

STATE OF NEW YORK

2995

2023-2024 Regular Sessions

IN SENATE

January 26, 2023

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

AN ACT to amend the public health law, in relation to requiring a physician who treats a minor patient with a medical condition to provide certain educational information to such patient's parents or guardians

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

1 Section 1. This act shall be known and may be cited as the "Shepherd
2 Patterson law".

3 § 2. The public health law is amended by adding a new section 2500-1
4 to read as follows:

5 § 2500-1. Information on education accommodations for a minor patient
6 with a medical condition that may cause a disability. 1. On or before
7 July first, two thousand twenty-four, the department, in consultation
8 with the department of education, shall develop an informational
9 pamphlet for practitioners to distribute to the parents or guardians of
10 a patient under the age of eighteen with a medical condition that may
11 create a disability for the patient as defined under section five
12 hundred four of the federal rehabilitation act of nineteen hundred
13 seventy-three. Such information shall indicate that such minor may be
14 entitled to a free and appropriate public education as defined under
15 section five hundred four of the federal rehabilitation act of nineteen
16 hundred seventy-three, as amended, which may include accommodations for
17 the delivery of programs and services for eligible students with disa-
18 bilities. Such written information shall also state that the parent,
19 guardian, or person in a parental relationship with the patient should
20 contact their school to discuss possible accommodations for the patient
21 and the benefits of sharing potentially life-saving emergency medical
22 information with school personnel.

23 2. The informational pamphlet shall be made available for use by prac-
24 titioners on the department's website in a printable file, and may be

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

LBD06761-01-3

1 available for order as a printed deliverable on the department's
2 website. The pamphlet shall be written in English and the six most
3 common non-English languages spoken by individuals based on the most
4 recent federal census.

5 3. A practitioner may provide the parent and/or guardian of the
6 patient with the informational pamphlet developed pursuant to this
7 section.

8 4. For purposes of this section, "practitioner" means a health care
9 professional licensed, certified, or otherwise authorized to practice
10 under the education law, acting within the scope of practice.

11 § 3. This act shall take effect on the one hundred twentieth day after
12 it shall have become a law. Effective immediately, the addition, amend-
13 ment and/or repeal of any rule or regulation necessary for the implemen-
14 tation of this act on its effective date are authorized to be made and
15 completed on or before such effective date.