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I N   S E N A T E

January 18, 2012

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Introduced by Sens. HANNON, RANZENHOFER -- 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 requiring the promulgation of regulations relating to the commercial trade of human reproductive processes and limiting the number of live births from a single semen donor

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

1     Section 1. Subdivisions 3, 4, 5, 6 and 7 of section 4365 of the public  
2 health law are renumbered subdivisions 4, 5, 6, 7 and 8 and a new subdivision 3 is added to read as follows:  
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4     3. THE COMMISSIONER, IN CONSULTATION WITH THE TRANSPLANT COUNCIL,  
5 SHALL PROMULGATE REGULATIONS ON THE COMMERCIAL TRADE OF HUMAN REPRODUCTIVE  
6 PROCESSES INVOLVING SEMEN DONATION. SUCH REGULATIONS SHALL INCLUDE,  
7 BUT SHALL NOT BE LIMITED TO:  
8     (A) GOVERNING LIMITS ON THE NUMBER OF LIVE BIRTHS CONCEIVED BY A  
9 SINGLE DONOR, WHICH SHALL NOT EXCEED TEN LIVE BIRTHS; AND  
10     (B) THE ESTABLISHMENT OF A CENTRAL TRACKING REGISTRY OF SEMEN DONOR  
11 INFORMATION, AS REPORTED BY REPRODUCTIVE TISSUE BANKS,  
12 INSEMINATION/IMPLANTATION SITES AND SEMEN PROCESSING FACILITIES IN THE  
13 STATE. SUCH REGISTRY SHALL PROVIDE A MEANS FOR GATHERING AND MAINTAINING  
14 ACCURATE INFORMATION ON THE:  
15     (I) NUMBER OF LIVE BIRTHS CONCEIVED FROM A SINGLE DONOR;  
16     (II) HEALTH INFORMATION OF THE DONOR AT THE TIME OF THE DONATION; AND  
17     (III) OTHER INFORMATION DEEMED APPROPRIATE BY THE COMMISSIONER.  
18     IN ADDITION, REGULATIONS SHALL MAINTAIN THE ANONYMITY OF THE DONOR AND  
19 THE OFFSPRING AND GOVERN ACCESS TO INFORMATION MAINTAINED BY THE REGISTRY.  
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21     S 2. This act shall take effect immediately; provided that the commissioner of health shall promulgate regulations no later than six months  
22 after this act shall have become a law.  
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EXPLANATION--Matter in *ITALICS* (underscored) is new; matter in brackets [ ] is old law to be omitted.

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