

STATE OF NEW YORK

9172

IN SENATE

February 10, 2026

Introduced by Sen. FAHY -- 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 direct access laboratory testing for certain lipid screening assays

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
2 579-a to read as follows:

3 § 579-a. Direct access laboratory testing for certain lipid screening
4 assays. 1. Authorization. Notwithstanding any other provision of law, a
5 clinical laboratory licensed pursuant to this article may perform labo-
6 ratory testing, at the request of an individual and without a practi-
7 tioner order or prescription, limited to the following assays: low-den-
8 sity lipoprotein cholesterol (LDL-C), including direct measurement or
9 calculated HDL cholesterol, LDL cholesterol, triglycerides, total
10 cholesterol, and lipoprotein(a) (Lp(a)).

11 2. Laboratory requirements. A clinical laboratory performing testing
12 pursuant to this section shall:

13 (a) provide the test results to the subject of the test in a clear and
14 understandable format; and

15 (b) comply with all applicable requirements of this article, regu-
16 lations promulgated thereunder, and the federal clinical laboratory
17 improvement amendments of 1988 (CLIA).

18 3. Limitations. Nothing in this section shall be construed to:

19 (a) authorize the diagnosis or treatment of any disease or condition
20 by a clinical laboratory;

21 (b) expand or alter the scope of practice of any licensed health care
22 profession; or

23 (c) permit direct access laboratory testing without a practitioner
24 order for any assay other than those expressly identified under subdivi-
25 sion one of this section.

26 § 2. This act shall take effect on the one hundred eightieth day after
27 it shall have become a law. Effective immediately, the commissioner of
28 health is authorized to take any actions necessary to implement this act
29 on or before such effective date.

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

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