

2875--A

2015-2016 Regular Sessions

I N S E N A T E

January 29, 2015

Introduced by Sen. PARKER -- read twice and ordered printed, and when printed to be committed to the Committee on Health -- recommitted to the Committee on Health in accordance with Senate Rule 6, sec. 8 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the public health law and the mental hygiene law, in relation to directing the commissioner of health and the commissioner of developmental disabilities to promulgate rules and regulations requiring every child beginning at the age of eighteen months to be examined for autism spectrum disorders; and to repeal section 2500-j of the public health law relating to screening children for autism spectrum disorders

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

- 1 Section 1. Section 2500-j of the public health law is REPEALED.
2 S 2. The public health law is amended by adding a new section 2500-l
3 to read as follows:
4 S 2500-L. PEDIATRIC WELLNESS VISITS; SCREENING FOR AUTISM SPECTRUM
5 DISORDERS. 1. THE COMMISSIONER SHALL, JOINTLY WITH THE COMMISSIONER OF
6 DEVELOPMENTAL DISABILITIES, AND ON OR BEFORE MAY FIRST, TWO THOUSAND
7 EIGHTEEN, PROMULGATE RULES AND REGULATIONS REQUIRING EVERY PEDIATRIC
8 PRIMARY CARE PROVIDER, CONDUCTING A WELLNESS AND PREVENTATIVE CARE EXAM-
9 INATION, ON OR AFTER SEPTEMBER FIRST, TWO THOUSAND EIGHTEEN, OF A CHILD
10 EIGHTEEN MONTHS OF AGE OR OLDER, TO SCREEN SUCH CHILD FOR AUTISM SPEC-
11 TRUM DISORDERS.
12 2. IN ADDITION, SUCH RULES AND REGULATIONS SHALL ESTABLISH GUIDELINES
13 AND PROTOCOLS FOR:
14 (A) THE BEST PRACTICES FOR THE SCREENING FOR AND DIAGNOSIS OF AUTISM
15 SPECTRUM DISORDERS;
16 (B) THE EMPLOYMENT OF OBJECTIVE AUTISM SPECTRUM DISORDER TOOLS; AND

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

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1 (C) THE APPROPRIATE REFERRAL MECHANISM FOR CHILDREN, WHO BASED UPON
2 THE RESULTS OF SCREENING FOR AUTISM SPECTRUM DISORDERS, REQUIRE FURTHER
3 EVALUATION.

4 3. IF THE COMMISSIONER AND THE COMMISSIONER OF DEVELOPMENTAL DISABILI-
5 TIES SHALL FAIL TO PROMULGATE, ON OR BEFORE MAY FIRST, TWO THOUSAND
6 EIGHTEEN, THE RULES AND REGULATIONS REQUIRED BY SUBDIVISIONS ONE AND TWO
7 OF THIS SECTION, THE DEPARTMENT SHALL ADOPT AND IMPLEMENT THE RELEVANT
8 FEDERAL RULES AND REGULATIONS RELATING THERETO.

9 S 3. The mental hygiene law is amended by adding a new section 16.39
10 to read as follows:

11 S 16.39 PEDIATRIC WELLNESS VISITS; SCREENING FOR AUTISM SPECTRUM DISOR-
12 DERS.

13 THE COMMISSIONER SHALL, JOINTLY WITH THE COMMISSIONER OF HEALTH, AND
14 ON OR BEFORE MAY FIRST, TWO THOUSAND EIGHTEEN, PROMULGATE ANY AND ALL
15 RULES AND REGULATIONS REQUIRED BY SUBDIVISIONS ONE AND TWO OF SECTION
16 TWENTY-FIVE HUNDRED-L OF THE PUBLIC HEALTH LAW RELATING TO THE SCREENING
17 OF CHILDREN FOR AUTISM SPECTRUM DISORDERS.

18 S 4. This act shall take effect immediately, except that section one
19 of this act shall take effect September 1, 2018.