

STATE OF NEW YORK

1309

2017-2018 Regular Sessions

IN ASSEMBLY

January 11, 2017

Introduced by M. of A. SIMANOWITZ, M. G. MILLER -- read once and referred to the Committee on Health

AN ACT to amend the public health law, in relation to selective pre-surgery blood donation

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 2805-z to read as follows:

3 § 2805-z. Selective pre-surgery blood donation. 1. Hospitals and other
4 facilities approved pursuant to this article shall permit a person,
5 prior to surgery on an in-patient or out-patient basis:

6 (a) to donate his or her own blood for possible transfusion into such
7 patient; and

8 (b) to bring other persons to donate blood for possible transfusion
9 into such patient. Blood donated pursuant to this subdivision shall be
10 stored in a place and manner approved by the commissioner.

11 2. The commissioner shall promulgate regulations containing guidelines
12 for fees to recover the cost to such hospital or other facility for
13 drawing the blood pursuant to subdivision one of this section and for
14 the storage thereof.

15 3. When a person is admitted for surgery on an in-patient or out-pa-
16 tient basis and blood has been previously donated for such patient
17 pursuant to subdivision one of this section, such person shall give
18 written direction regarding blood to be used for transfusion in the
19 event that his or her pre-donated blood supply is exhausted and more
20 blood for transfusion is needed.

21 § 2. This act shall take effect on the one hundred twentieth day
22 after it shall have become a law, provided, however, that the commis-
23 sioner of health shall promulgate rules and regulations necessary to
24 effectuate the provisions of this act prior to such effective date.

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

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