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

9297

I N A S S E M B L Y

February 16, 2016

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

AN ACT to amend the public health law, in relation to toxicology testing of newborns

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 2500-l to read as follows:

S 2500-L. TOXICOLOGY TESTING OF NEWBORNS. 1. THE COMMISSIONER SHALL ESTABLISH A COMPREHENSIVE PROGRAM FOR TOXICOLOGY TESTING OF NEWBORNS FOR THE PRESENCE OF PRENATAL EXPOSURE TO ANY CONTROLLED SUBSTANCES USED BY THE MOTHER FOR NON-MEDICAL PURPOSES.

2. IF SUCH TESTING RESULTS CREATE A REASONABLE GROUNDS TO BELIEVE THAT THE MOTHER USED A CONTROLLED SUBSTANCE FOR A NON-MEDICAL PURPOSE, THE PHYSICIAN SHALL SUBMIT TESTING RESULTS TO CHILD PROTECTIVE SERVICES WHICH SHALL TREAT SUCH REPORT IN THE SAME FASHION AS A REPORT RECEIVED PURSUANT TO SECTION FOUR HUNDRED TWENTY-FOUR OF THE SOCIAL SERVICES LAW.

3. THE COMMISSIONER SHALL PROMULGATE REGULATIONS GOVERNING THE IMPLEMENTATION OF THE PROGRAM REQUIRED PURSUANT TO SUBDIVISION ONE OF THIS SECTION, INCLUDING THE ADMINISTRATION OF TESTING, COUNSELING, TRACKING, DISCLOSURE OF TEST RESULTS, FOLLOW-UP REVIEWS, AND EDUCATIONAL ACTIVITIES RELATING TO SUCH TESTING.

S 2. This act shall take effect immediately.

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

LBD13981-01-6