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

840--A

2015-2016 Regular Sessions

I N S E N A T E

(PREFILED)

January 7, 2015

Introduced by Sen. ROBACH -- read twice and ordered printed, and when printed to be committed to the Committee on Mental Health and Developmental Disabilities -- reported favorably from said committee and committed to the Committee on Finance -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the mental hygiene law, in relation to patients interred at state mental health hospital cemeteries

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

Section 1. Section 7.09 of the mental hygiene law is amended by adding a new subdivision (k) to read as follows:

(K) NOTWITHSTANDING ANY OTHER LAW, RULE OR REGULATION, ON REQUEST BY A REPRESENTATIVE OF A CEMETERY ORGANIZATION OR FUNERAL ESTABLISHMENT, THE COMMISSIONER AND DIRECTORS OF OFFICE FACILITIES SHALL RELEASE TO THE REPRESENTATIVE THE NAME, DATE OF BIRTH, OR DATE OF DEATH OF A PERSON WHO WAS A PATIENT AT THE FACILITY WHEN THE PERSON DIED, UNLESS THE PERSON OR THE PERSON'S GUARDIAN PROVIDED WRITTEN INSTRUCTIONS TO THE FACILITY NOT TO RELEASE SUCH PERSON'S NAME OR DATES OF BIRTH AND DEATH. A REPRESENTATIVE OF A CEMETERY ORGANIZATION OR A FUNERAL ESTABLISHMENT MAY USE A NAME OR DATE RELEASED UNDER THIS SUBDIVISION ONLY FOR THE PURPOSE OF INSCRIBING THE NAME OR DATE ON A GRAVE MARKER.

S 2. This act shall take effect on the one hundred twentieth day after it shall have become a law. Effective immediately, the addition, amendment and/or repeal of any rule or regulation necessary for the implementation of this act on its effective date is authorized to be made on or before such date.

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

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