

7257

2013-2014 Regular Sessions

I N A S S E M B L Y

May 8, 2013

Introduced by M. of A. PEOPLES-STOKES, GOTTFRIED -- read once and referred to the Committee on Health

AN ACT to amend the public health law, in relation to patient notice of the provision of observation services

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

- 1 Section 1. The public health law is amended by adding a new section
2 2805-v to read as follows:
3 S 2805-V. PATIENT NOTICE OF OBSERVATION SERVICES. 1. EVERY GENERAL
4 HOSPITAL SHALL PROVIDE PATIENTS WHO ARE PLACED INTO OBSERVATION SERVICES
5 WITH A VERBAL AND WRITTEN NOTICE WITHIN TWENTY-FOUR HOURS OF SUCH PLACE-
6 MENT THAT THE PATIENT IS NOT ADMITTED TO THE HOSPITAL AND IS UNDER
7 OBSERVATION STATUS. SUCH NOTICE SHALL BE SIGNED BY THE PATIENT OR THEIR
8 LEGAL REPRESENTATIVE TO ACKNOWLEDGE RECEIPT AND SHALL INCLUDE, BUT NOT
9 BE LIMITED TO, INFORMATION AND AN EXPLANATION OF:
10 (A) WHEN THE OBSERVATION SERVICES BEGAN;
11 (B) HOW OBSERVATION STATUS MAY AFFECT THE PATIENT'S MEDICARE, MEDICAID
12 AND/OR PRIVATE INSURANCE COVERAGE FOR THE CURRENT HOSPITAL SERVICES,
13 INCLUDING MEDICATIONS AND OTHER PHARMACEUTICAL SUPPLIES, AS WELL AS
14 COVERAGE FOR ANY SUBSEQUENT DISCHARGE TO A SKILLED NURSING FACILITY; AND
15 (C) WHO THE PATIENT CAN CONTACT TO BETTER UNDERSTAND THE IMPLICATIONS
16 OF BEING PLACED IN OBSERVATION STATUS.
17 2. THE COMMISSIONER SHALL DEVELOP AND MAKE AVAILABLE A STANDARD NOTICE
18 FORM AS DESCRIBED IN THIS SECTION WITHIN THIRTY DAYS OF THE EFFECTIVE
19 DATE OF THIS SECTION TO BE USED BY ALL GENERAL HOSPITALS AND SIGNED BY
20 PATIENTS PLACED IN OBSERVATION STATUS AFTER THAT DATE.
21 S 2. This act shall take effect immediately.

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

LBD05275-01-3