STATE OF NEW YORK

10125

IN ASSEMBLY

May 6, 2024

Introduced by M. of A. BRONSON -- read once and referred to the Committee on Mental Health

AN ACT to amend the mental hygiene law, in relation to allowing direct descendants of a patient who has been deceased for a period of fifty years or longer to access such patient's clinical records

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

Section 1. Paragraph 6 of subdivision (a) of section 33.16 of the mental hygiene law, as amended by chapter 233 of the laws of 2017, is amended to read as follows:

6. "Qualified person" means any properly identified patient or client, guardian of a person with a developmental disability appointed pursuant to article seventeen-A of the surrogate's court procedure act, or committee for an incompetent appointed pursuant to this chapter or a parent of an infant, or a guardian of an infant appointed pursuant to article seventeen of the surrogate's court procedure act or other legally appointed guardian of an infant who may be entitled to request access to a clinical record pursuant to paragraph three of subdivision (b) of this section, or a parent, spouse, adult child, or adult sibling of an adult patient or client who may be entitled to request access to a clinical record pursuant to paragraph four of subdivision (b) of this section**, or a direct descendant of a former patient or client who has been deceased for a period of fifty years or longer**.

§ 2. This act shall take effect immediately.

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

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