

STATE OF NEW YORK

7331--A

Cal. No. 1391

2025-2026 Regular Sessions

IN SENATE

April 10, 2025

Introduced by Sens. RIVERA, MARTINS, C. RYAN -- read twice and ordered printed, and when printed to be committed to the Committee on Health -- reported favorably from said committee, ordered to first report, amended on first report, ordered to a second report and ordered reprinted, retaining its place in the order of second report

AN ACT to amend the public health law, in relation to allowing individuals to register in the "donate life registry" through mandatory electronic personal income 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

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

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1 made on transactions conducted through an individual's electronic health
2 records; [~~or~~] (xi) indication made on any personal income tax document
3 that is subject to mandatory electronic filing in accordance with the
4 provisions of section twenty-nine of the tax law; or (xii) through any
5 other method identified by the commissioner. The department shall estab-
6 lish a means by which to register the consent given by individuals who
7 are sixteen or seventeen years of age in the donate life registry, and
8 shall make registration available by any of the methods provided in
9 subparagraphs (i), (ii), (iii), (iv), (v), (vi), (vii), (viii), (ix),
10 (x) [~~and~~], (xi) and (xii) of this paragraph.

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

14 (a) Such organ, eye and tissue registration of consent to make an
15 anatomical gift can be made through: (i) indication made on the applica-
16 tion or renewal form of a driver's license, (ii) indication made on a
17 non-driver identification card application or renewal form, (iii) indi-
18 cation made on a voter registration form pursuant to subdivision five of
19 section 5-210 of the election law, (iv) indication made on the applica-
20 tion for, or manual renewal application by an account holder of, health
21 care coverage offered through the NY State of Health, the official
22 Health Plan Marketplace, (v) enrollment through the donate life registry
23 website, (vi) paper enrollment submitted to the donate life registry,
24 (vii) indication made on the application or renewal form of a hunting,
25 fishing or trapping license issued pursuant to title seven of article
26 eleven of the environmental conservation law, (viii) indication made on
27 transactions administered by the office of temporary and disability
28 assistance through the mybenefits.ny.gov website, or any such successor
29 website; (ix) indication made on applications, renewals or related tran-
30 sactions for college financial aid, grants, or scholarships offered or
31 administered through any website maintained by the higher education
32 services corporation; (x) indication made by an insured and/or applicant
33 for insurance during enrollments, renewals, and the initial process for
34 an insured in setting up an online member service portal with their
35 insurer for accident and health insurance policies and contracts issued
36 pursuant to article forty-four of this chapter, article forty-two of the
37 insurance law, or article forty-three of the insurance law, excepting
38 renewals made through the NY State of Health, the official Health Plan
39 Marketplace, other than those specifically referenced in subparagraph
40 (iv) of this paragraph and paragraph (v) of subdivision one of section
41 two hundred six of this chapter; and provided, however, that nothing in
42 this section shall apply to the medical assistance program under title
43 eleven of article five of the social services law; (xi) indication made
44 on transactions conducted through an individual's electronic health
45 record; [~~or~~] (xii) indication made on any personal income tax document
46 that is subject to mandatory electronic filing in accordance with the
47 provisions of section twenty-nine of the tax law; or (xiii) through any
48 other method identified by the commissioner. The department shall estab-
49 lish a means by which to register the consent given by individuals who
50 are sixteen or seventeen years of age in the donate life registry, and
51 shall make registration available by any of the methods provided in
52 subparagraphs (i), (ii), (iii), (iv), (v), (vi), (vii), (viii), (ix),
53 (x), (xi) [~~and~~], (xii) and (xiii) of this paragraph.

54 § 3. Subparagraph (i) of paragraph (b) of subdivision 5 of section
55 4310 of the public health law, as amended by section 4 of chapter 662 of
56 the laws of 2024, is amended to read as follows:

1 (i) Where required by law for transactions described in subparagraphs
2 (i), (ii), (iv), (vii), (viii), (ix), (x) [~~and~~], (xi) and (xii) of para-
3 graph (a) of this subdivision, the commissioner shall ensure, in consul-
4 tation with the head of any agency required to implement such trans-
5 action, that space is provided on any required form so that the
6 applicant shall register or decline registration in the donate life
7 registry for organ, eye and tissue donations under this section and that
8 the following is stated on the form in clear and conspicuous type:

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

12 § 4. Subparagraph (i) of paragraph (b) of subdivision 5 of section
13 4310 of the public health law, as amended by section 5 of chapter 662 of
14 the laws of 2024, is amended to read as follows:

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

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

26 § 5. This act shall take effect on the one hundred eightieth day after
27 it shall have become a law; provided, however, that if sections 3 and 5
28 of chapter 662 of the laws of 2024 shall not have taken effect on or
29 before such date then sections two and four of this act shall take
30 effect on the same date and in the same manner as such sections of such
31 chapter of the laws of 2024, takes effect. Effective immediately, the
32 commissioner of health is authorized to take any actions necessary to
33 implement the provisions of this act on or before its effective date.