

STATE OF NEW YORK

3356--A

2025-2026 Regular Sessions

IN SENATE

January 27, 2025

Introduced by Sen. 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 enacting the lab services accessibility act

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

1 Section 1. Short title. This act shall be known and may be cited as
2 the "lab services accessibility act".

3 § 2. Section 585 of the public health law, as added by chapter 803 of
4 the laws of 1992, is amended to read as follows:

5 § 585. Definitions. Whenever used in this title:

6 1. "Health services purveyor" means any person, firm, partnership,
7 group, association, corporation or professional corporation, or any
8 agent, employee, fiduciary, employer or representative thereof, includ-
9 ing but not limited to a physician, dentist, podiatrist or chiropractor,
10 either in individual practice, group practice or employed in a facility
11 owned by any person, group, association, firm, partnership or corpo-
12 ration hiring any of the aforementioned practitioners, who provide
13 health or health related services.

14 2. "Clinical laboratory" shall have the same meaning as is set forth
15 in subdivision one of section five hundred seventy-one of this article.

16 3. "Health services facilitator" means any person, firm, partnership,
17 group, association, nonprofit corporation, business corporation, profes-
18 sional corporation, limited liability company, or any agent, employee,
19 fiduciary, employer or representative thereof, that assists in facili-
20 tating the provision of health related services, including, but not
21 limited to, participation in the initiation, coordination, payment,
22 delivery, or follow-up of such health related services.

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

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1 4. "Public health program" shall mean an initiative under which the
2 clinical laboratory services are performed in relation to any procedure,
3 test, assay, or diagnostic where one of the following applies:

4 (a) it is supported by public health funds, grants, or awards; or

5 (b) it is reasonably expected to respond to a public health need
6 recognized by law, regulation, the department, or other applicable guid-
7 ance, including, but not limited to:

8 (i) testing with a heightened need for confidentiality, including, but
9 not limited to, testing related to: (1) a termination of pregnancy, (2)
10 a sexually transmittable infection, (3) antiretroviral preexposure
11 prophylaxis (PrEP) or postexposure prophylaxis (PEP); and (4) drug abuse
12 screening;

13 (ii) testing recommended by the federal centers for disease control
14 and prevention guidelines;

15 (iii) testing with a grade "A" or "B" recommended by the United States
16 preventative service task force;

17 (iv) testing provided to advance access to healthcare and improve
18 patient outcomes for underserved, vulnerable, and/or rural populations;

19 (v) testing in response to an epidemic, pandemic, outbreak, or other
20 declared state of emergency; or

21 (vi) testing performed in connection with a pilot study, research
22 study, or clinical trial.

23 § 3. Subdivisions 2 and 3 of section 586 of the public health law, as
24 added by chapter 803 of the laws of 1992, paragraph (h) of subdivision 2
25 as amended by chapter 558 of the laws of 1999, are amended to read as
26 follows:

27 2. The provisions of subdivision one of this section shall be inappli-
28 cable to services rendered by a clinical laboratory [~~operated~~] permitted
29 by the state of New York; and to payment by:

30 (a) A legal relative of the recipient of the services;

31 (b) An insurance carrier designated by the recipient of the services;

32 (c) A hospital as defined in article twenty-eight of this chapter on
33 behalf of an in-patient or out-patient of such hospital having been the
34 recipient of the services;

35 (d) One purveyor to another purveyor for actual services rendered;

36 (e) An industrial firm only for its own employees;

37 (f) A trade union health facility only for its registered patients;

38 (g) Governmental agencies and/or their specified public or private
39 agent, agency or organization on behalf of the recipient of the
40 services;

41 (h) A substance abuse or chemical dependence program which has been
42 approved to operate by the office of [~~alcoholism and substance abuse~~]
43 addiction services and supports pursuant to the provision of [~~section~~
44 ~~23.01-or~~] article thirty-two of the mental hygiene law on behalf of
45 clients of such a program having been the recipient of the services;
46 [~~and~~]

47 (i) A health maintenance organization operating in accordance with
48 article forty-three of the insurance law or article forty-four of this
49 chapter[~~+~~]; and

50 (j) A nonprofit clinic, health care provider, or health services faci-
51 litator that is supporting a public health program.

52 3. The [~~public health council~~] department shall adopt and amend rules
53 and regulations[~~7-subject to approval by the commissioner7~~] to effectuate
54 the provisions and purposes of this section.

55 § 4. This act shall take effect immediately.