing strategies to prevent maternal mortality. The Department always puts public health first, period.

We in New York know that access to healthcare is critical. Today, 95 percent of the state's residents have health insurance-- that's over 18 million New Yorkers. Critical to this achievement is the 2014 launch of NY State of Health which provides crucial low-cost and no-cost health coverage to 4.8 million people, one in four New Yorkers. Enrollment in the NY State of Health is still open – in fact, we just extended it for an additional week – but already, this year's enrollment is at its highest point ever.

Under Governor Cuomo's leadership this agency is always prepared for the next challenge, the next public health threat, the unexpected, because we know we are never done.

Pivoting to Medicaid --It is true we have a structural deficit this year, but we have met these challenges before. In 2011, Governor Cuomo created the first Medicaid Redesign Team, which successfully developed a series of recommendations to immediately lower costs, increase efficiencies and effectiveness, and generally improve the program. We have demonstrated that our Medicaid program can achieve both comprehensive coverage for those who need it and financial sustainability. Although the healthcare landscape throughout the country has changed, New York's commitment to delivering high-quality health care to more than 6 million residents has not.

We must now recalibrate to ensure that the original reforms are working as intended and to innovate new solutions in order to rise up to meet the changing landscape and demographics. To that end, Governor Cuomo has announced that he is reconstituting the Medicaid Redesign Team,

Through its stakeholder-led approach, MRT II will advance new recommendations to reform the State's Medicaid program, preserve benefits, and identify \$2.5 billion in structural savings and efficiencies.

When circumstances are ideal, we can use the benefits of greater efficiencies and innovations to grow, experiment and do more. But in times of hardship, we must come together to ensure that these benefits are preserved for those who need it most.

As I said at the start of this testimony, this is a challenge, but it is one we are uniquely prepared for—and we are looking to you to be a partner in that effort.

I am grateful for the opportunity to share this information from the Department. We are happy to take your questions. Please know that you will have further opportunities after today to get the information you are seeking.

Our respective staffs are already working together on these issues and will remain in close contact as we rise to this challenge.

Thank you.