STATE OF NEW YORK

865

2021-2022 Regular Sessions

IN SENATE

(Prefiled)

January 6, 2021

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

AN ACT to amend the public health law, in relation to accessibility to bone marrow registry information; and to amend a chapter of the laws of 2020, amending the public health law relating to requiring the department of health to develop and disseminate information regarding bone marrow donor programs and authorizing physicians, physician assistants and nurse practitioners to provide such information to patients, as proposed in legislative bills numbers S. 6705 and A. 5370-A, in relation to the effectiveness thereof

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

Section 1. Section 4369 of the public health law, as added by a chapter of the laws of 2020, amending the public health law relating to requiring the department of health to develop and disseminate information regarding bone marrow donor programs and authorizing physicians, physician assistants and nurse practitioners to provide such information to patients, as proposed in legislative bills numbers S. 6705 and A. 5370-A, is amended to read as follows:

§ 4369. Bone marrow registry information. 1. The commissioner, **in consultation with health care practitioners and others with expertise in bone marrow donation and transplant and** with the assistance of the transplant council **as appropriate**, shall develop and make available information regarding bone marrow donation and registries, including but not limited to the National Marrow Donor Program "Be The Match Registry" registry and The Bone Marrow Foundation. Such information shall include, but not be limited to:

(a) the need for bone marrow donations;

(b) patient populations that would benefit from bone marrow donations;

(c) how to join [~~the~~] **a** bone marrow registry; and

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

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(d) how to acquire a free buccal swab kit from a bone marrow registry.

2. The information required by this section shall be made available [~~to the public by the commissioner~~] on the department's website [~~and through other means determined by the commissioner. The information shall also be provided by the commissioner to physicians, physician assistants and nurse practitioners providing primary care for dissemination under subdivision three of this section.~~

~~3. Each physician, physician assistant and nurse practitioner providing primary care may inquire of new patients who are eighteen years of age or older and under forty-five years of age on their new patient intake form as to whether the patient is registered with the bone marrow registry. If the patient states that he or she is not registered with the bone marrow registry, the physician, physician assistant or nurse practitioner providing primary care shall provide information developed and disseminated by the department regarding the bone marrow registry to the patient~~] **in a printable format to allow the public to access such information and for health care practitioners providing primary care to provide such information to patients who are eighteen years of age or older and under forty-five years of age who are not registered with a bone marrow registry**.

§ 2. Section 2 of a chapter of the laws of 2020, amending the public health law relating to requiring the department of health to develop and disseminate information regarding bone marrow donor programs and authorizing physicians, physician assistants and nurse practitioners to provide such information to patients, as proposed in legislative bills numbers S. 6705 and A. 5370-A, is amended to read as follows:

§ 2. This act shall take effect [~~on the first of January next succeeding the date upon which~~] **one year after** it shall have become a law. Effective immediately [~~the addition, amendment and/or repeal of any rule or regulation necessary for the implementation of this act on its effective date are authorized to be made and completed on or before~~]**, the commissioner of health may make regulations and take other actions reasonably necessary to implement this act on** such date.

§ 3. This act shall take effect immediately; provided, however, that section one of this act shall take effect on the same date and in the same manner as section 1 of a chapter of the laws of 2020, amending the public health law relating to requiring the department of health to develop and disseminate information regarding bone marrow donor programs and authorizing physicians, physician assistants and nurse practitioners to provide such information to patients, as proposed in legislative bills numbers S. 6705 and A. 5370-A, takes effect.