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

2456

2015-2016 Regular Sessions

I N A S S E M B L Y

January 16, 2015

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

AN ACT to amend the public health law, in relation to requiring the department of health to establish and maintain a list of toxins which members of the military may have come into contact with and requiring doctors to ask patients whether they have served in the military

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

Section 1. Section 206 of the public health law is amended by adding a new subdivision 29 to read as follows:

29. THE COMMISSIONER SHALL COMPILE AND PERIODICALLY UPDATE A LIST OF TOXIC MATERIALS OR HARMFUL PHYSICAL AGENTS WHICH MEMBERS OF THE MILITARY MAY HAVE COME INTO CONTACT WITH AS A RESULT OF MILITARY SERVICE. THE COMMISSIONER MAY CONSULT WITH THE VETERANS ADMINISTRATION TO ASSIST IN THE COMPILATION OF SUCH LIST. THE LIST SHALL BE PROVIDED TO ALL PERSONS LICENSED TO PRACTICE MEDICINE IN ACCORDANCE WITH ARTICLE ONE HUNDRED THIRTY-ONE OF THE EDUCATION LAW.

S 2. The public health law is amended by adding a new article thirty-eight-A to read as follows:

ARTICLE 38-A

VETERANS HEALTH

SECTION 3810. TOXIC MATERIALS AND HARMFUL PHYSICAL AGENTS.

S 3810. TOXIC MATERIALS AND HARMFUL PHYSICAL AGENTS. ALL DOCTORS LICENSED TO PRACTICE MEDICINE IN ACCORDANCE WITH ARTICLE ONE HUNDRED THIRTY-ONE OF THE EDUCATION LAW SHALL ASK EACH PATIENT WHETHER HE OR SHE HAS SERVED IN THE MILITARY AND WHETHER HE OR SHE HAS BEEN EXPOSED TO ANY OF THE TOXIC MATERIALS OR HARMFUL PHYSICAL AGENTS INCLUDED IN THE LIST COMPILED BY THE COMMISSIONER, PURSUANT TO SUBDIVISION TWENTY-NINE OF SECTION TWO HUNDRED SIX OF THIS CHAPTER. WHEN A DOCTOR IS DIAGNOSING A PATIENT WHO HAS SERVED IN THE MILITARY AND WHO MAY HAVE BEEN EXPOSED TO ANY OF THE TOXIC MATERIALS OR HARMFUL PHYSICAL AGENTS INCLUDED IN SUCH

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

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LIST, THE DOCTOR SHALL INCLUDE CONSIDERATION OF THE PATIENT'S KNOWN OR POSSIBLE EXPOSURE TO SUCH TOXIC MATERIALS OR HARMFUL PHYSICAL AGENTS WHEN FORMING A DIAGNOSIS.

S 3. This act shall take effect immediately; provided, however, that effective immediately, the addition and/or repeal of any rule or regulation necessary for the implementation of this act on its effective date are authorized and directed to be made and completed on or before such effective date.