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

654

2009-2010 Regular Sessions

I N S E N A T E

January 12, 2009

Introduced by Sen. LARKIN -- 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 notice to patient, in the event of revocation, annulment, suspension or surrender of a medical license following professional medical conduct disciplinary proceedings

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

Section 1. Section 230 of the public health law is amended by adding a new subdivision 20 to read as follows:

20. UPON THE REVOCATION, ANNULMENT, SUSPENSION OR SURRENDER OF A MEDICAL LICENSE PURSUANT TO THE PROVISIONS OF THIS SECTION FOR PROFESSIONAL MISCONDUCT THAT IS NOT OF A MINOR OR TECHNICAL NATURE, THE COMMISSIONER SHALL NOTIFY THE PATIENTS OF RECORD OF THE LICENSEE OF THE FACT OF SUCH REVOCATION, ANNULMENT, SUSPENSION OR SURRENDER. SUCH NOTICE SHALL BE SENT BY FIRST CLASS MAIL TO ALL PATIENTS WHO HAVE RECEIVED MEDICAL SERVICES FROM THE LICENSEE WITHIN THE YEAR PRECEDING SUCH REVOCATION, ANNULMENT, SUSPENSION OR SURRENDER. SUCH NOTICE SHALL BE SENT TO ALL PATIENTS WITHIN THIRTY DAYS OF THE ISSUANCE DATE OF SUCH FINAL ORDER TO REVOKE, ANNUL OR SUSPEND A LICENSEE'S LICENSE, OR UPON THE SURRENDER OF A LICENSEE'S LICENSE, FOR PROFESSIONAL MISCONDUCT THAT IS NOT OF A MINOR OR TECHNICAL NATURE. THE COMMISSIONER SHALL HAVE ACCESS TO ANY RECORDS NECESSARY TO EFFECTUATE THE PROVISIONS OF THIS SUBDIVISION. THE COMMISSIONER SHALL PROMULGATE SUCH RULES AND REGULATIONS AS MAY BE NECESSARY TO EFFECTUATE THE PROVISIONS OF THIS SUBDIVISION.

S 2. This act shall take effect on the one hundred eightieth day after it shall have become a law; provided that the commissioner of health is authorized to promulgate any rules and regulations necessary to implement this act on or before its effective date.

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

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