

STATE OF NEW YORK

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2025-2026 Regular Sessions

IN SENATE

June 2, 2025

Introduced by Sen. BYNOE -- read twice and ordered printed, and when printed to be committed to the Committee on Rules -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- recommitted to the Committee on Higher Education in accordance with Senate Rule 6, sec. 8 -- committee discharged and said bill committed to the Committee on Health -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the public health law, in relation to providing guidelines, corrective actions, and transparency, and to reconfigure the composition of committees of professional conduct within the office of professional medical conduct

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

1 Section 1. Legislative intent. On May 15, 2025, Newsday published
2 "Broken Practice: Doctor misconduct on Long Island", a two-year inves-
3 tigation that found that forty-six doctors on Long Island were allowed
4 to practice freely for months or years despite criminal convictions
5 including fraud, sexual abuse and the illegal dispensing of opioids.
6 This legislature finds that the office of professional medical conduct
7 currently reviews complaints made against physicians to determine the
8 verity of allegations of professional misconduct. Yet there is currently
9 no uniform framework established in the law to outline specific penal-
10 ties or actions that could be taken following the determination that a
11 licensee had violated professional misconduct law. Therefore, this
12 legislature establishes a uniform set of legal guidelines for penalties
13 and actions which can be taken by any committee to provide a more
14 uniform framework for the provision of justice.
15 Additionally, the legislature finds that to ensure a variety of opin-
16 ions and expertise on the committees which investigate allegations of
17 professional misconduct, to include one physician, and two lay members,

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

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1 one of whom shall hold a doctoral degree and are currently or have
2 previously taught medicine within an academic institution's department
3 of medicine or hold a master's in public health.

4 The legislature holds that to increase awareness of such office that
5 medical facilities should provide contact information and links to such
6 office's website available to the patients through printed forms in a
7 manner deemed fit by the commissioner of health.

8 Finally, to provide greater transparency to the operations of such
9 office, the legislature shall require final determinations of penalties
10 or actions against a licensee to be published on the office's website
11 and for notification to be provided to the source of the initial
12 complaint within ten days of the office making any final determinations.

13 § 2. The public health law is amended by adding a new section 230-f to
14 read as follows:

15 § 230-f. Guidelines for penalties and actions. Pursuant to section two
16 hundred thirty of this title, any penalty or action against a licensee
17 as determined by the office of professional medical conduct or any
18 committee thereof shall comply with the following maximum or minimum
19 guidelines for the issuance of penalties or actions associated with
20 professional misconduct pursuant to section sixty-five hundred thirty of
21 the education law or other violations under this section. The office of
22 professional medical conduct may use its discretion to make exemptions
23 to this section if an investigation finds there are unusual or extraor-
24 inary circumstances. Such maximum or minimum guidelines shall be as
25 follows:

26 1. For obtaining a license fraudulently, the maximum penalty shall be
27 revocation of a license and the minimum penalty shall be a reprimand
28 with a suspension of a license for up to two years. Any fine issued
29 shall be no less than ten thousand dollars.

30 2. For practicing the profession fraudulently or beyond its authorized
31 scope, the maximum penalty shall be revocation of a license, and the
32 minimum penalty shall be a reprimand with suspension of a license for up
33 to two years. Any fine issued shall be no less than ten thousand
34 dollars.

35 3. For practicing the profession with negligence on more than one
36 occasion, the maximum penalty shall be revocation of a license, and the
37 minimum penalty shall be suspension of a license for up to two years.
38 Any fine issued shall be no less than ten thousand dollars.

39 4. For practicing the profession with gross negligence on a particular
40 occasion, the maximum penalty shall be revocation of a license, and the
41 minimum penalty shall be a reprimand. Any fine issued shall be no less
42 than ten thousand dollars.

43 5. For practicing the profession with incompetence on more than one
44 occasion, the maximum penalty shall be revocation of a license, and the
45 minimum penalty shall be suspension of a license until the licensee
46 completes rehabilitation to the satisfaction of the board. Any fine
47 issued shall be no less than ten thousand dollars.

