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

1886

2013-2014 Regular Sessions

I N A S S E M B L Y

(PREFILED)

January 9, 2013

Introduced by M. of A. ZEBROWSKI -- read once and referred to the Committee on Health

AN ACT to amend the public health law, in relation to expanding the duties of the commission of public health to notify the patient or patients of a health care provider if such health care provider is determined to have exposed such patient or patients to a communicable disease through reckless conduct; and to amend the education law, in relation to including exposing patients to a communicable disease due to reckless conduct in the definition of professional medical malpractice

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

Section 1. Subdivision 1 of section 206 of the public health law is amended by adding a new paragraph (s) to read as follows:

(S) NOTIFY THE PATIENT OR PATIENTS OF A HEALTH CARE PROVIDER IF SUCH HEALTH CARE PROVIDER IS DETERMINED TO HAVE EXPOSED SUCH PATIENT OR PATIENTS TO A COMMUNICABLE DISEASE THROUGH RECKLESS CONDUCT, INCLUDING, BUT NOT LIMITED TO, THE REUSE OF A SYRINGE, NEEDLE OR OTHER SHARP.

S 2. Section 6530 of the education law is amended by adding a new subdivision 50 to read as follows:

50. EXPOSING PATIENTS TO A COMMUNICABLE DISEASE DUE TO RECKLESS CONDUCT, INCLUDING, BUT NOT LIMITED TO, THE REUSE OF A SYRINGE, NEEDLE OR OTHER SHARP.

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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