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

9538

I N A S S E M B L Y

May 6, 2014

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

AN ACT to amend the public health law, in relation to periodic clinic inspection

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

Section 1. The public health law is amended by adding two new sections 2560 and 2561 to read as follows:

S 2560. DEFINITIONS. FOR THE PURPOSES OF THIS ARTICLE: 1. "ABORTION CLINIC" SHALL MEAN ANY FACILITY USED BY AN ENTITY TO PERFORM A MEDICAL ABORTION OR SURGICAL ABORTION.

2. "MEDICAL ABORTION" SHALL MEAN AN ARTIFICIALLY INDUCED TERMINATION OF A PREGNANCY FOR THE PURPOSE OF DESTROYING AN EMBRYO OR FETUS THROUGH THE USE OF PHARMACEUTICALS.

3. "SURGICAL ABORTION" SHALL MEAN AN ARTIFICIALLY INDUCED TERMINATION OF A PREGNANCY FOR THE PURPOSE OF DESTROYING AN EMBRYO OR FETUS THROUGH A PROCEDURE THAT INVOLVES BREAKING THE SKIN OR ENTERING THE BODY CAVITY.

S 2561. POWERS AND DUTIES OF THE COMMISSIONER. 1. THE COMMISSIONER SHALL INSPECT EACH ABORTION CLINIC NOT LESS THAN BIENNIALLY. THE COMMISSIONER MAY APPOINT AND DESIGNATE, FROM TIME TO TIME, PERSONS TO MAKE THE INSPECTIONS AUTHORIZED BY THIS SECTION.

2. THE COMMISSIONER SHALL PROMULGATE RULES AND REGULATIONS TO CARRY OUT THE PROVISIONS OF THIS SECTION, INCLUDING, BUT NOT LIMITED TO, REGULATIONS ESTABLISHING STANDARDS FOR CLEANLINESS, HYGIENE, AND SAFETY.

3. THE COMMISSIONER SHALL CREATE A BIENNIAL REPORT INDICATING THE RESULTS OF ALL INDIVIDUAL INSPECTIONS AND DELIVER A COPY TO THE NEW YORK STATE ASSEMBLY, THE NEW YORK STATE SENATE, AND THE GOVERNOR OF THE STATE OF NEW YORK.

4. THE COMMISSIONER MAY, BY REGULATION, AUTHORIZE ANY COUNTY OR MUNICIPAL DEPARTMENT OF HEALTH TO ADMINISTER THIS SECTION WITHIN ITS JURISDICTION.

S 2. 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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