48 6. For practicing the profession with gross incompetence, the maximum
49 penalty shall be revocation of a license and the minimum penalty shall
50 be suspension of a license until the licensee completes rehabilitation
51 to the satisfaction of the board. Any fine issued shall be no less than
52 ten thousand dollars.

53 7. For practicing the profession while impaired by alcohol, drugs,
54 physical disability, or mental disability, the maximum penalty shall be
55 the revocation of a license, and the minimum penalty shall be suspension
56 of a license until the licensee completes rehabilitation to the satis-

1 fraction of the board. Any fine issued shall be no more than five thou-
2 sand dollars.

3 8. For being a habitual abuser of alcohol, or being dependent on or a
4 habitual user of narcotics, barbiturates, amphetamines, hallucinogens,
5 or other drugs having similar effects, except for a licensee who is
6 maintained on an approved therapeutic regimen which does not impair the
7 ability to practice, or having a psychiatric condition which impairs the
8 licensee's ability to practice, the maximum penalty shall be the revoca-
9 tion of a license, and the minimum penalty shall be a suspension of a
10 license until the licensee completes rehabilitation to the satisfaction
11 of the board. Any fine issued shall be no less than ten thousand
12 dollars.

13 9. For being convicted of committing an act constituting a crime under
14 New York state law or federal law, the penalty shall be determined based
15 on the severity and classification of the crime the licensee had been
16 convicted of unless otherwise noted, and in accordance with the follow-
17 ing:

18 (a) For violations of the Americans with Disabilities Act, the maximum
19 penalty shall be revocation of a license, the minimum penalty shall be
20 the limitation of the license to a specified area or type of practice.
21 Any fines issued shall be no less than ten thousand dollars.

22 (b) For licensees who are convicted of illegal distribution of a
23 controlled substance, the maximum penalty shall be revocation of a
24 license, the minimum penalty shall be a reprimand and a suspension of a
25 license for up to three years. Any fines issued shall be no less than
26 ten thousand dollars.

27 10. For being convicted of committing an act constituting a crime
28 under the law of another jurisdiction and which, if committed within
29 this state, would have constituted a crime under New York state law,
30 discretion as to the penalties and actions taken shall be determined
31 based on the severity and classification of the crime the licensee has
32 been convicted of. If the licensee has had their medical license
33 revoked, suspended or has had other disciplinary action issued against
34 them in another jurisdiction then such disciplinary penalty or action
35 shall be equal or equivalent unless otherwise noted. Any fines issued
36 shall be no less than ten thousand dollars.

37 11. For refusing to provide professional service to a person because
38 of such person's race, creed, color or national origin, the maximum
39 penalty shall be revocation of a license, and the minimum penalty shall
40 be a suspension of a license. Any fines issued shall be no less than
41 five thousand dollars and no more than ten thousand dollars.

42 12. For permitting, aiding or abetting an unlicensed person to perform
43 activities requiring a license, the maximum penalty shall be suspension
44 of a license for up to one year and the minimum penalty shall be a
45 reprimand. Any fines issued shall be no more than five thousand dollars
46 and no less than one thousand dollars.

47 13. For practicing the profession while the license is suspended or
48 inactive as defined in subdivision thirteen of section two hundred thir-
49 ty of this title, for violating any term of probation or condition or
50 limitation imposed on the licensee pursuant to section two hundred thir-
51 ty of this title, or for willfully failing to register or notify the
52 department of education of any change of name or mailing address, or, if
53 a professional service corporation, willfully failing to comply with
54 sections fifteen hundred three and fifteen hundred fourteen of the busi-
55 ness corporation law, or, if a university faculty practice corporation
56 willfully failing to comply with paragraphs (b), (c) and (d) of section

1 fifteen hundred three and section fifteen hundred fourteen of the busi-
2 ness corporation law, the maximum penalty shall be suspension of a
3 license for up to one year and the minimum penalty shall be a reprimand.
4 Any fine issued shall be no less than ten thousand dollars.

