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

6260

2009-2010 Regular Sessions

I N A S S E M B L Y

February 27, 2009

Introduced by M. of A. BARRA, WALKER -- read once and referred to the Committee on Social Services

AN ACT to amend the social services law, in relation to requiring an inquiry of applicants for medical assistance as to any existing living will or health care proxy

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

Section 1. Section 366-a of the social services law is amended by adding a new subdivision 1-a to read as follows:

1-A. EVERY PERSON MAKING APPLICATION FOR MEDICAL ASSISTANCE, AND EVERY PERSON ON WHOSE BEHALF AN APPLICATION IS MADE SHALL BE GIVEN AN OPPORTUNITY TO EXECUTE A LIVING WILL AND HEALTH CARE PROXY AND INQUIRY SHALL BE MADE AS TO ANY EXISTING LIVING WILL OR HEALTH CARE PROXY. THE RESULTS OF SUCH OFFERS AND INQUIRY SHALL, UPON APPROVAL OF THE APPLICATION, BE FORWARDED TO EVERY PROVIDER PRIOR TO THE PROVISION OF SERVICES OR TREATMENT.

S 2. This act shall take effect on the sixtieth day after it shall have become a law.

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

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