

2013-2014 Regular Sessions

I N   A S S E M B L Y

(PREFILED)

January 9, 2013

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Introduced by M. of A. DINOWITZ, PAULIN, JAFFEE, ROBINSON, MAISEL, STEVENSON, MILLMAN, GIBSON, CRESPO, JOHNS, JACOBS, GALEF, WEPRIN, MOYA, HOOPER, ROSENTHAL -- Multi-Sponsored by -- M. of A. BOYLAND, COOK, ENGLEBRIGHT, MONTESANO, ORTIZ -- read once and referred to the Committee on Consumer Affairs and Protection

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:

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

3                                   TITLE IX

4                                   RECALL SUBSCRIPTION INFORMATION

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

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

11    2. THE COMMISSIONER SHALL REQUIRE THAT EVERY PRIMARY CARE PHYSICIAN  
12    POST IN A PLACE OR PLACES, CLEARLY VISIBLE TO ALL PERSONS, ADJACENT TO  
13    OR NEAR THE LOCATION SUCH PRIMARY CARE PHYSICIAN HAS DESIGNATED FOR THE  
14    RECEIPT OF PAYMENT, AN INFORMATIONAL NOTICE. SUCH NOTICE SHALL BE  
15    DESIGNED BY THE COMMISSIONER IN CONJUNCTION WITH THE SECRETARY OF STATE  
16    AND SHALL CONTAIN INFORMATION DETAILING HOW PARENTS OR GUARDIANS OF  
17    INFANTS AND CHILDREN CAN SUBSCRIBE TO THE UNITED STATES CONSUMER PRODUCT  
18    SAFETY COMMISSION'S E-MAIL SUBSCRIPTION LISTS TO RECEIVE CONSUMER PROD-  
19    UCT RECALL AND SAFETY NEWS BY E-MAIL FROM THE UNITED STATES CONSUMER

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

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1 PRODUCT SAFETY COMMISSION AND SUCH OTHER MATERIAL AS DEEMED APPROPRIATE  
2 BY THE COMMISSIONER. SUCH NOTICE SHALL BE MADE AVAILABLE TO PRIMARY CARE  
3 PHYSICIANS BY THE DEPARTMENT ON ITS WEBSITE AND SHALL BE PROVIDED IN  
4 ENGLISH, AS WELL AS IN THE SIX LANGUAGES OTHER THAN ENGLISH MOST  
5 FREQUENTLY SPOKEN IN THE STATE ACCORDING TO THE LATEST AVAILABLE DATA  
6 FROM THE UNITED STATES CENSUS BUREAU AND UPON REQUEST FROM A PRIMARY  
7 CARE PHYSICIAN, ANY OTHER LANGUAGE SPOKEN BY A SIGNIFICANT NUMBER OF  
8 PEOPLE WITHIN THE COMMUNITY SERVED BY SUCH PRIMARY CARE PHYSICIAN. A  
9 PRIMARY CARE PHYSICIAN SHALL POST SUCH NOTICE IN ENGLISH AND IN ANY  
10 OTHER LANGUAGE SPOKEN BY SIGNIFICANT NUMBERS OF PEOPLE WITHIN THE COMMU-  
11 NITY HE OR SHE SERVES.

12 S 2. This act shall take effect on the one hundred twentieth day after  
13 it shall have become a law; provided, however, that effective immediate-  
14 ly, the addition, amendment and/or repeal of any rule or regulation  
15 necessary for the implementation of this act on its effective date are  
16 authorized and directed to be made and completed by the commissioner of  
17 health on or before such effective date.