



NEW YORK STATE SENATOR

Simcha Felder

## Felder Crohn's and Colitis ID Card Bill Passed by Senate

SIMCHA FELDER June 24, 2019



Senator Felder and Assemblymember Paulin proposed legislation (S6226/A8146) requiring the NYS Health Department to create a Crohn's and Colitis identification card. Passed unanimously by the Senate, the bill addresses the difficulty people encounter when exercising their right to access a restroom under the Crohn's and Colitis Fairness Act by creating and issuing a state ID card to patients. As many as 1.6 million Americans suffer from the conditions that can necessitate sudden, urgent access to a restroom.

“Coping with an illness is hard enough. I am proud that the Senate has assumed their responsibility to do everything we can to help people suffering from these illnesses gain access without suffering indignity,” said Senator Simcha Felder (D-Midwood, Boro Park).

“No one should be forced to endure a humiliating situation in public simply because they have a medical condition over which they have no control,” said Assemblymember Amy Paulin (D-Scarsdale). “Last year's Crohn’s and Colitis Fairness Act made it possible for those who suffer from an eligible gastrointestinal medical condition to have access to an employee-only restroom in a place of business. But my office has heard stories from people denied the accommodations they deserve under the law because employees were confused over their legal obligations or were unconvinced by the third-party ID they were shown. This bill will eliminate that confusion and guarantee access to those who suffer from these diseases.”

As an accepted method of authorization, government issued ID cards legitimize claims and obligate compliance with the law by informing business employees of their legal requirement while facilitating a challenging conversation. They are the best way to allay the fears and concerns of sufferers and business employees alike.

Under the Crohn’s and Colitis Fairness Act, a person with an eligible medical condition that requires immediate access to restroom facilities, must be allowed, on request, to use an employee-only restroom. This applies during normal business hours, if there are at least two employees present at the time, and allowing use of the facility would not pose a health or safety hazard to the customer or an obvious security risk to the business. In practice, however, these rights have proven hard to access. Businesses are still unfamiliar with the new law and additionally, employees have no way of confirming who has an eligible medical condition.

“This bill is a common sense way to achieve crucial advancement. We’ve mandated businesses to make a reasonable accommodation; this is a reasonable way to help facilitate compliance,” concluded Senator Felder.

Signed into law in 2018, the Crohn’s and Colitis Fairness Act amended the business code to mandate a compassionate accommodation for people who suffer from certain gastrointestinal diseases. Inspired by the courageous advocacy of Ally Bain, similar laws exist in 17 states across the country. (Read her story here: <https://www.crohnscolitisfoundation.org/living-with-crohns-colitis/personal-stories/allybain.html>)

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#### RELATED LEGISLATION

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### **2019-S6226**

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- Introduced
  
- ◦ In Committee Assembly
  - In Committee Senate
  
- ◦ On Floor Calendar Assembly
  - On Floor Calendar Senate
  
- ◦ Passed Assembly

- Passed Senate

- Delivered to Governor

- Signed By Governor

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Creates a Crohn's and colitis identification card

May 24, 2019

Senate Floor Calendar

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Do you support this bill?