STATE OF NEW YORK

3439

2023-2024 Regular Sessions

IN ASSEMBLY

February 3, 2023

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

AN ACT to amend the public health law, in relation to hepatitis C screening testing

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

Section 1. Subdivision 1 of section 2171 of the public health law, as added by chapter 425 of the laws of 2013, is amended to read as follows:

1. Every individual born between the years of nineteen hundred forty-five and nineteen hundred sixty-five **or between the years of nineteen hundred eighty and two thousand** who receives health services as an inpatient in a general hospital defined in subdivision ten of section twenty-eight hundred one of this chapter or who receives primary care services in an outpatient department of such hospital or in a diagnostic and treatment center licensed under article twenty-eight of this chapter or from a physician, physician assistant or nurse practitioner providing primary care shall be offered a hepatitis C screening test or hepatitis C diagnostic test unless the health care practitioner providing such services reasonably believes that:

(a) the individual is being treated for a life threatening emergency; or

(b) the individual has previously been offered or has been the subject of a hepatitis C screening test (except that a test shall be offered if otherwise indicated); or

(c) the individual lacks capacity to consent to a hepatitis C screening test.

§ 2. This act shall take effect immediately; provided, however, that the amendments to section 2171 of the public health law made by section one of this act shall not affect the repeal of such section and shall expire and be deemed repealed therewith.

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

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