

8998

2009-2010 Regular Sessions

I N A S S E M B L Y

Introduced by M. of A. SCHROEDER -- read once and referred to the  
Committee on Health

AN ACT to amend the mental hygiene law, in relation to creating a universal child health passport

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

Section 1. Title B of the mental hygiene law is amended by adding a new article 6 to read as follows:

## ARTICLE 6

# UNIVERSAL CHILD HEALTH PASSPORT

## SECTION 6.01 UNIVERSAL CHILD HEALTH PASSPORT.

6.02 PERTINENT RECORDS AND/OR INFORMATION ELIGIBLE FOR TRANSFER  
OR RELEASE.

6.03 GROUPS ELIGIBLE TO RECEIVE OR SHARE PERTINENT RECORDS  
AND/OR INFORMATION.

6.04 RIGHTS RESERVED.

S 6.01 UNIVERSAL CHILD HEALTH PASSPORT.

1. THE COMMISSIONER IS HEREBY AUTHORIZED AND DIRECTED TO CREATE AND IMPLEMENT A UNIVERSAL CHILD HEALTH PASSPORT, WHICH SHALL ALLOW MENTAL HEALTH PATIENTS TO UNIVERSALLY CONSENT TO THE TRANSFER OR RELEASE OF PERTINENT RECORDS AND/OR INFORMATION TO CERTAIN GROUPS.

2. TO BE EFFECTIVE, THE PASSPORT SHALL BE SIGNED BY THE PARENT OR LEGAL GUARDIAN OF THE CHILD, WHO IS THE RECIPIENT OF SUCH PASSPORT.

3. SUCH PASSPORT SHALL HAVE A ONE YEAR EXPIRATION DATE, FROM THE DATE THE PASSPORT WAS ISSUED, AND SHALL REQUIRE RENEWAL EVERY YEAR THEREAFTER.

S 6.02 PERTINENT RECORDS AND/OR INFORMATION ELIGIBLE FOR TRANSFER OR  
RELEASE.

PERTINENT RECORDS AND/OR INFORMATION ELIGIBLE FOR TRANSFER OR RELEASE  
SHALL INCLUDE:

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

LBD11927-01-9

1 1. ANY INDIVIDUALIZED EDUCATION PROGRAM WHICH INCLUDES AN INTELLIGENCE  
2 QUOTIENT OR EDUCATIONAL TESTING COMPONENT;  
3 2. MEDICAL AND MENTAL HEALTH TREATMENT RECORDS;  
4 3. CONTACT INFORMATION; AND  
5 4. ANY ESTABLISHED CRISIS OR SAFETY PLAN IF AVAILABLE.  
6 S 6.03 GROUPS ELIGIBLE TO RECEIVE OR SHARE PERTINENT RECORDS AND/OR  
7 INFORMATION.  
8 GROUPS ELIGIBLE TO RECEIVE OR SHARE SUCH PERTINENT RECORDS AND/OR  
9 INFORMATION SHALL INCLUDE BUT SHALL NOT BE LIMITED TO, SERVICE PROVID-  
10 ERS, SUCH AS CLINICS, LICENSED PROFESSIONALS, HOSPITALS, EMERGENCY  
11 ROOMS, APPROPRIATE SCHOOL PERSONNEL, CRISIS INTERVENTION SERVICES, AND  
12 ANY OTHER PERSON WHO DEEMS THIS INFORMATION VITAL TO PROVIDE SAFE AND  
13 APPROPRIATE CARE IN A CRISIS SITUATION.  
14 S 6.04 RIGHTS RESERVED.  
15 THE PARENT OR GUARDIAN OF A HOLDER OF A UNIVERSAL CHILD HEALTH PASS-  
16 PORT, SHALL RESERVE THE RIGHT TO ELIMINATE ANY PART OF THE HOLDER'S  
17 MEDICAL HISTORY FROM THE INFORMATION TO BE TRANSFERRED OR RELEASED.  
18 S 2. This act shall take effect on the one hundred twentieth day after  
19 it shall have become a law.