STATE OF NEW YORK

2629

2025-2026 Regular Sessions

IN ASSEMBLY

January 21, 2025

Introduced by M. of A. ROSENTHAL -- read once and referred to the Committee on Codes

AN ACT to amend the criminal procedure law, in relation to reporting certain convictions and sentences to the office of professional medical conduct within twenty-four hours; and to amend the public health law, in relation to requiring the department to disseminate a criminal conviction and criminal sentence of a physician within forty-eight hours of receipt

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

Section 1. Section 380.85 of the criminal procedure law, as added by chapter 477 of the laws of 2008, is amended to read as follows:

§ 380.85 Reporting **convictions and** sentences to office of professional medical conduct; licensed physician, physician assistant, or specialist assistant.

1. Whenever a person who is a licensed physician, physician assistant, or specialist assistant or a physician who is practicing under a limited permit or as a medical resident is convicted of a crime, the district attorney or other prosecuting authority who obtained such conviction shall provide notification of the conviction to the office of professional medical conduct within twenty-four hours. Such notification shall identify the offense or offenses of which such person has been convicted, the name and address of such person and any other identifying information prescribed by the commissioner of health, including the person's date of birth and social security number, to the extent consistent with federal and state laws governing personal privacy and confidentiality of information. Such district attorney or other prosecuting authority shall include in such notice the name and business address of the person's counsel of record in the criminal proceeding.

2. Whenever a person who is a licensed physician, physician assistant, or specialist assistant or a physician who is practicing under a limited

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

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permit or as a medical resident is sentenced for a crime, the court that has sentenced such person shall deliver a copy of the certificate of conviction and provide notification of the conviction and sentence to the office of professional medical conduct **within twenty-four hours**.

§ 2. Subdivision 9 of section 2995-a of the public health law, as amended by section 3 of part A of chapter 57 of the laws of 2015, is amended to read as follows:

9. **(a)** The department shall, in addition to hard copy physician profiles, provide for electronic access to and copying of physician profiles developed pursuant to this section through the system commonly known as the Internet. The department shall update a physician's online profile within thirty days of receipt of a completed physician profile survey or any change in profile information.

(b) Notwithstanding any inconsistent provision of law to the contrary, the department shall update a physician's online profile within forty-eight hours of receipt of a notification of conviction or a copy of a certificate of conviction pursuant to section 380.85 of the criminal procedure law.

§ 3. This act shall take effect immediately.