

# STATE OF NEW YORK

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3733

2025-2026 Regular Sessions

## IN ASSEMBLY

January 30, 2025

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Introduced by M. of A. BRONSON -- read once and referred to the Committee on Mental Health

AN ACT to amend the mental hygiene law, in relation to allowing direct descendants of a patient who has been deceased for a period of fifty years or longer to access such patient's clinical records

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

1 Section 1. Paragraph 6 of subdivision (a) of section 33.16 of the  
2 mental hygiene law, as amended by chapter 233 of the laws of 2017, is  
3 amended to read as follows:

4 6. "Qualified person" means any properly identified patient or client,  
5 guardian of a person with a developmental disability appointed pursuant  
6 to article seventeen-A of the surrogate's court procedure act, or  
7 committee for an incompetent appointed pursuant to this chapter or a  
8 parent of an infant, or a guardian of an infant appointed pursuant to  
9 article seventeen of the surrogate's court procedure act or other legal-  
10 ly appointed guardian of an infant who may be entitled to request access  
11 to a clinical record pursuant to paragraph three of subdivision (b) of  
12 this section, or a parent, spouse, adult child, or adult sibling of an  
13 adult patient or client who may be entitled to request access to a clinical  
14 record pursuant to paragraph four of subdivision (b) of this  
15 section, or a direct descendant of a former patient or client who has  
16 been deceased for a period of fifty years or longer.

17 § 2. This act shall take effect immediately.

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

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