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

2896

2009-2010 Regular Sessions

I N A S S E M B L Y

January 21, 2009

Introduced by M. of A. SCHIMMINGER -- Multi-Sponsored by -- M. of A. BOYLAND -- read once and referred to the Committee on Local Governments

AN ACT to amend the county law, in relation to providing a copy of autopsy reports of the deceased to certain physicians upon application therefor to the coroner or medical examiner by such physicians

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

Section 1. Paragraph (b) of subdivision 3 of section 677 of the county law, as amended by chapter 339 of the laws of 1980, is amended to read as follows:

(b) Such records shall be open to inspection by the district attorney of the county. Upon application of the personal representative, spouse [or], next of kin of the deceased, ATTENDING PHYSICIAN OF THE DECEASED, OR PHYSICIAN REPRESENTATIVE OF THE QUALITY ASSURANCE COMMITTEE OF THE HOSPITAL IN WHICH THE DECEASED WAS BEING TREATED WHEN HE OR SHE EXPIRED to the coroner or the medical examiner, a copy of the autopsy report, as described in subdivision two of this section shall be furnished to such applicant. Upon proper application of any person who is or may be affected in a civil or criminal action by the contents of the record of any investigation, or upon application of any person having a substantial interest therein, an order may be made by a court of record, or by a justice of the supreme court, that the record of that investigation be made available for his, HER, OR ITS inspection, or that a transcript thereof be furnished to him, HER, OR IT, or both.

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.

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