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

S. 3714 A. 5816

2011-2012 Regular Sessions

S E N A T E - A S S E M B L Y

March 2, 2011

IN SENATE -- Introduced by Sens. LAVALLE, BONACIC, LARKIN -- read twice and ordered printed, and when printed to be committed to the Committee on Health

IN ASSEMBLY -- Introduced by M. of A. LOSQUADRO -- read once and referred to the Committee on Health

AN ACT to amend the public health law, in relation to hospital disclosure of services provided outside of the United States

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

Section 1. The public health law is amended by adding a new section 2803-t to read as follows:

S 2803-T. DISCLOSURE OF SERVICES PERFORMED OUTSIDE THE UNITED STATES. 1. EVERY HOSPITAL OPERATING UNDER THE PROVISIONS OF THIS ARTICLE SHALL DISCLOSE TO EACH OF ITS PATIENTS, INFORMATION SETTING FORTH EACH HOSPITAL SERVICE AND HEALTH-RELATED SERVICE PROVIDED BY SUCH HOSPITAL THAT IS PERFORMED OUTSIDE OF THE UNITED STATES BY ANY PERSON, FIRM, CORPORATION OR OTHER BUSINESS ENTITY. SUCH INFORMATION SHALL BE IN CLEAR AND CONCISE LANGUAGE AND BE READILY COMPREHENSIBLE.

2. NOTHING IN THIS SECTION SHALL PRECLUDE A HOSPITAL FROM PROVIDING THE DISCLOSURE REQUIRED BY THIS SECTION AS AN ADDENDUM TO, OR IN CONNECTION WITH, ANY OTHER INFORMATION REQUIRED TO BE PROVIDED BY ANY OTHER PROVISION OF LAW, RULE OR REGULATION.

3. NO CAUSE OF ACTION OF WHATEVER NATURE OR KIND ARISING OUT OF A FAILURE TO GIVE OR RECEIVE THE DISCLOSURE REQUIRED BY THIS SECTION SHALL ACCRUE TO ANY PERSON AGAINST ANY HOSPITAL PROVIDING HOSPITAL OR HEALTH-RELATED SERVICES.

4. FOR PURPOSES OF THIS SECTION THE TERMS "HOSPITAL", "HOSPITAL SERVICE" AND "HEALTH-RELATED SERVICE" SHALL HAVE THE SAME MEANINGS AS SUCH TERMS ARE DEFINED IN SUBDIVISIONS ONE AND FOUR OF SECTION TWENTY-EIGHT HUNDRED ONE OF THIS ARTICLE.

S 2. This act shall take effect on the thirtieth 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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