

STATE OF NEW YORK

5299

2017-2018 Regular Sessions

IN SENATE

March 20, 2017

Introduced by Sen. ORTT -- (at request of the State Commission of Correction) -- read twice and ordered printed, and when printed to be committed to the Committee on Mental Health and Developmental Disabilities

AN ACT to amend the mental hygiene law, in relation to the confidentiality of clinical records

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

1 Section 1. Paragraph 5 of subdivision (c) of section 33.13 of the
2 mental hygiene law, as amended by chapter 912 of the laws of 1984, is
3 amended to read as follows:
4 5. to the medical review board of the state commission of correction
5 when such board has requested such information with respect to the death
6 of a named person, or~~[, with the consent of a patient or client]~~ when
7 such board has requested information about the patient or client provid-
8 ing that such board requires such information in the exercise of its
9 statutory functions, powers and duties. Information, books, records or
10 data which are confidential as provided by law shall be kept confiden-
11 tial by the commission and any limitation on the release thereof imposed
12 by law upon the party furnishing the information, books, records or data
13 shall apply to the medical review board.
14 § 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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