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

8556

2015-2016 Regular Sessions

I N A S S E M B L Y

October 30, 2015

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 qualified group practices

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 2998-f to read as follows:

S 2998-F. QUALIFIED GROUP PRACTICE. 1. FOR THE PURPOSES OF THIS SECTION, "QUALIFIED GROUP PRACTICE" MEANS A MEDICAL, DENTAL OR PODIATRIC GROUP PRACTICE OR OTHER LAWFUL COMBINATION OF SUCH HEALTH CARE PRACTITIONERS, LICENSED OR CERTIFIED PURSUANT TO TITLE EIGHT OF THE EDUCATION LAW, THAT MEETS THE STANDARDS SET FORTH IN PARAGRAPHS (A) THROUGH (H) OF SUBDIVISION ONE OF SECTION TWENTY-EIGHT HUNDRED FIVE-J OF THIS CHAPTER, OTHER THAN THE GOVERNING BOARD REQUIREMENTS OF SUCH PARAGRAPH (A).

2. A QUALIFIED GROUP PRACTICE MAY OPERATE A MALPRACTICE PREVENTION PROGRAM INDEPENDENTLY, OR THROUGH AN OTHERWISE LAWFUL COLLABORATIVE ARRANGEMENT WITH A HOSPITAL OR ACCOUNTABLE CARE ORGANIZATION PROGRAM OPERATED PURSUANT TO SECTION TWENTY-EIGHT HUNDRED FIVE-J OR TWENTY-NINE HUNDRED NINETY-NINE-R OF THIS CHAPTER, IN WHICH CASE THE QUALIFIED GROUP PRACTICE AND THE HOSPITAL OR ACCOUNTABLE CARE ORGANIZATION MAY SHARE CONFIDENTIAL INFORMATION WITH EACH OTHER FOR PURPOSES OF SUCH PRACTICE WITHOUT WAIVING CONFIDENTIALITY WITH RESPECT TO OTHERS.

3. A QUALIFIED GROUP PRACTICE SHALL BE DEEMED A HOSPITAL, AND ITS MALPRACTICE PREVENTION PROGRAM SHALL BE DEEMED A MEDICAL, DENTAL AND PODIATRIC MALPRACTICE PREVENTION PROGRAM, FOR THE PURPOSES OF SUBDIVISION TWO OF SECTION TWENTY-EIGHT HUNDRED FIVE-J, SUBDIVISION FOUR OF SECTION TWENTY-EIGHT HUNDRED FIVE-K AND SECTION TWENTY-EIGHT HUNDRED FIVE-M OF THIS CHAPTER, AND SUBDIVISION THREE OF SECTION SIXTY-FIVE HUNDRED TWENTY-SEVEN OF THE EDUCATION LAW. SUCH PROVISIONS OF LAW SHALL APPLY TO ITS INFORMATION, RECORDS, DOCUMENTATION AND COMMITTEE ACTIONS, AND TO PARTICIPANTS IN COMMITTEE PROCEEDINGS.

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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