

STATE OF NEW YORK

5552

2021-2022 Regular Sessions

IN ASSEMBLY

February 19, 2021

Introduced by M. of A. DARLING -- read once and referred to the Committee on Health

AN ACT to amend the New York city charter, in relation to experimental medical testing of children

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

1 Section 1. Section 617 of the New York city charter is amended by
2 adding a new subdivision d to read as follows:

3 d. Notwithstanding any other provision of law to the contrary, the
4 commissioner shall be required to obtain a court order, except in emer-
5 gency or life threatening situations, granting the commissioner authori-
6 ty to consent to experimental medical testing on behalf of children
7 under the care and/or control of the administration of children's
8 services. The court, in granting such order of consent, shall consider
9 whether the experimental medical testing: (1) poses a minimal risk to
10 the child undergoing such testing; and (2) if there is a direct benefit
11 to the child undergoing such testing.

12 § 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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