

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:

- 1 Section 1. Paragraph 6 of subdivision (a) of section 33.16 of the
2 mental hygiene law, as amended by chapter 233 of the laws of 2017, is
3 amended to read as follows:
4 6. "Qualified person" means any properly identified patient or client,
5 guardian of a person with a developmental disability appointed pursuant
6 to article seventeen-A of the surrogate's court procedure act, or
7 committee for an incompetent appointed pursuant to this chapter or a
8 parent of an infant, or a guardian of an infant appointed pursuant to
9 article seventeen of the surrogate's court procedure act or other legal-
10 ly appointed guardian of an infant who may be entitled to request access
11 to a clinical record pursuant to paragraph three of subdivision (b) of
12 this section, or a parent, spouse, adult child, or adult sibling of an
13 adult patient or client who may be entitled to request access to a clinical
14 record pursuant to paragraph four of subdivision (b) of this
15 section, or a direct descendant of a former patient or client who has
16 been deceased for a period of fifty years or longer.
17 § 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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