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## Public Health

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## PUBLIC HEALTH

*N.Y. CONST. art. XVII, § 3:*

*The protection and promotion of the health of the inhabitants of the state are matters of public concern and provision therefor shall be made by the state and by such of its subdivisions and in such manner, and by such means as the legislature shall from time to time determine.*

### SUPREME COURT

*NEW YORK COUNTY*

Hope v. Perales<sup>714</sup>  
(decided April 15, 1991)

See case discussion under DUE PROCESS.<sup>715</sup> The court found that the Prenatal Care Assistance Program (PCAP) violated article XVII, section 3 of the New York State Constitution because “the impact of the unequal financing scheme of PCAP undermines the substantial interest of the State in the life, health and welfare of the eligible pregnant woman for whom an abortion is medically required.”<sup>716</sup>

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714. 150 Misc. 2d 985, 571 N.Y.S.2d 972 (Sup. Ct. New York County 1991).

715. See *supra* notes 201-55 and accompanying text.

716. *Hope*, 150 Misc. 2d at 998, 571 N.Y.S.2d at 981.