

3885--A

Cal. No. 318

2011-2012 Regular Sessions

I N S E N A T E

March 8, 2011

Introduced by Sens. CARLUCCI, KLEIN, KRUEGER, PERKINS, SAVINO, STAVISKY, VALESKY -- read twice and ordered printed, and when printed to be committed to the Committee on Transportation -- reported favorably from said committee, ordered to a third reading, passed by Senate and delivered to the Assembly, recalled, 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 directing the commissioner of health to ensure that space is provided on any consent application so that the applicant shall register or decline registration in the New York state donate life registry for organ and tissue donations

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

1 Section 1. This act shall be known and may be cited as "Lauren's law".
2 S 2. Subdivision 2 of section 4310 of the public health law, as
3 amended by chapter 161 of the laws of 2010, is amended to read as
4 follows:
5 2. Such registration of consent to make an anatomical gift can be made
6 through (a) indication made on the application or renewal form of a
7 license, (b) indication made on a non-driver identification card appli-
8 cation or renewal form, (c) enrolling in the registry website maintained
9 by the department, which may include using an electronic signature under
10 regulations of the commissioner and subject to article three of the
11 state technology law, (d) indication made on a voter registration form
12 pursuant to subdivision five of section 5-210 of the election law, or
13 (e) through any other method identified by the commissioner. THE
14 COMMISSIONER SHALL FURTHER ENSURE THAT SPACE IS PROVIDED ON ANY CONSENT
15 APPLICATION SO THAT THE APPLICANT SHALL REGISTER OR DECLINE REGISTRATION
16 IN THE NEW YORK STATE DONATE LIFE REGISTRY FOR ORGAN AND TISSUE
17 DONATIONS UNDER THIS SECTION AND THAT THE FOLLOWING IS STATED ON THE

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

LBD10039-07-1

1 APPLICATION: "WOULD YOU LIKE TO BE ADDED TO THE DONATE LIFE REGISTRY?
2 CHECK BOX FOR 'YES', 'NO', OR CHECK BOX FOR 'NO' AT THIS TIME". THE
3 DEPARTMENT SHALL NOT MAINTAIN ANY RECORDS OF ANY PERSON WHO CHECKS "'NO'
4 AT THIS TIME". The registration shall take effect upon the department
5 sending written notice of the registration to the person enrolling in
6 the registry. In making regulations on using an electronic signature for
7 a registration of consent, the commissioner shall consult with the
8 director of the office of technology.

9 S 3. This act shall take effect on the one hundred twentieth day after
10 it shall have become a law; provided, however, that effective immediate-
11 ly, the addition, amendment and/or repeal of any rule or regulation
12 necessary for the implementation of this act on its effective date are
13 authorized and directed to be made and completed on or before such
14 effective date.