STATE OF NEW YORK

1534

2021-2022 Regular Sessions

IN ASSEMBLY

January 11, 2021

Introduced by M. of A. GOTTFRIED -- read once and referred to the Committee on Higher Education

AN ACT to amend the public health law, in relation to allowing for the testing of certain infectious diseases at pharmacies

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

Section 1. Section 579 of the public health law is amended by adding a new subdivision 4 to read as follows:

4. (a) This title shall not be applicable in a declared state of emergency, pursuant to section twenty-eight of the executive law, to any licensed pharmacists ordering infectious disease tests, approved by the food and drug administration, to detect the infectious disease or its antibodies, and administering such tests, subject to certificate of waiver requirements pursuant to the federal clinical laboratory improvement act of nineteen hundred eighty-eight, to patients suspected of an infectious disease, or suspected of having recovered from an infectious disease, subject to completion of appropriate training developed by the department.

(b) In a declared state of emergency, pursuant to section twenty-eight of the executive law, licensed pharmacists shall be designated as a qualified healthcare professional for the purpose of directing a limited service laboratory, pursuant to subdivision three of this section, to test patients suspected of an infectious disease or its antibodies provided that such test is approved by the food and drug administration and waived for its use in a limited service laboratory.

§ 2. This act shall take effect immediately.

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

LBD00593-01-1