

S T A T E   O F   N E W   Y O R K

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S. 2128--A

A. 3048--A

2015-2016 Regular Sessions

S E N A T E - A S S E M B L Y

January 21, 2015

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IN SENATE -- Introduced by Sen. GOLDEN -- 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

IN ASSEMBLY -- Introduced by M. of A. MALLIOTAKIS, FITZPATRICK, SIMANOWITZ, KEARNS, DiPIETRO, GOODELL, RAIA, TENNEY, PALUMBO, LUPINACCI, MONTESANO, McDONOUGH, BORELLI, CERETTO, STEC -- Multi-Sponsored by -- M. of A. GRAF -- read once and referred 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 periodic clinic inspection

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     2827 to read as follows:  
3     S 2827.     DEFINITION. WHEN USED IN THIS ARTICLE, "ABORTION CLINIC"  
4     SHALL MEAN ANY DIAGNOSTIC AND TREATMENT CENTER REGULATED BY TITLE 10,  
5     PART 756 OF THE NEW YORK CODES, RULES AND REGULATIONS.  
6     S 2. The public health law is amended by adding a new section 2828 to  
7     read as follows:  
8     S 2828. POWERS AND DUTIES OF THE COMMISSIONER. 1. THE COMMISSIONER  
9     SHALL PROMULGATE RULES AND REGULATIONS TO CARRY OUT THE PROVISIONS OF  
10    THIS ARTICLE, INCLUDING, BUT NOT LIMITED TO, REGULATIONS ESTABLISHING  
11    STANDARDS FOR CLEANLINESS, HYGIENE, AND SAFETY.  
12    2. THE DEPARTMENT, UNDER THE DIRECTION OF THE COMMISSIONER, SHALL  
13    INSPECT EACH ABORTION CLINIC NOT LESS THAN BIENNIALY. THE COMMISSIONER  
14    MAY APPOINT AND DESIGNATE, FROM TIME TO TIME, PERSONS TO MAKE THE  
15    INSPECTIONS AUTHORIZED BY THIS ARTICLE.

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

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1       3. THE COMMISSIONER SHALL CREATE A BIENNIAL REPORT INDICATING THE  
2 RESULTS OF ALL INDIVIDUAL INSPECTIONS AND DELIVER A COPY TO THE ASSEM-  
3 BLY, THE SENATE, AND THE GOVERNOR.

4       4. THE COMMISSIONER MAY BY REGULATION AUTHORIZE ANY COUNTY OR MUNICI-  
5 PAL DEPARTMENT OF HEALTH TO ADMINISTER THIS SECTION WITHIN ITS JURISDIC-  
6 TION.

7       5. PROVISIONS OF THIS SECTION SHALL NOT APPLY TO FACILITIES ACCREDITED  
8 BY THE JOINT COMMISSION ON ACCREDITATION OF HEALTHCARE ORGANIZATIONS.

9       S 3. This act shall take effect immediately.