

# STATE OF NEW YORK

9465

## IN ASSEMBLY

March 14, 2024

Introduced by M. of A. BICHOTTE HERMELYN -- read once and referred 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 the office for people with developmental disabilities to promulgate rules and regulations requiring every child beginning at the age of twelve 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 Section 2500-j of the public health law is REPEALED.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 the office for people with developmental disabilities, and on or before  
7 May first, two thousand twenty-five, promulgate rules and regulations  
8 requiring every pediatric primary care provider, conducting a wellness  
9 and preventative care examination, on or after September first, two  
10 thousand twenty-five, of a child twelve months of age or older, to  
11 screen such child for autism spectrum disorders, and conduct such  
12 screening annually until such child reaches primary school age, and  
13 thereafter at the beginning of every educational stage, namely middle  
14 and high school.

15 2. In addition, such rules and regulations shall establish guidelines  
16 and protocols for:

17 (a) the best practices for the screening for and diagnosis of autism  
18 spectrum disorders;

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

20 (c) the appropriate referral mechanism for children, who based upon  
21 the results of screening for autism spectrum disorders, require further  
22 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 the office for people  
2 with developmental disabilities shall fail to promulgate, on or before  
3 May first, two thousand twenty-five, the rules and regulations required  
4 by subdivisions one and two of this section, the department shall adopt  
5 and implement the relevant federal rules and regulations relating there-  
6 to.

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

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

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

16 § 4. This act shall take effect immediately, except that section one  
17 of this act shall take effect September 1, 2025.