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

6148--C

2011-2012 Regular Sessions

I N A S S E M B L Y

March 8, 2011

Introduced by M. of A. ORTIZ, HOYT, SCHIMMINGER, LINARES, GALEF, LANCMAN, M. MILLER, JAFFEE, ROBERTS, MILLMAN, SCHIMEL, TITONE, LUPARDO, COLTON, MOYA, P. RIVERA, MAISEL, SCHROEDER, GUNTHER, LAVINE -- Multi-Sponsored by -- M. of A. ABINANTI, BARCLAY, BING, BRAUNSTEIN, BURLING, CALHOUN, CERETTO, CONTE, COOK, CRESPO, DINOWITZ, HOOPER, JORDAN, KIRWAN, MAGEE, MARKEY, McDONOUGH, McENENY, McLAUGHLIN, PALMESANO, SWEENEY, THIELE, WEISENBERG -- read once and referred to the Committee on Transportation -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- again reported from said committee with amendments, ordered reprinted as amended and recommitted to said committee -- again reported from said committee with amendments, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the public health law, in relation to directing the commissioner of health to ensure that space is provided on any consent application so that the applicant shall register or decline registration in the New York state donate life registry for organ and tissue donations

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

Section 1. This act shall be known and may be cited as "Lauren's law".

S 2. Subdivision 2 of section 4310 of the public health law, as amended by chapter 161 of the laws of 2010, is amended to read as follows:

2. Such registration of consent to make an anatomical gift can be made through (a) indication made on the application or renewal form of a license, (b) indication made on a non-driver identification card application or renewal form, (c) enrolling in the registry website maintained by the department, which may include using an electronic signature under regulations of the commissioner and subject to article three of the state technology law, (d) indication made on a voter registration form

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

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pursuant to subdivision five of section 5-210 of the election law, or (e) through any other method identified by the commissioner. THE COMMISSIONER SHALL FURTHER ENSURE THAT SPACE IS PROVIDED ON ANY CONSENT APPLICATION SO THAT THE APPLICANT SHALL REGISTER OR DECLINE REGISTRATION IN THE NEW YORK STATE DONATE LIFE REGISTRY FOR ORGAN AND TISSUE DONATIONS UNDER THIS SECTION AND THAT THE FOLLOWING IS STATED ON THE APPLICATION: "WOULD YOU LIKE TO BE ADDED TO THE DONATE LIFE REGISTRY? CHECK BOX FOR 'YES', 'NO', OR CHECK BOX FOR 'NO' AT THIS TIME". THE DEPARTMENT SHALL NOT MAINTAIN ANY RECORDS OF ANY PERSON WHO CHECKS "'NO' AT THIS TIME". The registration shall take effect upon the department sending written notice of the registration to the person enrolling in the registry. In making regulations on using an electronic signature for a registration of consent, the commissioner shall consult with the director of the office of technology.

S 3. 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.