Introduced by Sen. KRUEGER -- 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 providing medical care to minors for sexually transmitted diseases without a parent's or guardian's consent

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

Section 1. The section heading of section 2305 of the public health law, as amended by chapter 878 of the laws of 1980, is amended to read as follows:

Sexually transmissible diseases; CARE AND treatment [by licensed physician or staff physician of a hospital; prescriptions]; CONSENT BY MINORS.

Section 2. Subdivisions 2 and 3 of section 2305 of the public health law, as amended by chapter 878 of the laws of 1980, are amended to read as follows:

(A) A [licensed physician, or in a hospital, a staff physician,]

HEALTH CARE PRACTITIONER may diagnose, treat or prescribe CURATIVE TREATMENT FOR A SEXUALLY TRANSMISSIBLE DISEASE for a person under the age of [twenty-one] EIGHTEEN years without the consent or knowledge of the parents or [guardian] GUARDIANS of said person, where such person is infected with a sexually transmissible disease, or has been exposed to infection with a sexually transmissible disease.

(B) A HEALTH CARE PRACTITIONER MAY PROVIDE MEDICAL CARE RELATED TO THE PREVENTION OF A SEXUALLY TRANSMISSIBLE DISEASE, INCLUDING ADMINISTERING VACCINES, TO A PERSON UNDER THE AGE OF EIGHTEEN YEARS WITHOUT THE CONSENT OR KNOWLEDGE OF THE PARENTS OR GUARDIANS OF SUCH PERSON, PROVIDED THAT THE PERSON HAS CAPACITY TO CONSENT TO THE CARE, WITHOUT REGARD TO THE PERSON'S AGE, AND THE PERSON CONSENTS.

EXPLANATION--Matter in ITALICS (underscored) is new; matter in brackets [ ] is old law to be omitted.
(C) ANY RELEASE OF PATIENT INFORMATION REGARDING VACCINES PROVIDED UNDER THIS SECTION SHALL BE CONSISTENT WITH SECTIONS SEVENTEEN AND EIGHTEEN OF THIS CHAPTER.

3. For the purposes of this section, [the term]
(A) "hospital" shall mean a hospital as defined in article twenty-eight of this chapter;
(B) "SEXUALLY TRANSMISSIBLE DISEASE" SHALL INCLUDE ANY INFECTION OR DISEASE THAT IS TRANSMISSIBLE BY SEXUAL CONTACT, REGARDLESS OF WHETHER IT IS A SEXUALLY TRANSMISSIBLE DISEASE UNDER SECTION TWENTY-THREE HUNDRED ELEVEN OF THIS TITLE; AND
(C) "HEALTH CARE PRACTITIONER" SHALL MEAN A PERSON LICENSED, CERTIFIED OR OTHERWISE AUTHORIZED TO PRACTICE UNDER TITLE EIGHT OF THE EDUCATION LAW, ACTING WITHIN HIS OR HER LAWFUL SCOPE OF PRACTICE.

S 3. This act shall take effect nine months after it shall have become a law.