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

6069--B

Cal. No. 238

I N S E N A T E

(PREFILED)

January 4, 2012

Introduced by Sen. GALLIVAN -- 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, amended and ordered reprinted, retaining its place in the order of third reading -- substituted by Assembly Bill No. 8414-A, substitution reconsidered and vote 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 notification that all physician information on the department of health's website may not be all-inclusive or up-to-date

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

Section 1. Subdivision 15 of section 2995-a of the public health law, as added by chapter 542 of the laws of 2000, is amended to read as follows:

15. (A) All physician data disseminated shall include the following [statement] STATEMENTS: "THE DATA COLLECTED BY THE DEPARTMENT IS ACCURATE TO THE BEST OF THE KNOWLEDGE OF THE DEPARTMENT, BASED ON THE INFORMATION SUPPLIED BY THE PHYSICIAN WHO IS THE SUBJECT OF THE DATA. WHILE THE DEPARTMENT UTILIZES A VARIETY OF SOURCES OF INFORMATION IN CHECKING THE ACCURACY OF THE DATA REPORTED, WE CANNOT BE SURE THAT ALL OF THE INFORMATION ON THIS WEBSITE IS RIGHT, COMPLETE, OR UP-TO-DATE, AND CANNOT BE RESPONSIBLE FOR ANY INFORMATION THAT IS WRONG OR HAS BEEN LEFT OUT. CONSUMERS ARE ENCOURAGED TO CONSULT OTHER SOURCES TO VERIFY OR OBTAIN ADDITIONAL INFORMATION ABOUT A PHYSICIAN. PENDING LEGAL ACTIONS DO NOT IN ANY WAY INDICATE PARTIES' GUILT, LIABILITY OR CULPABILITY. CASES MAY BE DISMISSED, WITHDRAWN, OR SETTLED WITHOUT PAYMENTS TO PLAINTIFFS. ANY DISPOSITION TO A CASE MAY BE SUBJECT TO APPEAL." THE COMMISSIONER SHALL ENSURE THAT THE FULL TEXT OF THE STATEMENTS APPEAR ON EACH WEB PAGE OF THE PHYSICIAN PROFILE IN A MANNER THAT DOES NOT REQUIRE THE USER OF THE SITE TO CLICK ON A SEPARATE LINK IN ORDER TO VIEW THE STATEMENTS.

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

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(B) THE DEPARTMENT SHALL PROVIDE ON THE PHYSICIAN PROFILES AN ACTIVE LINK TO THE WEBSITE MAINTAINED BY THE UNIFIED COURT SYSTEM CONTAINING INFORMATION ON ACTIVE AND DISPOSED CASES IN THE LOCAL AND STATE COURTS IN THE STATE.

S 2. This act shall take effect on the sixtieth day after it shall have become a law.