



NEW YORK STATE SENATOR

Thomas K. Duane

## Senate Health Committee Moves Five Pieces of Legislation

THOMAS K. DUANE April 27, 2010

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### *Electronic Signatures for Organ Donation,*

### *Right to Palliative Care Passed*

(Albany, NY)-On Tuesday, April 27th, New York State Senate Health Committee Chairman Thomas K. Duane announced the passage of five bills out of the Health Committee.

#### **S4999A** Sponsored by Senator Thomas K. Duane

This bill would ease the process for organ donation and thereby increase the numbers of New Yorkers who will make anatomical gifts. Specifically, it would allow individuals to use an electronic signature to register their consent to make an anatomical gift on the State's Donate Life Registry website (<http://www.donatelifenys.net>). Under the current operation of online registration, an individual goes onto that website and fills out a form to join the registry. However, because electronic signatures are not authorized, individuals must:

1. Print out the completed form
2. Sign the completed form
3. Mail it back to DOH to complete the registration.

According to Donate for Life America's April 2010 National Donor Designation Report Card, if S4999A becomes law, New York would join 36 states that currently have some form of effective online registry. This bill is now pending

before the full Senate.

**S4498**      **Sponsored by Senator Thomas K. Duane**

This bill requires that any patient who has been diagnosed with a terminal illness receive counseling on palliative care. Terminal illness is defined as an illness or condition that can reasonably be expected to cause death within 6 months even if treatment is pursued. The patient's provider (physician or nurse practitioner) must offer to provide information and counseling about palliative care and end-of-life options. This must include prognosis, risks and benefits of various options, and pain management. If the provider does not wish to counsel the patient, he or she must arrange for another provider to do so. This bill is now pending before the Senate Finance Committee.

**S4270**      **Sponsored by Senator Brian X. Foley**

The bill would require the New York State Health Commissioner to create a standardized color-coding system for patient wrist bands for conditions such as Do Not Resuscitate, allergies, fall risk, choking risk and "elopement" which means a patient leaving against medical advice. The system would be required in hospitals, nursing homes and residential health facilities. The system is particularly helpful for providers who work in more than one setting. Creating standardization reduces the possibility of error due to confusion about what a particular color wrist band means. This bill is now pending before the Senate Finance Committee.

**S3258A**      **Sponsored by Senator Thomas K. Duane**

This bill amends Article 33 of the Public Health law relating to controlled substances to address two main issues:

1. It authorizes electronic prescribing and dispensing of controlled substances to be consistent with anticipated Federal requirements. Those requirements, laid out in the Drug Enforcement Administration's Final Interim Rule released on March 30, 2010 in regard to e-prescribing, are

set to go into effect after a 60-day comment period.

2. Designates anabolic steroids as controlled substances to curtail diversion, abuse and illegal sale.

This bill is now pending before the Senate Codes Committee.

**S3255A**      **Sponsored by Senator Thomas K. Duane**

This bill, written by the New York State Department of Health (DOH), centralizes the issuance of birth certificates for foreign-born adoptees at DOH. Specifically, it would streamline procedures for the filing and issuance of birth certificates for children adopted in foreign countries within DOH, rather than having this done at the county registry.

This bill addresses a technical flaw in the Adoption Information Registry and the Mutual Consent Voluntary Adoption Registry. Currently information collected by the registries can only be released if both birth parents have registered and consented to the release of information. This bill allows one parent to register with the registry and release their own information.

This bill also eliminates the access of the biological siblings of adoptees to non-identifying information available through the registries. This prevents the biological siblings of adoptees from gaining access to information about the nature and cause of the adoption, information that his or her parent may not want shared. This bill is now pending before the full Senate.

In addition, the following nominations were considered and confirmed by the Health Committee:

**Carla Boutin-Foster, MD, MS:** Member, Public Health Council, and Chair and Member, Minority Health Council.

**John A. D'Anna, MD, MPH:** Member, Administrative Review Board for Professional Medical Conduct.

**Gordon W. Felt:** Member, State Camp Safety Advisory Council.

**Lori V. Quigley, PhD:** Member, Minority Health Council.

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