5 14. For a willful violation by a licensee of subdivision eleven of
6 section two hundred thirty of the public health law, the penalty shall
7 be revocation of a license. Any fine issued shall be no less than ten
8 thousand dollars.

9 15. For a violation of section two hundred thirty-nine of this article
10 by a professional, or for a violation of section twenty-eight hundred
11 three-d, twenty-eight hundred five-k, or subparagraph (ii) of paragraph
12 (h) of subdivision ten of section two hundred thirty of this chapter,
13 the maximum penalty shall be revocation of a license and the minimum
14 penalty shall be a reprimand. Any fine issued shall be no less than ten
15 thousand dollars.

16 16. For failure to comply with an order issued pursuant to subdivision
17 seven, paragraph (a) of subdivision ten, or subdivision seventeen of
18 section two hundred thirty of this title, the maximum penalty shall be
19 revocation of a license, and the minimum penalty shall be a written
20 reprimand. Any fine issued under a penalty or action under this subdivi-
21 sion shall be no less than one thousand dollars and no more than ten
22 thousand dollars.

23 17. For a willful or grossly negligent failure to comply with substan-
24 tial provisions of federal, state, or local laws, rules, or regulations
25 governing the practice of medicine, the maximum penalty shall be revoca-
26 tion of a license and the minimum penalty shall be suspension of a
27 license. Any fine issued shall be no less than ten thousand dollars.

28 18. For exercising undue influence on the patient, including the
29 promotion of the sale of services, goods, appliances, or drugs in such
30 manner as to exploit the patient for the financial gain of the licensee
31 or of a third party, the maximum penalty shall be suspension for up to
32 five years, the minimum penalty shall be a reprimand. Any fine issued
33 shall be no more than ten thousand dollars.

34 19. For directly or indirectly offering, giving, soliciting, or
35 receiving or agreeing to receive, any fee or other consideration to or
36 from a third party for the referral of a patient or in connection with
37 the performance of professional services the maximum penalty shall be
38 revocation of a license and the minimum penalty shall be a reprimand.
39 Any fines issued shall be no less than ten thousand dollars.

40 20. For permitting any person to share in the fees for professional
41 services, other than: a partner, employee, associate in a professional
42 firm or corporation, professional subcontractor or consultant authorized
43 to practice medicine, or a legally authorized trainee practicing under
44 the supervision of a licensee, the maximum penalty shall be revocation
45 of a license and the minimum penalty shall be a reprimand. Any fines
46 issued shall be no less than five thousand dollars.

47 21. For conduct in the practice of medicine which evidences moral
48 unfitness to practice medicine, the maximum penalty shall be revocation
49 of a license and the minimum penalty shall be a reprimand. Any fines
50 issued shall be no less than five thousand dollars.

51 22. For willfully making or filing a false report, or failing to file
52 a report required by law or by the department of health or the education
53 department, or willfully impeding or obstructing such filing, or induc-
54 ing another person to do so, the maximum penalty shall be revocation of
55 a license, the minimum penalty shall be a reprimand. Any fines issued
56 shall be no less than ten thousand dollars.

1 23. For failing to make available to a patient, upon request, copies
2 of documents in the possession or under the control of the licensee
3 which have been prepared for and paid for by the patient or client, the
4 maximum penalty shall be the suspension of a license for up to six
5 months, and the minimum penalty shall be a written reprimand. Any fine
6 issued shall be no more than ten thousand dollars.

7 24. For revealing of personally identifiable facts, data, or informa-
8 tion obtained in a professional capacity without the prior consent of
9 the patient, except as authorized or required by law, the maximum penal-
10 ty shall be suspension of a license, the minimum penalty shall be a
11 reprimand. Any fine issued shall be no less than one thousand dollars
12 and no more than ten thousand dollars.

13 25. For practicing or offering to practice beyond the scope permitted
14 by law, or accepting and performing professional responsibilities which
15 the licensee knows or has reason to know that such licensee is not
16 competent to perform, or performing without adequate supervision profes-
17 sional services which the licensee is authorized to perform only under
18 the supervision of a licensed professional, except in an emergency situ-
19 ation where a person's life or health is in danger, the maximum penalty
20 shall be revocation of a license, the minimum penalty shall be a reprim-
21 and. Any fines issued shall be no less than ten thousand dollars.

