

STATE OF NEW YORK

7331

2025-2026 Regular Sessions

IN SENATE

April 10, 2025

Introduced by Sen. RIVERA -- 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 allowing individuals to register in the "donate life registry" through mandatory electronic tax filings

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

1 Section 1. Paragraph (a) of subdivision 5 of section 4310 of the
2 public health law, as amended by section 2 of chapter 662 of the laws of
3 2024, is amended to read as follows:

4 (a) Such organ, eye and tissue registration of consent to make an
5 anatomical gift can be made through: (i) indication made on the applica-
6 tion or renewal form of a driver's license, (ii) indication made on a
7 non-driver identification card application or renewal form, (iii) indi-
8 cation made on a voter registration form pursuant to subdivision five of
9 section 5-210 of the election law, (iv) indication made on the applica-
10 tion for, or manual renewal application by an account holder of, health
11 care coverage offered through the state health benefit exchange, (v)
12 enrollment through the donate life registry website, (vi) paper enroll-
13 ment submitted to the donate life registry, (vii) indication made on the
14 application or renewal form of a hunting, fishing or trapping license
15 issued pursuant to title seven of article eleven of the environmental
16 conservation law, (viii) indication made on transactions administered by
17 the office of temporary and disability assistance through the mybene-
18 fits.ny.gov website, or any such successor website; (ix) indication made
19 on applications, renewals or related transactions for college financial
20 aid, grants, or scholarships offered or administered through any website
21 maintained by the higher education services corporation; (x) indication
22 made on transactions conducted through an individual's electronic health
23 records; ~~(or)~~ (xi) indication made on any tax document that is subject
24 to mandatory electronic filing in accordance with the provisions of

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

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section twenty-nine of the tax law; or (xii) through any other method identified by the commissioner. The department shall establish a means by which to register the consent given by individuals who are sixteen or seventeen years of age in the donate life registry, and shall make registration available by any of the methods provided in subparagraphs (i), (ii), (iii), (iv), (v), (vi), (vii), (viii), (ix), (x) ~~[and]~~, (xi) and (xii) of this paragraph.

§ 2. Paragraph (a) of subdivision 5 of section 4310 of the public health law, as amended by section 3 of chapter 662 of the laws of 2024, is amended to read as follows:

(a) Such organ, eye and tissue registration of consent to make an anatomical gift can be made through: (i) indication made on the application or renewal form of a driver's license, (ii) indication made on a non-driver identification card application or renewal form, (iii) indication made on a voter registration form pursuant to subdivision five of section 5-210 of the election law, (iv) indication made on the application for, or manual renewal application by an account holder of, health care coverage offered through the NY State of Health, the official Health Plan Marketplace, (v) enrollment through the donate life registry website, (vi) paper enrollment submitted to the donate life registry, (vii) indication made on the application or renewal form of a hunting, fishing or trapping license issued pursuant to title seven of article eleven of the environmental conservation law, (viii) indication made on transactions administered by the office of temporary and disability assistance through the mybenefits.ny.gov website, or any such successor website; (ix) indication made on applications, renewals or related transactions for college financial aid, grants, or scholarships offered or administered through any website maintained by the higher education services corporation; (x) indication made by an insured and/or applicant for insurance during enrollments, renewals, and the initial process for an insured in setting up an online member service portal with their insurer for accident and health insurance policies and contracts issued pursuant to article forty-four of this chapter, article forty-two of the insurance law, or article forty-three of the insurance law, excepting renewals made through the NY State of Health, the official Health Plan Marketplace, other than those specifically referenced in subparagraph (iv) of this paragraph and paragraph (v) of subdivision one of section two hundred six of this chapter; and provided, however, that nothing in this section shall apply to the medical assistance program under title eleven of article five of the social services law; (xi) indication made on transactions conducted through an individual's electronic health record; ~~[or]~~ (xii) indication made on any tax document that is subject to mandatory electronic filing in accordance with the provisions of section twenty-nine of the tax law; or (xiii) through any other method identified by the commissioner. The department shall establish a means by which to register the consent given by individuals who are sixteen or seventeen years of age in the donate life registry, and shall make registration available by any of the methods provided in subparagraphs (i), (ii), (iii), (iv), (v), (vi), (vii), (viii), (ix), (x), (xi) ~~[and]~~, (xii) and (xiii) of this paragraph.

§ 3. Subparagraph (i) of paragraph (b) of subdivision 5 of section 4310 of the public health law, as amended by section 4 of chapter 662 of the laws of 2024, is amended to read as follows:

(i) Where required by law for transactions described in subparagraphs (i), (ii), (iv), (vii), (viii), (ix), (x) ~~[and]~~, (xi) and (xii) of paragraph (a) of this subdivision, the commissioner shall ensure, in consul-

1 tation with the head of any agency required to implement such trans-
2 action, that space is provided on any required form so that the
3 applicant shall register or decline registration in the donate life
4 registry for organ, eye and tissue donations under this section and that
5 the following is stated on the form in clear and conspicuous type:

6 "You must fill out the following section: Would you like to be added
7 to the Donate Life Registry? Check box for 'yes' or 'skip this ques-
8 tion'."

9 § 4. Subparagraph (i) of paragraph (b) of subdivision 5 of section
10 4310 of the public health law, as amended by section 5 of chapter 662 of
11 the laws of 2024, is amended to read as follows:

12 (i) Where required by law for transactions described in subparagraphs
13 (i), (ii), (iv), (vii), (viii), (ix), (x), (xi) ~~[and]~~, (xii) and (xiii)
14 of paragraph (a) of this subdivision, the commissioner shall ensure, in
15 consultation with the head of any agency required to implement such
16 transaction, that space is provided on any required form so that the
17 applicant shall register or decline registration in the donate life
18 registry for organ, eye and tissue donations under this section and that
19 the following is stated on the form in clear and conspicuous type:

20 "You must fill out the following section: Would you like to be added
21 to the Donate Life Registry? Check box for 'yes' or 'skip this ques-
22 tion'."

23 § 5. This act shall take effect on the one hundred eightieth day after
24 it shall have become a law; provided, however, that if sections 3 and 5
25 of chapter 552 of the laws of 2024 shall not have taken effect on or
26 before such date then sections two and four of this act shall take
27 effect on the same date and in the same manner as such sections of such
28 chapter of the laws of 2024, takes effect. Effective immediately, the
29 commissioner of health is authorized to take any actions necessary to
30 implement the provisions of this act on or before its effective date.