STATE OF NEW YORK

5973

2021-2022 Regular Sessions

IN SENATE

March 24, 2021

Introduced by Sen. HINCHEY -- 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 allowing donate life registration on electronic application forms administered by the office of temporary disability assistance, the higher education services corporation, and on mandatory electronic tax filings

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

Section 1. Paragraph (a) of subdivision 5 of section 4310 of the public health law, as amended by chapter 149 of the laws of 2020, is amended to read as follows:

(a) Such organ, eye and tissue registration of consent to make an anatomical gift can be made through: (i) indication made on the application or renewal form of a driver's license, (ii) indication made on a non-driver identification card application or renewal form, (iii) indication made on a voter registration form pursuant to subdivision five of section 5-210 of the election law, (iv) indication made on the application for**, or renewal of** health care coverage offered through the state health benefit exchange, (v) enrollment through the donate life registry website, (vi) paper enrollment submitted to the donate life registry, (vii) indication made on the application or renewal form of a hunting, fishing or trapping license issued pursuant to title seven of article eleven of the environmental conservation law, [~~or~~] (viii) **indication made on transactions administered by the office of temporary disability assistance through the mybenefits.ny.gov website, or any such successor website; (ix) indication made on applications, renewals or related transactions for college financial aid, grants, or scholarships offered or administered through any website maintained by the higher education services corporation; (x) indication made on any tax document that is subject to mandatory electronic filing in accordance with the provisions of section twenty-nine of the tax law; or (xi)** through any other method

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

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identified by the commissioner. The department shall establish a means by which to register the consent given by individuals who are sixteen or seventeen years of age in the donate life registry, and shall make registration available by any of the methods provided in subparagraphs (i), (ii), (iii), (iv), (v), (vi), (vii) [~~and~~], (viii), (ix) and (x) of this paragraph.

§ 2. Subparagraph (i) of paragraph (b) of subdivision 5 of section 4310 of the public health law, as amended by chapter 40 of the laws of 2016, is amended to read as follows:

(i) Where required by law for [~~registration forms~~] transactions described in subparagraphs (i), (ii) [~~and~~], (iv), (vii), (viii), (ix), (x) and (xi) of paragraph (a) of this subdivision, the commissioner shall ensure, in consultation with the head of any agency required to implement such transaction, that space is provided on any [~~registration~~] required form so that the applicant shall register or decline registration in the donate life registry for organ, eye and tissue donations under this section and that the following is stated on the form in clear and conspicuous type:

"You must fill out the following section: Would you like to be added to the Donate Life Registry? Check box for 'yes' or 'skip this question'."

§ 3. This act shall take effect on the one hundred eightieth day after it shall have become a law; provided, however, that if chapter 149 of the laws of 2020 shall not have taken effect on or before such date then this act shall take effect on the same date and in the same manner as such chapter of the laws of 2020, takes effect.