22 26. For delegating professional responsibilities to a person when the
23 licensee delegating such responsibilities knows or has reason to know
24 that such person is not qualified, by training, by experience, or by
25 licensure, to perform them, the maximum penalty shall be revocation of a
26 license, the minimum penalty shall be a reprimand. Any fines issued
27 shall be no less than ten thousand dollars.

28 27. For performing professional services which have not been duly
29 authorized by the patient or such patient's legal representative, the
30 maximum penalty shall be revocation of a license, the minimum penalty
31 shall be a reprimand. Any fines issued shall be no less than ten thou-
32 sand dollars.

33 28. For advertising or soliciting for patronage that is not in the
34 public interest the maximum penalty shall be a reprimand with a tempo-
35 rary suspension of a license, the minimum penalty shall be a reprimand.
36 Any fines issued shall be no more than five thousand dollars.

37 29. For failing to respond within thirty days to written communi-
38 cations from the department and to make available any relevant records
39 with respect to an inquiry or complaint about the licensee's profes-
40 sional misconduct, the maximum penalty shall be revocation of a license,
41 the minimum penalty shall be a reprimand. Any fines issued shall be no
42 more than five thousand dollars.

43 30. For violating any term of probation or condition or limitation
44 imposed on the licensee pursuant to section two hundred thirty of this
45 title, the maximum penalty shall be revocation of a license, and the
46 minimum penalty shall be a limitation on registration or issuance of any
47 further license. Any fines issued shall be no less than ten thousand
48 dollars.

49 31. For abandoning or neglecting a patient under and in need of imme-
50 diate professional care, the maximum penalty shall be revocation of a
51 license, and the minimum penalty shall be a reprimand. Any fines issued
52 shall be no more than ten thousand dollars.

53 32. For willfully harassing, abusing, or intimidating a patient,
54 either physically or verbally, the maximum penalty shall be revocation
55 of a license, and the minimum penalty shall be a reprimand. Any fines
56 issued shall be no more than ten thousand dollars.

1 33. For failing to maintain a record for each patient which accurately
2 reflects the evaluation and treatment of the patient, or for not retain-
3 ing all patient records for at least six years unless otherwise required
4 by law, the maximum penalty shall be suspension of a license, and the
5 minimum penalty shall be a reprimand. Any fines issued shall be no less
6 than one thousand dollars and no more than ten thousand dollars.

7 34. For failing to exercise appropriate supervision over persons who
8 are authorized to practice only under the supervision of the licensee,
9 the maximum penalty shall be suspension of a license for up to one year,
10 and the minimum penalty shall be a reprimand. Any fines issued shall be
11 no more than ten thousand dollars.

12 35. For guaranteeing that satisfaction or a cure will result from the
13 performance of professional services, the penalty shall be a reprimand.

14 36. For ordering of excessive tests, treatment, or use of treatment
15 facilities not warranted by the condition of the patient, the maximum
16 penalty shall be revocation of a license, and the minimum penalty shall
17 be reprimand. Any fines issued shall be no more than ten thousand
18 dollars.

19 37. For claiming or using any secret or special method of treatment
20 which the licensee refused to divulge to the department of health, the
21 maximum penalty shall be revocation of a license, and the minimum penal-
22 ty shall be reprimand. Any fines issued shall be no more than ten thou-
23 sand dollars.

24 38. For failing to wear an identifying badge, which shall be conspicu-
25 ously displayed and legible, indicating the practitioner's name and
26 professional title authorized pursuant to title eight of the education
27 law, while practicing as an employee or operator of a hospital, clinic,
28 group practice or multi-professional facility, or at a commercial estab-
29 lishment offering health services to the public, the penalty shall be a
30 reprimand. Any fines issued shall be no more than one thousand dollars.

