

STATE OF NEW YORK

117--A

Cal. No. 2

2023-2024 Regular Sessions

IN ASSEMBLY

(Prefiled)

January 4, 2023

Introduced by M. of A. PAULIN, SILLITTI, SAYEGH, EPSTEIN -- read once and referred to the Committee on Health -- reported from committee, advanced to a third reading, amended and ordered reprinted, retaining its place on the order of third reading

AN ACT to amend the public health law, in relation to factors for consideration for applications for a license to operate a bank or storage facility

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

1 Section 1. Paragraphs (f) and (g) of subdivision 4 of section 4364 of
2 the public health law, as added by chapter 589 of the laws of 1990, are
3 amended and a new subdivision 6 is added to read as follows:

4 (f) the applicant's ability to moderate and record temperature,
5 including an adequate alarm notification system;

6 (g) the applicant's ability to establish a chain of custody for speci-
7 mens;

8 (h) the applicant's ability to establish administrative, technical,
9 and physical safeguards to protect patient records;

10 (i) the character and competence of the operator, its officers, direc-
11 tors, principal stockholders and controlling persons, including the
12 quality of care provided through any health care entities operated or
13 controlled by such persons; and

14 [~~(g)~~] (j) with respect to banks and storage facilities created after
15 the effective date of this paragraph, the existence and activities of
16 other banks and storage facilities in the geographic area to be served
17 by the applicant.

18 6. The commissioner is authorized to promulgate rules and regulations
19 necessary to implement the provisions of this section.

20 § 2. This act shall take effect on the ninetieth day after it shall
21 have become a law. Effective immediately, the addition, amendment and/or
22 repeal of any rule or regulation necessary for the implementation of
23 this act on its effective date are authorized to be made and completed
24 on or before such effective date.

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

LBD02139-02-3