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

2896

2009-2010 Regular Sessions

I N S E N A T E

March 5, 2009

Introduced by Sen. STAVISKY -- 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 directing clinical laboratories to provide results of tests directly to the person on whom the test was performed

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 576-d to read as follows:

S 576-D. RELEASE OF TEST RESULTS TO PATIENTS. 1. A CLINICAL LABORATORY SHALL, UPON REQUEST, REPORT THE RESULTS OF ANY TEST, EXAMINATION OR ANALYSIS OF A SPECIMEN SUBMITTED FOR EVIDENCE OF HUMAN DISEASE OR MEDICAL CONDITION DIRECTLY TO THE PERSON ON WHOM THE TEST WAS PERFORMED, IN ADDITION TO THE PHYSICIAN WHO ORDERED SUCH TEST OR EXAMINATION.

2. NOTHING IN THIS SECTION SHALL AUTHORIZE A CLINICAL LABORATORY TO ENGAGE IN THE PRACTICE OF ANY HEALTH CARE PROFESSION UNDER TITLE EIGHT OF THE EDUCATION LAW. THE REPORT ISSUED PURSUANT TO THIS SECTION SHALL CONTAIN A CLEAR STATEMENT, PRESENTED IN A PROMINENT MANNER, TO THE EFFECT THAT THE REPORT SHOULD NOT BE VIEWED AS MEDICAL ADVICE AND IS NOT MEANT TO REPLACE DIRECT COMMUNICATION WITH A PHYSICIAN OR OTHER HEALTH CARE PRACTITIONER.

S 2. This act shall take effect immediately.

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

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