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I N   A S S E M B L Y

May 16, 2016

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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 minors' consent to  
HIV/AIDS testing, treatment and prevention

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

1     Section 1. The public health law is amended by adding a new section  
2     2781-b to read as follows:  
3     S 2781-B. ACCESS TO HIV/AIDS TESTING, PREVENTION AND TREATMENT FOR  
4     MINORS. A HEALTH CARE PROVIDER LICENSED, CERTIFIED OR OTHERWISE AUTHOR-  
5     IZED TO PRACTICE UNDER TITLE EIGHT OF THE EDUCATION LAW, ACTING WITHIN  
6     HIS OR HER LAWFUL SCOPE OF PRACTICE, MAY, CONSISTENT WITH THIS ARTICLE,  
7     TEST, DIAGNOSE, REFER, TREAT AND PRESCRIBE FOR HIV INFECTION, HIV  
8     RELATED ILLNESS, AND AIDS, INCLUDING PREVENTATIVE TREATMENT, AN INDIVID-  
9     UAL UNDER EIGHTEEN YEARS OF AGE WHO HAS THE CAPACITY TO CONSENT AND WHO  
10    HAS BEEN, MAY HAVE BEEN, OR IS AT RISK OF BEING EXPOSED, TO HIV OR AIDS.  
11    TESTING, DIAGNOSIS, REFERRAL, TREATMENT AND PRESCRIBING UNDER THIS  
12    SECTION MAY BE PROVIDED WITHOUT THE CONSENT OR KNOWLEDGE OF THE PARENT  
13    OR GUARDIAN OF THE INDIVIDUAL. HEALTH RECORDS AND OTHER INFORMATION  
14    CONCERNING SUCH TESTING, DIAGNOSIS, REFERRAL, TREATMENT OR PRESCRIBING  
15    SHALL BE CONFIDENTIAL HIV RELATED INFORMATION AND SHALL NOT BE DISCLOSED  
16    EXCEPT AS PROVIDED IN THIS ARTICLE.  
17    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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