31 39. For entering into an arrangement or agreement with a pharmacy for
32 the compounding and/or dispensing of coded or specially marked
33 prescriptions, the maximum penalty shall be revocation of a license, and
34 the minimum penalty shall be a reprimand. Any fine issued shall be no
35 less than five thousand dollars.

36 40. For failing to post conspicuously at the site of such practice the
37 name and licensure field of all of the principal professional licensees
38 engaged in the practice at that site, the maximum penalty shall be
39 suspension of a license and the minimum penalty shall be a reprimand.
40 Any fines issued shall be no more than ten thousand dollars.

41 41. For failing to provide access by qualified persons to patient
42 information in accordance with the standards set forth in section eigh-
43 teen of this chapter, the maximum penalty shall be suspension of a
44 license and the minimum penalty shall be a reprimand. Any fines issued
45 shall be no less than one thousand dollars and no more than ten thousand
46 dollars.

47 42. For knowingly or willfully performing a complete or partial autop-
48 sy on a deceased person without lawful authority, the maximum penalty
49 shall be a suspension of a license and the minimum penalty shall be a
50 reprimand. Any fines issued shall be no less than one thousand dollars
51 and no more than ten thousand dollars.

52 43. For failing to comply with a signed agreement to practice medicine
53 in New York state in an area designated by the commissioner of education
54 as having a shortage of physicians or refusing to repay medical educa-
55 tion costs in lieu of such required service, or failing to comply with
56 any provision of a written agreement with the state or any municipality

1 within which the licensee has agreed to provide medical service, or
2 refusing to repay funds in lieu of such service as consideration of
3 awards made by the state or any municipality thereof for the licensee's
4 professional education in medicine, or failing to comply with any agree-
5 ment entered into to aid the licensee's medical education, the maximum
6 penalty shall be revocation of a license and the minimum penalty shall
7 be a reprimand. Any fines issued shall be no less than five thousand
8 dollars and no more than ten thousand dollars.

9 44. For failing to complete forms or reports required for the
10 reimbursement of a patient by a third party, the maximum penalty shall
11 be revocation of a license and the minimum penalty shall be a reprimand.
12 Any fines issued shall be no less than five thousand dollars.

13 45. For, in the practice of ophthalmology, failing to provide a
14 patient, upon request, with the patient's prescription including the
15 name, address, and signature of the prescriber and the date of the
16 prescription, the maximum penalty shall be revocation of a license and
17 the minimum penalty shall be suspension of a license for up to six
18 months. Any fines issued shall be no less than ten thousand dollars.

19 46. For a violation of section two hundred thirty-nine of this article
20 by a professional, the maximum penalty shall be a limitation on regis-
21 tration or issuance of any further license and the minimum penalty shall
22 be a requirement that a licensee pursue a course of education or train-
23 ing. Any fines issued shall be no more than two thousand dollars.

24 47. For failure to use scientifically accepted barrier precautions and
25 infection control practices as established by the department pursuant to
26 section two hundred thirty-a of this title as added by chapter seven
27 hundred eighty-six of the laws of nineteen ninety-two, the maximum
28 penalty shall be revocation of a license and the minimum penalty shall
29 be a reprimand. Any fines issued shall be no less than ten thousand
30 dollars.

31 48. For a violation of section two hundred thirty-d of this title or
32 regulations enacted thereunder, the maximum penalty shall be the suspen-
33 sion of a license and the minimum penalty shall be a reprimand. Any
34 fines issued shall be no less than five thousand dollars.

35 49. For, except for good cause shown, failing to provide within one
36 day any relevant records or other information requested by the state or
37 local department of health with respect to an inquiry into a report of a
38 communicable disease as defined in the state sanitary code, or HIV/AIDS,
39 the maximum penalty shall be revocation of a license or registration and
40 the minimum penalty shall be a reprimand. Any fines issued shall be no
41 more than two thousand dollars.

42 50. For performing a pelvic examination or supervising the performance
43 of a pelvic examination in violation of subdivision seven of section
44 twenty-five hundred four of this chapter, the maximum penalty shall be a
45 suspension of a license, the minimum penalty shall be a reprimand. Any
46 fines issued shall be no more than ten thousand dollars.

