

# STATE OF NEW YORK

3304

2021-2022 Regular Sessions

## IN SENATE

January 28, 2021

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

AN ACT to amend the public health law and the mental hygiene law, in relation to directing the commissioner of health and the commissioner of developmental disabilities to promulgate rules and regulations requiring every child beginning at the age of eighteen months to be examined for autism spectrum disorders; and to repeal section 2500-j of the public health law relating to screening children for autism spectrum disorders

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

1 Section 1. Section 2500-j of the public health law is REPEALED.

2 § 2. The public health law is amended by adding a new section 2500-m  
3 to read as follows:

4 § 2500-m. Pediatric wellness visits; screening for autism spectrum  
5 disorders. 1. The commissioner shall, jointly with the commissioner of  
6 developmental disabilities, and on or before May first, two thousand  
7 twenty-three, promulgate rules and regulations requiring every pediatric  
8 primary care provider, conducting a wellness and preventative care exam-  
9 ination, on or after September first, two thousand twenty-three, of a  
10 child eighteen months of age or older, to screen such child for autism  
11 spectrum disorders.

12 2. In addition, such rules and regulations shall establish guidelines  
13 and protocols for:

14 (a) the best practices for the screening for and diagnosis of autism  
15 spectrum disorders;

16 (b) the employment of objective autism spectrum disorder tools; and

17 (c) the appropriate referral mechanism for children, who based upon  
18 the results of screening for autism spectrum disorders, require further  
19 evaluation.

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

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1 3. If the commissioner and the commissioner of developmental disabili-  
2 ties shall fail to promulgate, on or before May first, two thousand  
3 twenty-three, the rules and regulations required by subdivisions one and  
4 two of this section, the department shall adopt and implement the rele-  
5 vant federal rules and regulations relating thereto.

6 § 3. The mental hygiene law is amended by adding a new section 16.39  
7 to read as follows:

8 § 16.39 Pediatric wellness visits; screening for autism spectrum disor-  
9 ders.

10 The commissioner shall, jointly with the commissioner of health, and  
11 on or before May first, two thousand twenty-three, promulgate any and  
12 all rules and regulations required by subdivisions one and two of  
13 section twenty-five hundred-m of the public health law relating to the  
14 screening of children for autism spectrum disorders.

15 § 4. This act shall take effect immediately, except that section one  
16 of this act shall take effect September 1, 2023.