



STATE OF NEW YORK
DEPARTMENT OF HEALTH

Corning Tower The Governor Nelson A. Rockefeller Empire State Plaza Albany, New York 12237

Richard F. Daines, M.D.
Commissioner

Wendy E. Saunders
Chief of Staff

October 30, 2008

Dear Provider:

On August 5, 2008, Governor Paterson signed landmark legislation into law that will greatly improve patient safety, enhance the State's authority in medical investigations and help to prevent future infection control violations. This comprehensive new law, Chapter 477 of the Laws of 2008, includes a number of new and revised requirements that I wish to bring to your attention.

To ensure that all affected health care professionals are aware of the statutory changes, the New York State Department of Health (the Department) has posted information on its public website to assist health care professionals understand the impact of the law and address anticipated questions. The online information, available at http://www.nyhealth.gov/professionals/patients/patient_safety/laws/program_bill/, includes the full text of the new law, Frequently Asked Questions and online links to obtain additional information about specific provisions of the law. The Department will periodically update this information as additional guidance is developed. Individuals may also contact the Department directly at (518) 474-2011 for assistance.

I would like to specifically bring to your attention a new reporting requirement for physicians in office-based surgery (OBS) settings that took effect on September 2, 2008. This provision requires a physician who becomes aware that a blood borne pathogen may have been transmitted as a result of a procedure performed in an OBS setting to report all requested information on the patient within one business day to the Department's Patient Safety Center. The Department recently made information for all affected providers available on the Health Provider Network and on its public website. The online information is available at http://www.nyhealth.gov/professionals/office-based_surgery/.

On behalf of the Department, I want to thank you in advance for your attention to these important new requirements in law. The New York State Department of Health looks forward to working closely with you to implement this important law to help ensure the safety of all those using the health care system in New York State.

Sincerely,

Richard F. Daines, M.D.
Commissioner of Health