AN ACT to amend the public health law, in relation to the testing of certain newborns for cytomegalovirus and public education thereon

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. Subdivision (a) of section 2500-a of the public health law, as amended by chapter 184 of the laws of 2013, is amended to read as follows:

(a) 1. It shall be the duty of the administrative officer or other person in charge of each institution caring for infants twenty-eight days or less of age and the person required in pursuance of the provisions of section forty-one hundred thirty of this chapter to register the birth of a child, to cause to have administered to every such infant or child in its or his care a test for:

   i. phenylketonuria,  
   ii. homozygous sickle cell disease,  
   iii. hypothyroidism,  
   iv. branched-chain ketonuria,  
   v. galactosemia,  
   vi. homocystinuria,  
   vii. critical congenital heart defects through pulse oximetry screening, [and]  
   viii. with regard to any newborn infant who is identified as, or suspected of, having a hearing impairment as a result of a screening  

EXPLANATION--Matter in italics (underscored) is new; matter in brackets [−] is old law to be omitted.
conducted pursuant to section twenty-five hundred-g of this title, cause

(PCR) test for cytomegalovirus, unless the parent of the infant objects
thereto; provided that if the commissioner determines that another test
for cytomegalovirus is diagnostically equivalent to or better than the
urine polymerase chain reaction test, the commissioner may, by regu-
lation under this section, allow or require the use of that other test,
and

ix. such other diseases and conditions as may from time to time be
designated by the commissioner in accordance with rules or regulations
prescribed by the commissioner.

2. Testing, the recording of the results of such tests, tracking,
follow-up reviews and educational activities shall be performed at such
times and in such manner as may be prescribed by the commissioner. The
commissioner shall promulgate regulations setting forth the manner in
which information describing the purposes of the requirements of this
section shall be disseminated to parents or a guardian of the infant
tested.

§ 2. Subdivision 1 of section 207 of the public health law is amended
by adding a new paragraph (o) to read as follows:

(o) For women who may become pregnant, expectant parents and parents
of infants, information regarding:

(i) the incidence of cytomegalovirus;
(ii) the transmission and risks of cytomegalovirus to pregnant women
and women who may become pregnant;
(iii) birth defects caused by congenital cytomegalovirus;
(iv) methods of diagnosing congenital cytomegalovirus;
(v) the available preventive measures to avoid the infection of women
who are pregnant or may become pregnant; and
(vi) available methods of treating cytomegalovirus and resources
available for families of children born with cytomegalovirus.

§ 3. This act shall take effect immediately; provided, however, that
section one of this act shall take effect on the one hundred twentieth
day after it shall have become a law. Effective immediately, the addi-
tion, amendment and/or repeal of any rule or regulation necessary for
the implementation of section one of this act on its effective date are
authorized and directed to be made and completed on or before such
effective date.