

6724--B

Cal. No. 485

2013-2014 Regular Sessions

IN ASSEMBLY

April 17, 2013

Introduced by M. of A. GOTTFRIED, JACOBS, PAULIN, CYMBROWITZ, STIRPE --
Multi-Sponsored by -- M. of A. TITONE -- read once and referred to the
Committee on Health -- reported and referred to the Committee on Codes
-- committee discharged, bill amended, ordered reprinted as amended
and recommitted to said committee -- reported from committee, advanced
to a third reading, amended and ordered reprinted, retaining its place
on the order of third reading

AN ACT to amend the public health law, in relation to conducting certain
clinical laboratory tests

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

- 1 Section 1. Subdivision 6 of section 571 of the public health law, as
2 added by chapter 204 of the laws of 2008, is amended to read as follows:
3 6. "Qualified health care professional" means a physician, dentist,
4 podiatrist, OPTOMETRIST PERFORMING A CLINICAL LABORATORY TEST THAT DOES
5 NOT USE AN INVASIVE MODALITY AS DEFINED IN SECTION SEVENTY-ONE HUNDRED
6 ONE OF THE EDUCATION LAW, physician assistant, specialist assistant,
7 nurse practitioner, or midwife, who is licensed and registered with the
8 state education department.
9 S 2. Subdivision 1 of section 579 of the public health law, as sepa-
10 rately amended by chapters 397 and 440 of the laws of 2004, is amended
11 to read as follows:
12 1. This title is applicable to all clinical laboratories and blood
13 banks operating within the state, except clinical laboratories and blood
14 banks operated by the federal government and clinical laboratories oper-
15 ated by a licensed physician, osteopath, dentist, midwife, nurse practi-
16 tioner, OPTOMETRIST PERFORMING A CLINICAL LABORATORY TEST THAT DOES NOT
17 USE AN INVASIVE MODALITY AS DEFINED IN SECTION SEVENTY-ONE HUNDRED ONE
18 OF THE EDUCATION LAW or podiatrist who performs laboratory tests or
19 procedures, personally or through his or her employees, solely as an
20 adjunct to the treatment of his or her own patients; to the extent
21 authorized by federal and state law, including the education law, and
22 consistent with any applicable written practice agreement.
23 S 3. This act shall take effect immediately.

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

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