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:

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

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

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

2. The informational pamphlet shall be made available for use by practitioners 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.

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

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

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

§ 3. This act shall take effect on the one hundred twentieth day after it shall have become a law. Effective immediately, the addition, amendment and/or repeal of any rule or regulation necessary for the implementation of this act on its effective date are authorized to be made and completed on or before such effective date.