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

3219

2009-2010 Regular Sessions

I N S E N A T E

March 12, 2009

Introduced by Sens. MAZIARZ, ALESI, DeFRANCISCO, GRIFFO, HANNON, LIBOUS, MORAHAN -- 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 permitting direct access to laboratory results

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. DIRECT PATIENT ACCESS TO LABORATORY RESULTS. A PATIENT WHO IS EIGHTEEN YEARS OF AGE OR OLDER SHALL HAVE THE RIGHT TO REQUEST A REPORT OF ANY LABORATORY RESULTS OF TESTS PERFORMED ON SUCH PERSON. 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 TO A PERSON 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 on the one hundred twentieth day after it shall have become a law; provided, however, that effective immediately, the addition, amendment and/or repeal of any rule or regulation necessary for the implementation of this act on its effective date are authorized and directed to be made and completed on or before such effective date.

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

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