## New York

### Birth Defects Surveillance System

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<td>NY</td>
<td>STATUTE: Public Health Laws, Article 27-C Section §2733 RULE: 10 NYCRR 22.3</td>
<td>§ 2500. Maternal and child health; duties of commissioner. 1. The commissioner shall act in an advisory and supervisory capacity, in matters pertaining to the safeguarding of motherhood, the prevention of maternal, perinatal, infant and child mortality, the prevention of diseases, low birth weight, and defects of childhood and the promotion of maternal, prenatal and child health, including care in hospitals, and shall administer such services bearing on the health of mothers and children for which funds are or shall hereafter be made available. [emphasis added]</td>
<td>Section 22.3. Supplementary reports of certain congenital anomalies for epidemiological surveillance; filing. Every physician and hospital in attendance on an individual diagnosed within two years of birth as having one or more of the congenital anomalies listed in this section shall file a supplementary report with the State Commissioner of Health within 10 days of diagnosis</td>
<td>§ 2731. Birth defects institute. The commissioner shall establish within the department a birth defects institute for the purposes of initiating and conducting investigations of the causes, mortality, methods of treatment, prevention and cure of birth defects and genetic and allied diseases.</td>
<td>NO</td>
<td>NO</td>
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§ 2733. Reporting of birth defects; confidentiality of information.
1. Birth defects and genetic and allied diseases shall be reported by physicians, hospitals, and persons in attendance at births in the manner and on such forms as may be prescribed by the commissioner.

2. Such reports and information shall be kept confidential and shall not be admissible as evidence in an action or proceeding in any court or before any other tribunal, board, agency or person. The commissioner may, however, publish analyses of such reports and information from time to time for scientific and public health purposes, in such a manner as to assure that the identities of the individuals concerned cannot be ascertained.

§ 2732. Commissioner; functions, powers and duties. The commissioner shall have the following powers and duties:
   (a) To conduct scientific investigations and surveys of the causes, mortality, methods of treatment, prevention and cure of birth defects and genetic and allied diseases.
   (b) To publish from time to time the results of such investigations and surveys for the benefit of the public health and from time to time collate such publications for distribution to scientific organizations and qualified scientists and physicians…