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

5452

2009-2010 Regular Sessions

I N A S S E M B L Y

February 13, 2009

Introduced by M. of A. SPANO, FIELDS, MILLMAN -- Multi-Sponsored by -- M. of A. PHEFFER -- read once and referred to the Committee on Health

AN ACT to amend the public health law, in relation to requiring health care providers to report cases of methicillin resistant staphylococcus aureus infections

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

Section 1. Article 21 of the public health law is amended by adding a new title VIII to read as follows:

TITLE VIII

METHICILLIN RESISTANT STAPHYLOCOCCUS AUREUS

SECTION 2180. METHICILLIN RESISTANT STAPHYLOCOCCUS AUREUS; DUTY TO REPORT.

S 2180. METHICILLIN RESISTANT STAPHYLOCOCCUS AUREUS; DUTY TO REPORT. 1. (A) UPON CONSIDERING THAT THE INFECTION OF A PATIENT IN A HOSPITAL, NURSING HOME OR OTHER HEALTH CARE FACILITY IS RESISTING ANTIBIOTIC TREATMENT, AND IS OR MAY BE METHICILLIN RESISTANT STAPHYLOCOCCUS AUREUS, THE PRESCRIBING PHYSICIAN OR OTHER PRESCRIBING PERSON AUTHORIZED BY LAW TO MAKE A MEDICAL DIAGNOSIS, SHALL IMMEDIATELY ARRANGE FOR CULTURING AND LABORATORY TESTING OF SUCH INFECTION, AND FOR APPRISING THE FACILITY'S ADMINISTRATOR AND ITS DIRECTOR OF NURSING OF THE CASE.

(B) UPON ISSUING ITS FINDINGS, THE LABORATORY SHALL SEND A COPY THEREOF TO THE COMMISSIONER.

(C) UPON THE PATIENT'S DISCHARGE OR DEATH, THE FACILITY SHALL PROMPTLY REPORT THE CASE TO THE COMMISSIONER.

2. THE COMMISSIONER SHALL PROMPTLY FORWARD SUCH REPORT TO THE HEALTH COMMISSIONER OF THE MUNICIPALITY WHERE SUCH INFECTION OCCURRED. WHEN CASES OF SUCH INFECTION OCCUR IN A MUNICIPALITY NOT HAVING A HEALTH COMMISSIONER, SUCH REPORTS SHALL BE FORWARDED DIRECTLY TO THE DISTRICT HEALTH OFFICER.

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

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3. SUCH REPORT SHALL CONTAIN SUCH INFORMATION CONCERNING THE CASE AS SHALL BE REQUIRED BY THE COMMISSIONER.

4. THE REQUIREMENTS OF THIS TITLE SHALL BE IN ADDITION TO THE REQUIREMENTS OF SECTION TWENTY-EIGHT HUNDRED NINETEEN OF THIS CHAPTER.

S 2. This act shall take effect on the thirtieth day after it shall have become a law.