

6069--B

Cal. No. 238

I N S E N A T E

(PREFILED)

January 4, 2012

Introduced by Sen. GALLIVAN -- read twice and ordered printed, and when printed to be committed to the Committee on Health -- reported favorably from said committee, ordered to first and second report, ordered to a third reading, amended and ordered reprinted, retaining its place in the order of third reading -- substituted by Assembly Bill No. 8414-A, substitution reconsidered and vote reconsidered, restored to third reading, amended and ordered reprinted, retaining its place in the order of third reading

AN ACT to amend the public health law, in relation to notification that all physician information on the department of health's website may not be all-inclusive or up-to-date

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1 Section 1. Subdivision 15 of section 2995-a of the public health law,
2 as added by chapter 542 of the laws of 2000, is amended to read as
3 follows:
4 15. (A) All physician data disseminated shall include the following
5 [statement] STATEMENTS: "THE DATA COLLECTED BY THE DEPARTMENT IS ACCU-
6 RATE TO THE BEST OF THE KNOWLEDGE OF THE DEPARTMENT, BASED ON THE INFOR-
7 MATION SUPPLIED BY THE PHYSICIAN WHO IS THE SUBJECT OF THE DATA. WHILE
8 THE DEPARTMENT UTILIZES A VARIETY OF SOURCES OF INFORMATION IN CHECKING
9 THE ACCURACY OF THE DATA REPORTED, WE CANNOT BE SURE THAT ALL OF THE
10 INFORMATION ON THIS WEBSITE IS RIGHT, COMPLETE, OR UP-TO-DATE, AND
11 CANNOT BE RESPONSIBLE FOR ANY INFORMATION THAT IS WRONG OR HAS BEEN LEFT
12 OUT. CONSUMERS ARE ENCOURAGED TO CONSULT OTHER SOURCES TO VERIFY OR
13 OBTAIN ADDITIONAL INFORMATION ABOUT A PHYSICIAN. PENDING LEGAL ACTIONS
14 DO NOT IN ANY WAY INDICATE PARTIES' GUILT, LIABILITY OR CULPABILITY.
15 CASES MAY BE DISMISSED, WITHDRAWN, OR SETTLED WITHOUT PAYMENTS TO PLAIN-
16 TIFFS. ANY DISPOSITION TO A CASE MAY BE SUBJECT TO APPEAL." THE COMMIS-
17 SIONER SHALL ENSURE THAT THE FULL TEXT OF THE STATEMENTS APPEAR ON EACH
18 WEB PAGE OF THE PHYSICIAN PROFILE IN A MANNER THAT DOES NOT REQUIRE THE
19 USER OF THE SITE TO CLICK ON A SEPARATE LINK IN ORDER TO VIEW THE STATE-
20 MENTS.

EXPLANATION--Matter in *ITALICS* (underscored) is new; matter in brackets
[] is old law to be omitted.

LBD11951-06-2

1 (B) THE DEPARTMENT SHALL PROVIDE ON THE PHYSICIAN PROFILES AN ACTIVE
2 LINK TO THE WEBSITE MAINTAINED BY THE UNIFIED COURT SYSTEM CONTAINING
3 INFORMATION ON ACTIVE AND DISPOSED CASES IN THE LOCAL AND STATE COURTS
4 IN THE STATE.

5 S 2. This act shall take effect on the sixtieth day after it shall
6 have become a law.