

3861

2009-2010 Regular Sessions

I N   A S S E M B L Y

January 28, 2009

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

AN ACT to amend the public health law, in relation to patient records

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

1     Section 1. The public health law is amended by adding a new section  
2     2807-o to read as follows:  
3     S 2807-0. PATIENT RECORDS. A HOSPITAL SHALL MAINTAIN PATIENT RECORDS  
4     FOR A PERIOD OF NOT LESS THAN TWENTY-FIVE YEARS, PROVIDED A HOSPITAL MAY  
5     PRIOR TO THE END OF SUCH PERIOD DISPOSE OF SUCH RECORDS OF WHICH REPROD-  
6     UCTIONS, SUBJECT TO REGULATIONS BY THE COMMISSIONER, ARE MAINTAINED AND  
7     MADE ACCESSIBLE. FOR PURPOSES OF THIS SECTION, THE TERM "HOSPITAL" SHALL  
8     MEAN AND INCLUDE A HEALTH MAINTENANCE ORGANIZATION OR SIMILAR ORGANIZA-  
9     TION, IF SUCH ORGANIZATION ACCEPTS PATIENTS PURSUANT TO A HEALTH CARE OR  
10    INSURANCE PLAN PROVIDED AS A BENEFIT TO EMPLOYEES OF THE STATE OR ANY  
11    POLITICAL SUBDIVISION THEREOF. SUCH PATIENT RECORDS SHALL BE KEPT IN  
12    PAPER OR ELECTRONIC FORM.  
13    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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