

7031

I N S E N A T E

April 24, 2012

Introduced by Sen. HANNON -- read twice and ordered printed, and when printed to be committed to the Committee on Health

AN ACT to amend the public health law, in relation to non-emergent treatment in hospitals of nonadmitted patients

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

- 1 Section 1. The section heading of section 2805-b of the public health
2 law, as amended by chapter 787 of the laws of 1983, is amended to read
3 as follows:
4 Admission of patients, and emergency AND NON-EMERGENT treatment of
5 nonadmitted patients.
6 S 2. Section 2805-b of the public health law is amended by adding a
7 new subdivision 6 to read as follows:
8 6. IN ANY IMPLEMENTATION OF PROVISIONS FOR AN OBSERVATION LEVEL OF
9 CARE, THE COMMISSIONER SHALL:
10 (A) ALLOW FOR THE PROVISION OF OBSERVATION CARE FOR A PERIOD OF UP TO
11 FORTY-EIGHT HOURS FROM THE TIME THE PHYSICIAN ORDER FOR OBSERVATION
12 SERVICES IS ISSUED;
13 (B) ALLOW A GENERAL HOSPITAL TO DETERMINE THE PROPER CLINICAL AREA AND
14 LOCATION FOR THE CARE OF A SPECIFIC PATIENT REQUIRING OBSERVATION CARE
15 BASED ON THE NEEDS OF THE PATIENT AND THE AVAILABILITY OF SERVICES TO
16 MEET THOSE NEEDS;
17 (C) ALLOW A GENERAL HOSPITAL TO DETERMINE WHETHER IT WILL PROVIDE SUCH
18 CARE IN A DISTINCT PHYSICAL SPACE; AND
19 (D) PROVIDE MEDICAL ASSISTANCE COVERAGE FOR OBSERVATION CARE.
20 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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