

# STATE OF NEW YORK

8007

2025-2026 Regular Sessions

## IN SENATE

May 15, 2025

Introduced by Sen. KRUEGER -- 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 specifying the settings in which an ultrasound or similar medical imaging device procedure may be offered

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

1 Section 1. Section 3517 of the public health law is renumbered section  
2 3518 and a new section 3517 is added to read as follows:

3 § 3517. Performance of ultrasounds. 1. An ultrasound, or a similar  
4 medical imaging device or procedure used for a medical, counseling, or  
5 diagnostic service or purpose, shall only be offered in the following  
6 settings:

7 (a) An organized and licensed clinic that provides direct medical,  
8 surgical, dental, optometric, or podiatric advice, services, or treat-  
9 ment to patients who remain less than twenty-four hours, and that may  
10 also provide diagnostic or therapeutic services to patients in the home  
11 as an incident to care provided at the clinic facility.

12 (b) An outpatient setting comprised of any facility, clinic, unli-  
13 censed clinic, center, office, or other setting that is not part of a  
14 general acute care facility and where anesthesia, except local anes-  
15 thesia or peripheral nerve blocks, or both, is used in compliance with  
16 the community standard of practice, in doses that, when administered  
17 have the probability of placing a patient at risk for loss of the  
18 patient's life-preserving protective reflexes.

19 (c) A licensed health facility that is organized, maintained, and  
20 operated for the diagnosis, care, prevention, and treatment of human  
21 illness, physical, or mental, including convalescence and rehabilitation  
22 and including care during and after pregnancy, or for any one or more of  
23 these purposes, for one or more persons, to which the persons are admit-  
24 ted for a twenty-four-hour stay or longer, including a hospital, acute

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

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1 psychiatric hospital, skilled nursing facility, nursing home, intermedi-  
2 ate care facility, congregate living health facility, hospice facility  
3 and a correctional treatment center operated by the department of  
4 corrections and community supervision or a county, city, or city and  
5 county law enforcement agency.

6 (d) A practice of a licensed physician or surgeon, a medical group  
7 practice, including a professional medical corporation organized under  
8 and governed by article forty-four of this chapter, another form of  
9 corporation controlled by physicians and surgeons, a medical partner-  
10 ship, a medical foundation exempt from licensure, or another lawfully  
11 organized group of physicians and surgeons that provides health care  
12 services.

13 (e) A practice of a licensed chiropractor, as defined in article one  
14 hundred thirty-two of the education law, or a lawfully organized group  
15 of licensed chiropractors that provides health care services.

16 (f) A practice of a licensed physical therapist, as defined in article  
17 one hundred thirty-six of the education law, or a lawfully organized  
18 group of licensed physical therapists that provides health care  
19 services.

20 (g) A facility affiliated with the settings described in paragraphs  
21 (a), (b), (c), (d), (e) or (f) of this subdivision.

22 (h) An exempt entity as described in section thirty-five hundred  
23 fifteen of this title.

24 2. This section does not apply to a practice of a licensed midwife  
25 providing care pursuant to article one hundred forty of the education  
26 law.

27 3. (a) Any person or entity that fails to comply with the requirements  
28 of this section is liable for a civil penalty of two thousand five  
29 hundred dollars (\$2,500) for a first offense and five thousand dollars  
30 (\$5,000) for each subsequent offense, in addition to costs and fees.

31 (b) An action to impose a civil penalty pursuant to this section may  
32 be brought by the attorney general or a county district attorney. For  
33 purposes of this subdivision, an offense is each ultrasound conducted in  
34 violation of this section.

35 (c) Costs, fees, and civil penalties collected pursuant to this  
36 section shall be paid to the office that brought the action as follows:  
37 (i) to the office of the attorney general; or (ii) to the treasurer of  
38 the county for the district attorney.

39 § 2. This act shall take effect on the sixtieth day after it shall  
40 have become a law.