

634--A

2013-2014 Regular Sessions

I N   S E N A T E

(PREFILED)

January 9, 2013

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Introduced by Sen. STAVISKY -- read twice and ordered printed, and when printed to be committed to the Committee on Health -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the public health law, in relation to directing clinical laboratories to provide results of tests directly to the person on whom the test was performed

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

- 1     Section 1. The public health law is amended by adding a new section  
2     576-d to read as follows:  
3     S 576-D. RELEASE OF TEST RESULTS TO PATIENTS. 1. A CLINICAL LABORATORY  
4     SHALL, UPON REQUEST, REPORT THE RESULTS OF ANY TEST, EXAMINATION OR  
5     ANALYSIS OF A SPECIMEN SUBMITTED FOR EVIDENCE OF HUMAN DISEASE OR  
6     MEDICAL CONDITION DIRECTLY TO THE PERSON ON WHOM THE TEST WAS PERFORMED,  
7     SUBSEQUENT TO WHEN THE TEST HAS BEEN REPORTED TO THE PHYSICIAN OR HEALTH  
8     CARE PRACTITIONER WHO ORDERED SUCH TEST OR EXAMINATION, EXCEPT IN CASES  
9     OF IMMEDIATE MEDICAL JEOPARDY WHEN RESULTS MAY BE PROVIDED IMMEDIATELY  
10    TO THE PATIENT.  
11    2. NOTHING IN THIS SECTION SHALL AUTHORIZE A CLINICAL LABORATORY TO  
12    ENGAGE IN THE PRACTICE OF ANY HEALTH CARE PROFESSION UNDER TITLE EIGHT  
13    OF THE EDUCATION LAW. THE REPORT ISSUED PURSUANT TO THIS SECTION SHALL  
14    CONTAIN A CLEAR STATEMENT, PRESENTED IN A PROMINENT MANNER, TO THE  
15    EFFECT THAT THE REPORT SHOULD NOT BE VIEWED AS MEDICAL ADVICE AND IS NOT  
16    MEANT TO REPLACE DIRECT COMMUNICATION WITH A PHYSICIAN OR OTHER HEALTH  
17    CARE PRACTITIONER.  
18    S 2. This act shall take effect immediately.

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

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