STATE OF NEW YORK

4713--A

Cal. No. 497

2025-2026 Regular Sessions

IN SENATE

February 12, 2025

Introduced by Sen. FAHY -- read twice and ordered printed, and when printed to be committed to the Committee on Mental Health -- reported favorably from said committee, ordered to first and second report, ordered to a third reading, amended and ordered reprinted, retaining its place in the order of third reading

AN ACT to amend the mental hygiene law, in relation to designating records and information relating to a patient who has been deceased for a period of fifty years or longer as historic records no longer subject to privacy protections

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

Section 1. Subdivision (c) of section 33.13 of the mental hygiene law is amended by adding a new paragraph 19 to read as follows:

19. Records and information relating to a person who has been deceased for fifty years or more shall be considered historic records and shall no longer be considered confidential or subject to privacy protections; provided, however that this subdivision shall not be construed as requiring that a facility retain clinical records indefinitely or for any particular length of time in anticipation of attempted access.

§ 2. This act shall take effect immediately.

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

LBD06027-03-5