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

7858

2011-2012 Regular Sessions

I N A S S E M B L Y

May 19, 2011

Introduced by M. of A. TITONE -- Multi-Sponsored by -- M. of A. GOTTFRIED, SWEENEY -- (at request of the Department of Health) -- read once and referred to the Committee on Health

AN ACT to amend the public health law, in relation to the sharing of information related to environmentally-related diseases

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

Section 1. Paragraph (t) of subdivision 5 of section 225 of the public health law, as added by chapter 351 of the laws of 1980, is amended to read as follows:

(t) facilitate epidemiological research into the prevention of environmental diseases, [when such research is conducted pursuant to paragraph (j) of subdivision one of section two hundred six of this chapter,] by establishing regulations designating as environmentally related diseases those pathological conditions of the body or mind resulting from contact with toxins, mutagens or teratogens in solid, liquid or gaseous form, or in the form of ionizing radiation or nonionizing electromagnetic radiation, and by requiring the reporting of such diseases or suspected cases of such diseases to the department by physicians, medical facilities and clinical laboratories. Any information provided to the department pursuant to such regulations shall be in the form required by the department, and shall be kept confidential and used by the commissioner pursuant to the provisions of paragraph (j) of subdivision one of section two hundred six of this chapter, and other applicable laws relating to the confidential treatment of patient and medical data, EXCEPT THAT THE DEPARTMENT MAY SHARE IDENTIFYING OR OTHER INFORMATION WITH A LOCAL HEALTH DEPARTMENT WHEN, AND ONLY TO THE EXTENT THAT, THE DEPARTMENT DETERMINES THIS INFORMATION IS NECESSARY TO PROTECT PUBLIC HEALTH AGAINST THE HAZARDS ASSOCIATED WITH EXPOSURE TO THE MATERIAL. DATA SHARED WITH THE LOCAL HEALTH DEPARTMENT SHALL NOT BE FURTHER DISCLOSED AND SHALL BE OTHERWISE SUBJECT TO THE CONFIDENTIALITY REQUIRE-

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

LBD09636-02-1

MENTS OF PARAGRAPH (J) OF SUBDIVISION ONE OF SECTION TWO HUNDRED SIX OF THIS CHAPTER AND ANY OTHER APPLICABLE LAWS RELATED TO THE CONFIDENTIAL TREATMENT OF PATIENT AND MEDICAL DATA.

S 2. This act shall take effect immediately.