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

10184

I N A S S E M B L Y

May 16, 2016

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

AN ACT to amend the public health law, in relation to minors' consent to HIV/AIDS testing, treatment and prevention

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 a new section 2781-b to read as follows:

S 2781-B. ACCESS TO HIV/AIDS TESTING, PREVENTION AND TREATMENT FOR MINORS. A HEALTH CARE PROVIDER LICENSED, CERTIFIED OR OTHERWISE AUTHORIZED TO PRACTICE UNDER TITLE EIGHT OF THE EDUCATION LAW, ACTING WITHIN HIS OR HER LAWFUL SCOPE OF PRACTICE, MAY, CONSISTENT WITH THIS ARTICLE, TEST, DIAGNOSE, REFER, TREAT AND PRESCRIBE FOR HIV INFECTION, HIV RELATED ILLNESS, AND AIDS, INCLUDING PREVENTATIVE TREATMENT, AN INDIVIDUAL UNDER EIGHTEEN YEARS OF AGE WHO HAS THE CAPACITY TO CONSENT AND WHO HAS BEEN, MAY HAVE BEEN, OR IS AT RISK OF BEING EXPOSED, TO HIV OR AIDS. TESTING, DIAGNOSIS, REFERRAL, TREATMENT AND PRESCRIBING UNDER THIS SECTION MAY BE PROVIDED WITHOUT THE CONSENT OR KNOWLEDGE OF THE PARENT OR GUARDIAN OF THE INDIVIDUAL. HEALTH RECORDS AND OTHER INFORMATION CONCERNING SUCH TESTING, DIAGNOSIS, REFERRAL, TREATMENT OR PRESCRIBING SHALL BE CONFIDENTIAL HIV RELATED INFORMATION AND SHALL NOT BE DISCLOSED EXCEPT AS PROVIDED IN THIS ARTICLE.

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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