

629--A

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2009-2010 Regular Sessions

I N S E N A T E

January 9, 2009

Introduced by Sen. FUSCHILLO -- read twice and ordered printed, and when printed to be committed to the Committee on Health -- reported favorably from said committee, ordered to first and second report, ordered to a third reading, substituted by Assembly Bill No. 5320, substitution reconsidered, restored to third reading, amended and ordered reprinted, retaining its place in the order of third reading

AN ACT to amend the public health law, in relation to lymphedema

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

1 Section 1. Subdivision 1 of section 2581 of the public health law, as
2 amended by chapter 654 of the laws of 1986, is amended to read as
3 follows:
4 1. "Children with physical disabilities" means any persons under twen-
5 ty-one years of age who are disabled by reason of a defect or disabili-
6 ty, whether congenital or acquired by accident, injury, or disease, or
7 who are suffering from long-term disease, including, but without limit-
8 ing the generality of the foregoing, chronic granulomatous, cystic
9 fibrosis, epidermolysis bullosa, muscular dystrophy, nephrosis, rheumat-
10 ic fever and rheumatic heart disease, blood dyscrasies, cancer, LYMPHAT-
11 IC DISEASES, INCLUDING, BUT NOT LIMITED TO: INSUFFICIENCY OF LYMPHATIC
12 CIRCULATORY FUNCTION (TO INCLUDE ALL FORMS OF LYMPHEDEMA, BOTH PRIMARY
13 AND SECONDARY); LIPEDEMA; COMPLEX VASCULAR DISEASES OF THE LYMPHATIC
14 VASCULATURE, INCLUDING LYMPHANGIOMATOSIS, LYMPHANGIOLEIO-MYOMATOSIS,
15 LYMPHANGIECTASIAS, LYMPHANGIOMAS, CYSTIC HYGROMAS, GORHAM'S DISEASE,
16 LYMPHANGIOSARCOMA, AND COMPLEX VASCULAR/LYMPHATIC MALFORMATIONS AND
17 SYNDROMES, brain injured, and chronic asthma, or from any disease or
18 condition likely to result in a disability in the absence of treatment,
19 provided, however, no child shall be deprived of a service under the
20 provisions of this chapter solely because of the degree of mental retar-
21 dation.

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

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1 S 2. Paragraph (c) of subdivision 1 of section 207 of the public
2 health law, as amended by chapter 471 of the laws of 2007, is amended to
3 read as follows:
4 (c) Lymphedema AND LYMPHATIC DISEASE, an abnormal swelling of the
5 extremities including the causes [and], symptoms of PRIMARY LYMPHEDEMA,
6 SECONDARY lymphedema AND LYMPHATIC DISEASE, PREVENTION, EARLY DIAGNOSIS,
7 OPTIONS FOR TREATMENT AND THERAPY, LONG-TERM CHRONIC CARE ISSUES, the
8 value of early detection, possible options for treatment including their
9 benefits and risks, and other relevant information and the recommenda-
10 tion that hospitals treating breast cancer patients implement a lymph-
11 edema alert program by placing a bright pink wristband on the patient's
12 affected arm. LINKS TO NATIONAL LYMPHEDEMA AND LYMPHATIC DISEASE ORGAN-
13 IZATIONS SHALL BE PROVIDED AS PART OF THE INFORMATIONAL SUMMARY AND
14 ELECTRONICALLY THROUGH THE DEPARTMENT'S WEBSITES.
15 S 3. This act shall take effect on the one hundred eightieth day after
16 it shall have become a law.