S T A T E O F N E W Y O R K

4884

2009-2010 Regular Sessions

I N A S S E M B L Y

February 6, 2009

Introduced by M. of A. ALESSI -- Multi-Sponsored by -- M. of A. EDDINGTON -- read once and referred to the Committee on Health

AN ACT to amend the public health law, in relation to promulgation of rules and regulations related to treatment procedures in rehabilitation facilities

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. Short title. This act shall be known and may be cited as the "Martha DeFiore act".

S 2. The public health law is amended by adding a new section 2803-s to read as follows:

S 2803-S. RULES AND REGULATIONS RELATED TO TREATMENT PROCEDURES IN REHABILITATION FACILITIES. THE COMMISSIONER, PURSUANT TO THE POWERS AND DUTIES OF SECTION TWENTY-EIGHT HUNDRED THREE OF THIS ARTICLE, SHALL PROMULGATE RULES AND REGULATIONS RELATED TO TREATMENT PROCEDURES IN REHABILITATION FACILITIES, INCLUDING BUT NOT LIMITED TO, REQUIRING THAT:

(A) NO FEWER THAN TWO LICENSED PHYSICIANS IN DIFFERENT PRACTICE AREAS SHALL APPROVE A PATIENT FOR DISCHARGE FROM A MEDICAL FACILITY TO A REHABILITATION FACILITY;

(B) PATIENTS ENTERING A REHABILITATION FACILITY MUST BE EVALUATED BY A LICENSED PHYSICIAN WITHIN TWENTY-FOUR HOURS OF ADMISSION;

(C) PATIENTS IN REHABILITATION FACILITIES WHO EXHIBIT SIGNS OF A MEDICAL CONDITION UNRELATED TO THEIR CONDITION FOR REHABILITATION MUST BE RETURNED WITHIN TWENTY-FOUR HOURS AFTER THE ONSET OF SUCH MEDICAL CONDITION TO A MEDICAL FACILITY FOR EVALUATION BY A LICENSED PHYSICIAN.

S 3. This act shall take effect immediately.

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

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