

STATE OF NEW YORK

8125

2019-2020 Regular Sessions

IN ASSEMBLY

June 3, 2019

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 authorizing human
research in compliance with federal law

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

1 Section 1. Section 2445 of the public health law, as added by chapter
2 450 of the laws of 1975, is amended to read as follows:

3 § 2445. Applicability. 1. The provisions of this article shall not
4 apply to the conduct of human research which is subject to, and which is
5 in compliance with, policies and regulations promulgated by any agency
6 of the federal government for the protection of human subjects.

7 2. Upon attestation, satisfactory to the commissioner, by an institu-
8 tion or agency that such institution or agency (a) conducts human
9 research that is subject to and is in compliance with policies and regu-
10 lations promulgated by any agency of the federal government for the
11 protection of human subjects, and (b) conducts or proposes to conduct or
12 authorize human research, which is not subject to but does or shall
13 comply with federal policies and regulations, the commissioner may deem,
14 subject to conditions, such institution or agency's human research in
15 compliance with this article. Such attestation shall be submitted annu-
16 ally on or before January first to the department on a form prescribed
17 by the commissioner.

18 § 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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