47 § 3. Subdivisions 1 and 6 of section 230 of the public health law,
48 subdivision 1 as amended by chapter 537 of the laws of 1998 and subdivi-
49 sion 6 as amended by chapter 266 of the laws of 1986, are amended to
50 read as follows:

51 1. A state board for professional medical conduct is hereby created in
52 the department in matters of professional misconduct as defined in
53 sections sixty-five hundred thirty and sixty-five hundred thirty-one of
54 the education law. Its physician members shall be appointed by the
55 commissioner at least eighty-five percent of whom shall be from among
56 nominations submitted by the medical society of the state of New York,

1 the New York state osteopathic society, the New York academy of medi-
2 cine, county medical societies, statewide specialty societies recognized
3 by the council of medical specialty societies, and the hospital associ-
4 ation of New York state. Its lay members shall be appointed by the
5 commissioner with the approval of the governor. The board of regents
6 shall also appoint twenty percent of the members of the board. Not less
7 than [~~sixty-seven~~] thirty-three percent of the members appointed by the
8 board of regents shall be physicians. Not less than eighty-five percent
9 of the physician members appointed by the board of regents shall be from
10 among nominations submitted by the medical society of the state of New
11 York, the New York state osteopathic society, the New York academy of
12 medicine, county medical societies, statewide medical societies recog-
13 nized by the council of medical specialty societies, and the hospital
14 association of New York state. Any failure to meet the percentage thres-
15 holds stated in this subdivision shall not be grounds for invalidating
16 any action by or on authority of the board for professional medical
17 conduct or a committee or a member thereof. The board for professional
18 medical conduct shall consist of not fewer than [~~eighteen~~] seven physi-
19 cians licensed in the state for at least five years, two of whom shall
20 be doctors of osteopathy, and not fewer than two of whom shall be physi-
21 cians who dedicate a significant portion of their practice to the use of
22 non-conventional medical treatments who may be nominated by New York
23 state medical associations dedicated to the advancement of such treat-
24 ments, at least one of whom shall have expertise in palliative care[~~7~~
25 ~~and not fewer than seven lay members~~]. All physician members shall not
26 have any disciplinary actions or penalties found against them pursuant
27 to this section. The board shall include no fewer than eighteen lay
28 members, comprising individuals who possess a doctoral degree, have
29 never obtained a medical degree, and are currently or have formerly
30 engaged in teaching medicine within the department of medicine at an
31 academic institution. Alternatively, such lay members may hold a
32 master's degree in public health. An executive secretary shall be
33 appointed by the chairperson and shall be a licensed physician. Such
34 executive secretary shall not be a member of the board, shall hold
35 office at the pleasure of, and shall have the powers and duties assigned
36 and the annual salary fixed by, the chairperson. The chairperson shall
37 also assign such secretaries or other persons to the board as are neces-
38 sary.

39 6. Any committee on professional conduct appointed pursuant to the
40 provisions of this section shall consist of [~~two physicians~~] one physi-
41 cian and [~~one~~] two lay [~~member~~] members, one of whom shall hold a
42 doctoral degree and are currently or have formerly engaged in teaching
43 medicine within the department of medicine at an academic institution or
44 hold a master's degree in public health.

45 § 4. Subdivision 7 of section 230 of the public health law is amended
46 by adding a new paragraph (d) to read as follows:

47 (d) A licensee undergoing disciplinary proceedings by committee on
48 professional conduct shall disclose to the committee if they hold a
49 license to practice medicine in another jurisdiction outside of the
50 state of New York. If the licensee holds a license to practice medicine
51 in any jurisdiction outside of the state of New York the committee on
52 professional conduct shall review the licensee's record in those juris-
53 dictions to determine if the licensee has been subject to disciplinary
54 proceedings in any other state, territory or jurisdiction where they
55 were licensed to practice medicine and determine what was the outcome of
56 such disciplinary proceedings.

