

5539

2013-2014 Regular Sessions

I N S E N A T E

May 16, 2013

Introduced by Sen. HANNON -- read twice and ordered printed, and when printed to be committed to the Committee on Health

AN ACT to amend the public health law, in relation to conducting certain clinical laboratory tests

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

- 1 Section 1. Subdivision 6 of section 571 of the public health law, as
2 added by chapter 204 of the laws of 2008, is amended to read as follows:
3 6. "Qualified health care professional" means a physician, dentist,
4 podiatrist, OPTOMETRIST PERFORMING A CLINICAL LABORATORY TEST THAT DOES
5 NOT USE AN INVASIVE MODALITY AS DEFINED IN SECTION SEVENTY-ONE HUNDRED
6 ONE OF THE EDUCATION LAW, physician assistant, specialist assistant,
7 nurse practitioner, or midwife, who is licensed and registered with the
8 state education department.
9 S 2. Subdivision 1 of section 579 of the public health law, as sepa-
10 rately amended by chapters 397 and 440 of the laws of 2004, is amended
11 to read as follows:
12 1. This title is applicable to all clinical laboratories and blood
13 banks operating within the state, except clinical laboratories and blood
14 banks operated by the federal government and clinical laboratories oper-
15 ated by a licensed physician, osteopath, dentist, midwife, nurse practi-
16 tioner, OPTOMETRIST PERFORMING A CLINICAL LABORATORY TEST THAT DOES NOT
17 USE AN INVASIVE MODALITY AS DEFINED IN SECTION SEVENTY-ONE HUNDRED ONE
18 OF THE EDUCATION LAW or podiatrist who performs laboratory tests or
19 procedures, personally or through his or her employees, solely as an
20 adjunct to the treatment of his or her own patients; to the extent
21 authorized by federal and state law, including the education law, and
22 consistent with any applicable written practice agreement.
23 S 3. 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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