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

8919--B

Cal. No. 379

I N A S S E M B L Y

(PREFILED)

January 4, 2012

Introduced by M. of A. DINOWITZ, PAULIN, P. RIVERA, JAFFEE, ROBINSON, MAISEL, STEVENSON, MILLMAN, GIBSON, CRESPO, JOHNS, JACOBS, GALEF, MENG, WEPRIN, MOYA, HOOPER -- Multi-Sponsored by -- M. of A. BOYLAND, CALHOUN, COOK, ENGLEBRIGHT, J. MILLER, MONTESANO, NOLAN, ORTIZ -- read once and referred to the Committee on Health -- reference changed to the Committee on Consumer Affairs and Protection -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- passed by Assembly and delivered to the Senate, recalled from the Senate, vote reconsidered, bill amended, ordered reprinted, retaining its place on the order of third reading

AN ACT to amend the public health law, in relation to requiring primary care physicians to post certain information detailing how parents or guardians of infants and children can subscribe to the United States consumer product safety commission's e-mail subscription lists

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

Section 1. Article 25 of the public health law is amended by adding a new title 9 to read as follows:

TITLE IX

RECALL SUBSCRIPTION INFORMATION

SECTION 2599-E. PHYSICIAN POSTING OF RECALL SUBSCRIPTION INFORMATION.

S 2599-E. PHYSICIAN POSTING OF RECALL SUBSCRIPTION INFORMATION. 1. AS USED IN THIS SECTION, "PRIMARY CARE PHYSICIAN" MEANS A PHYSICIAN SPECIALIST IN THE FIELD OF FAMILY PRACTICE, GENERAL PEDIATRICS, PRIMARY CARE INTERNAL MEDICINE OR PRIMARY CARE OBSTETRICS AND GYNECOLOGY, WHO PROVIDES COORDINATED PRIMARY CARE SERVICES.

2. THE COMMISSIONER SHALL REQUIRE THAT EVERY PRIMARY CARE PHYSICIAN POST IN A PLACE OR PLACES, CLEARLY VISIBLE TO ALL PERSONS, ADJACENT TO OR NEAR THE LOCATION SUCH PRIMARY CARE PHYSICIAN HAS DESIGNATED FOR THE RECEIPT OF PAYMENT, AN INFORMATIONAL NOTICE. SUCH NOTICE SHALL BE DESIGNED BY THE COMMISSIONER IN CONJUNCTION WITH THE SECRETARY OF STATE AND SHALL CONTAIN INFORMATION DETAILING HOW PARENTS OR GUARDIANS OF INFANTS AND CHILDREN CAN SUBSCRIBE TO THE UNITED STATES CONSUMER PRODUCT

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

LBD13834-07-2

SAFETY COMMISSION'S E-MAIL SUBSCRIPTION LISTS TO RECEIVE CONSUMER PRODUCT RECALL AND SAFETY NEWS BY E-MAIL FROM THE UNITED STATES CONSUMER PRODUCT SAFETY COMMISSION AND SUCH OTHER MATERIAL AS DEEMED APPROPRIATE BY THE COMMISSIONER. SUCH NOTICE SHALL BE MADE AVAILABLE TO PRIMARY CARE PHYSICIANS BY THE DEPARTMENT ON ITS WEBSITE AND SHALL BE PROVIDED IN ENGLISH, AS WELL AS IN THE SIX LANGUAGES OTHER THAN ENGLISH MOST FREQUENTLY SPOKEN IN THE STATE ACCORDING TO THE LATEST AVAILABLE DATA FROM THE UNITED STATES CENSUS BUREAU AND UPON REQUEST FROM A PRIMARY CARE PHYSICIAN, ANY OTHER LANGUAGE SPOKEN BY A SIGNIFICANT NUMBER OF PEOPLE WITHIN THE COMMUNITY SERVED BY SUCH PRIMARY CARE PHYSICIAN. A PRIMARY CARE PHYSICIAN SHALL POST SUCH NOTICE IN ENGLISH AND IN ANY OTHER LANGUAGE SPOKEN BY SIGNIFICANT NUMBERS OF PEOPLE WITHIN THE COMMUNITY HE OR SHE SERVES.

S 2. 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 by the commissioner of health on or before such effective date.