

**LOCAL LAWS  
OF  
THE CITY OF NEW YORK  
FOR THE YEAR 2025**

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**No. 52**

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Introduced by Council Members Abreu, Schulman, Louis, Gutiérrez, Ossé, Menin, Nurse, Williams, Hanks, Krishnan, Sanchez, Banks, Narcisse, Hudson, De La Rosa, Won, Joseph, Rivera, Carr and Ariola.

**A LOCAL LAW**

**In relation to establishing a sleep apnea screening pilot program and public education and outreach campaign**

*Be it enacted by the Council as follows:*

Section 1. Sleep apnea screening program and public education and outreach campaign. a.

Definitions. For purposes of this local law, the following terms have the following meanings:

Department. The term “department” means the department of health and mental hygiene or another agency designated by the mayor that has appropriate subject matter expertise relating to sleep apnea screening, testing, and treatment.

Health care professional. The term “health care professional” means an individual duly licensed or otherwise authorized to practice a health profession pursuant to applicable law, including, but not limited to, a physician, a registered professional nurse, a nurse practitioner, or a physician assistant.

Home sleep apnea test. The term “home sleep apnea test” means any non-invasive test or device cleared or approved by the federal food and drug administration to diagnose or evaluate a risk of sleep apnea.

Patient. The term “patient” means an individual who seeks sleep apnea screening or a home sleep apnea test.

Sleep apnea. The term “sleep apnea” means a sleep disorder in which breathing repeatedly stops and starts.

Sleep apnea screening. The term “sleep apnea screening” means screening tools that assess individual risk of sleep apnea, including, but not limited to, the STOP-BANG questionnaire, Epworth Sleepiness Scale, and the 4-Variable screening tool.

b. Sleep apnea screening pilot program. The department shall establish a pilot program to conduct sleep apnea screenings for patients at no cost to the patient. Such program shall prioritize providing such screenings to uninsured patients. If the results of such sleep apnea screening indicate sleep apnea or a risk for sleep apnea, such program shall offer appropriate services to the patient utilizing applicable or available health insurance. If the patient does not have health insurance or the financial capacity to pay, such program shall apply a sliding fee scale to reduce the cost of such services, including the cost of home sleep apnea tests if a health care professional determines that such test is appropriate. If after applying the sliding fee scale, the patient is still unable to pay for such services, such program shall offer such services at no cost to the patient.

c. Implementation. The pilot program required by subdivision b of this section shall commence no later than 180 days after the effective date of this law. The duration of such program shall be 3 years.

d. Sleep apnea screening report. No later than 1 year after the end of the pilot program established pursuant to subdivision b of this section, the department shall submit to the mayor and the speaker of the council, and post on its website, a report on such program. Such report shall not

contain personally identifiable information. Such report shall include, but not be limited to, the following information:

1. The total number of patients screened through such program, disaggregated by the age range of the patient screened, the borough in which the patient resides, the race and ethnicity of the patient screened, and whether the patient had insurance;

2. The total number of patients referred or connected to health care professionals or other services following the sleep apnea screening;

3. The total number of patients that were provided with a home sleep apnea test in accordance with subdivision b of this section; and

4. Any challenges with establishing or administering such program and recommendations as to whether to establish a permanent sleep apnea screening program.

- e. Public education and outreach. Prior to and throughout the duration of the pilot program established pursuant to subdivision b of this section, the department shall establish and implement an outreach and education campaign to raise awareness about sleep apnea. In conducting such outreach the department shall utilize social media, internet, digital kiosks, and other appropriate mediums as determined by the department, and shall advise the public on the health risks associated with sleep apnea, common signs and symptoms of sleep apnea, and information on how to access health care for sleep apnea, including, but not limited to, such sleep apnea screening pilot program. Materials for such outreach campaign shall be made available in the designated citywide languages as defined in section 23-1101 of the administrative code of the city of New York.

§ 2. This local law takes effect immediately.

THE CITY OF NEW YORK, OFFICE OF THE CITY CLERK, s.s.:

I hereby certify that the foregoing is a true copy of a local law of The City of New York, passed by the Council on March 26, 2025 and returned unsigned by the Mayor on April 28, 2025.

MICHAEL M. McSWEENEY, City Clerk, Clerk of the Council.

CERTIFICATION OF CORPORATION COUNSEL

I hereby certify that the form of the enclosed local law (Local Law No. 52 of 2025, Council Int. No. 1047-B of 2024) to be filed with the Secretary of State contains the correct text of the local law passed by the New York City Council, presented to the Mayor, and neither approved nor disapproved within thirty days thereafter.

SPENCER FISHER, Acting Corporation Counsel.