S T A T E O F N E W Y O R K

7303

2009-2010 Regular Sessions

I N A S S E M B L Y

March 27, 2009

Introduced by M. of A. COOK, PEOPLES, MILLMAN, FIELDS, REILLY -- Multi-Sponsored by -- M. of A. BOYLAND, CLARK, GALEF, GREENE, KOON, MAYER-SOHN, J. RIVERA, ROBINSON, SCARBOROUGH, WEISENBERG -- read once and referred to the Committee on Health

AN ACT to amend the public health law, in relation to cosmetic surgery

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

Section 1. The public health law is amended by adding a new section 230-e to read as follows:

S 230-E. COSMETIC SURGERY. 1. FOR THE PURPOSES OF THIS SECTION, "COSMETIC SURGERY" SHALL MEAN AN ELECTIVE SURGERY THAT IS PERFORMED TO ALTER OR RESHAPE NORMAL STRUCTURES OF THE BODY IN ORDER TO IMPROVE THE PATIENT'S APPEARANCE, INCLUDING, BUT NOT LIMITED TO, LIPOSUCTION AND ELECTIVE FACIAL COSMETIC SURGERY.

2. NOTWITHSTANDING ANY OTHER PROVISION OF LAW, A COSMETIC SURGERY PROCEDURE SHALL NOT BE PERFORMED ON A PATIENT UNLESS, PRIOR TO SUCH SURGERY, A LICENSED PHYSICIAN AND A LICENSED SURGEON HAVE COMPLETED A PHYSICAL EXAMINATION ON SUCH PATIENT AND HAVE SUBMITTED WRITTEN CLEARANCES FOR SUCH PROCEDURE.

S 2. This act shall take effect on the ninetieth day after it shall have become a law.

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

LBD01284-01-9