

634--A

2013-2014 Regular Sessions

I N S E N A T E

(PREFILED)

January 9, 2013

Introduced by Sen. STAVISKY -- read twice and ordered printed, and when printed to be committed to the Committee on Health -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the public health law, in relation to directing clinical laboratories to provide results of tests directly to the person on whom the test was performed

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

- 1 Section 1. The public health law is amended by adding a new section
2 576-d to read as follows:
3 S 576-D. RELEASE OF TEST RESULTS TO PATIENTS. 1. A CLINICAL LABORATORY
4 SHALL, UPON REQUEST, REPORT THE RESULTS OF ANY TEST, EXAMINATION OR
5 ANALYSIS OF A SPECIMEN SUBMITTED FOR EVIDENCE OF HUMAN DISEASE OR
6 MEDICAL CONDITION DIRECTLY TO THE PERSON ON WHOM THE TEST WAS PERFORMED,
7 SUBSEQUENT TO WHEN THE TEST HAS BEEN REPORTED TO THE PHYSICIAN OR HEALTH
8 CARE PRACTITIONER WHO ORDERED SUCH TEST OR EXAMINATION, EXCEPT IN CASES
9 OF IMMEDIATE MEDICAL JEOPARDY WHEN RESULTS MAY BE PROVIDED IMMEDIATELY
10 TO THE PATIENT.
11 2. NOTHING IN THIS SECTION SHALL AUTHORIZE A CLINICAL LABORATORY TO
12 ENGAGE IN THE PRACTICE OF ANY HEALTH CARE PROFESSION UNDER TITLE EIGHT
13 OF THE EDUCATION LAW. THE REPORT ISSUED PURSUANT TO THIS SECTION SHALL
14 CONTAIN A CLEAR STATEMENT, PRESENTED IN A PROMINENT MANNER, TO THE
15 EFFECT THAT THE REPORT SHOULD NOT BE VIEWED AS MEDICAL ADVICE AND IS NOT
16 MEANT TO REPLACE DIRECT COMMUNICATION WITH A PHYSICIAN OR OTHER HEALTH
17 CARE PRACTITIONER.
18 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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