

7682

I N S E N A T E

May 12, 2016

Introduced by Sen. HANNON -- read twice and ordered printed, and when printed to be committed to the Committee on Health

AN ACT to amend the public health law, in relation to access to HIV surveillance information for purposes of care coordination

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

1 Section 1. Section 2135 of the public health law, as amended by
2 section 3 of part A of chapter 60 of the laws of 2014, is amended to
3 read as follows:
4 S 2135. Confidentiality. All reports or information secured by the
5 department, municipal health commissioner or district health officer
6 under the provisions of this title shall be confidential except: (a) in
7 so far as is necessary to carry out the provisions of this title; (b)
8 when used in the aggregate, without patient specific identifying infor-
9 mation, in programs approved by the commissioner for the improvement of
10 the quality of medical care provided to persons with HIV/AIDS; (c) when
11 used within the state or local health department by public health
12 disease programs to assess co-morbidity or completeness of reporting and
13 to direct program needs, in which case patient specific identifying
14 information shall not be disclosed outside the state or local health
15 department; or (d) when used for purposes of patient linkage [and],
16 retention in care, AND CARE COORDINATION, patient specific identified
17 information may be shared between local and state health departments
18 [and], health care providers AND CARE COORDINATION SYSTEMS currently
19 treating the patient as approved by the commissioner. FOR PURPOSES OF
20 THIS SECTION, CARE COORDINATION SHALL MEAN MANAGING, REFERRING TO,
21 LOCATING, COORDINATING, AND MONITORING HEALTH CARE SERVICES FOR AN INDIVIDUAL
22 TO ASSURE THAT ALL MEDICALLY NECESSARY HEALTH CARE SERVICES ARE
23 MADE AVAILABLE TO AND ARE EFFECTIVELY USED BY THE INDIVIDUAL IN A TIMELY
24 MANNER, CONSISTENT WITH PATIENT AUTONOMY, WHERE CONDUCTED BY OR WITH THE
25 PARTICIPATION OF THE PATIENT'S HEALTH CARE PROVIDER AND NOT CONDUCTED BY
26 OR ON BEHALF OF THE PATIENT'S THIRD-PARTY PAYER.
27 S 2. This act shall take effect on the thirtieth day after it shall
28 have become a law.

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

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