

STATE OF NEW YORK

2124

2021-2022 Regular Sessions

IN SENATE

January 19, 2021

Introduced by Sen. RIVERA -- read twice and ordered printed, and when printed to be committed to the Committee on Health

AN ACT to amend the public health law, in relation to hepatitis C screening testing

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

1 Section 1. Subdivision 1 of section 2171 of the public health law, as
2 added by chapter 425 of the laws of 2013, is amended to read as follows:

3 1. Every individual born between the years of nineteen hundred forty-
4 five and nineteen hundred sixty-five or between the years of nineteen
5 hundred eighty and two thousand who receives health services as an inpa-
6 tient in a general hospital defined in subdivision ten of section twen-
7 ty-eight hundred one of this chapter or who receives primary care
8 services in an outpatient department of such hospital or in a diagnostic
9 and treatment center licensed under article twenty-eight of this chapter
10 or from a physician, physician assistant or nurse practitioner providing
11 primary care shall be offered a hepatitis C screening test or hepatitis
12 C diagnostic test unless the health care practitioner providing such
13 services reasonably believes that:

14 (a) the individual is being treated for a life threatening emergency;
15 or

16 (b) the individual has previously been offered or has been the subject
17 of a hepatitis C screening test (except that a test shall be offered if
18 otherwise indicated); or

19 (c) the individual lacks capacity to consent to a hepatitis C screen-
20 ing test.

21 § 2. This act shall take effect immediately; provided, however, that
22 the amendments to section 2171 of the public health law made by section
23 one of this act shall not affect the repeal of such section and shall
24 expire and be deemed repealed therewith.

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

LBD07018-01-1