STATE OF NEW YORK

3230--A

2023-2024 Regular Sessions

IN SENATE

January 30, 2023

Introduced by Sens. HOYLMAN-SIGAL, RIVERA -- read twice and ordered printed, and when printed to be committed to the Committee on Health -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the public health law, in relation to factors for consideration for applications for a license to operate a bank or storage facility

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

Section 1. Paragraphs (f) and (g) of subdivision 4 of section 4364 of the public health law, as added by chapter 589 of the laws of 1990, are amended and a new subdivision 6 is added to read as follows:

(f) **the applicant's ability to moderate and record temperature, including an adequate alarm notification system;**

(g) the applicant's ability to establish a chain of custody for specimens;

(h) the applicant's ability to establish administrative, technical, and physical safeguards to protect patient records;

(i) the character and competence of the operator, its officers, directors, principal stockholders and controlling persons, including the quality of care provided through any health care entities operated or controlled by such persons; and

[~~(g)~~] **(j)** with respect to banks and storage facilities created after the effective date of this paragraph, the existence and activities of other banks and storage facilities in the geographic area to be served by the applicant.

6. The commissioner is authorized to promulgate rules and regulations necessary to implement the provisions of this section.

§ 2. This act shall take effect on the ninetieth 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.

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

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