1 § 5. Paragraphs (b) and (g) of subdivision 10 of section 230 of the
2 public health law, paragraph (b) as amended by chapter 606 of the laws
3 of 1991 and paragraph (g) as amended by chapter 477 of the laws of 2008,
4 are amended to read as follows:

5 (b) Charges. The charges shall state the substance of the alleged
6 professional misconduct and shall state clearly and concisely the mate-
7 rial facts but not the evidence by which the charges are to be proved.
8 Charges filed against a licensee shall correspond to the prescribed set
9 of penalties and actions provided in section two hundred thirty-f of
10 this title.

11 (g) Results of hearing. The committee shall make (1) findings of fact,
12 (2) conclusions concerning the charges sustained or dismissed, and (3) a
13 determination regarding charges sustained or dismissed, and in the event
14 any of the charges have been sustained, of the penalty to be imposed or
15 appropriate action to be taken and the reasons for the determination.
16 Any penalty imposed or action to be taken must correspond to the guide-
17 lines provided in section two hundred thirty-f of this title. For the
18 committee to make a conclusion sustaining a charge, or determining a
19 penalty or the appropriate action to be taken, two members of the
20 committee must vote for such a conclusion or determination. The commit-
21 tee shall issue an order based on its determination. The committee's
22 findings, conclusions, determinations and order shall become public upon
23 issuance. However, if the time to request a review of the committee's
24 determination has not yet expired, or if the review has been requested
25 but no determination as a result of the review has been issued, such
26 publication shall include a statement advising that the licensee or the
27 department may request a review of the committee's determination. No
28 such statement is required if (a) the time to request such review has
29 expired without the filing of such request by either of the parties, or
30 (b) the licensee and the department both affirmatively decline to
31 request review of the committee's determination or fail to perfect such
32 review. In the event any or all such charges are dismissed, such
33 dismissal shall be made public within two business days.

34 § 6. Paragraph (h) of subdivision 11 of section 230 of the public
35 health law, as added by chapter 203 of the laws of 2020, is amended to
36 read as follows:

37 (h) (i) The office of professional medical conduct and the department
38 shall post on [~~its website~~] their websites information on patients'
39 rights and reporting options under this subdivision regarding profes-
40 sional misconduct[, ~~which shall specifically include information on~~
41 ~~reporting instances of misconduct involving sexual harassment and~~
42 ~~assault~~]. All physicians' practice settings shall conspicuously post
43 signage, visible to their patients, directing such patients to the
44 office of professional medical conduct's website for information about
45 their rights and how to report professional misconduct. All signage
46 posted shall be no smaller than eight and a half inches by eleven inches
47 in size.

48 (ii) Medical facilities shall provide all pertinent contact informa-
49 tion to the office of professional medical conduct to patients in a
50 self-attestation form, including access to their website through a QR
51 code or link as deemed appropriate by the commissioner.

52 (iii) Within ten days of any final determination applying a penalty or
53 action against a licensee the office of professional medical conduct and
54 the department shall post on their websites the name, medical license
55 number, and the penalties or actions imposed for any licensee determined
56 to have committed a violation of professional misconduct.

1 (iv) If the source of complaint that instigated the investigation
2 provided contact information included an electronic mail address in
3 their initial complaint, then the office of professional medical conduct
4 shall inform the source of the complaint through electronic mail of the
5 final determination made in reference to the complaint within ten days.

6 § 7. Subdivision 11 of section 230 of the public health law is amended
7 by adding a new paragraph (i) to read as follows:

8 (i) Any licensee who is indicted in another jurisdiction for a crimi-
9 nal offense or is arrested pursuant to probable or reasonable cause, or
10 where it has been determined by a professional disciplinary agency that
11 there is sufficient evidence to conduct a review of such licensee, shall
12 notify the office of professional medical conduct of such action within
13 forty-eight hours.

14 § 8. This act shall take effect on the one hundred eightieth day after
15 it shall have become a law. Effective immediately, the addition, amend-
16 ment and/or repeal of any rule or regulation necessary for the implemen-
17 tation of this act on its effective date are authorized to be made and
18 completed on or before such effective date.