

8221--A

2013-2014 Regular Sessions

I N   A S S E M B L Y

October 24, 2013

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Introduced by M. of A. SKOUFIS -- Multi-Sponsored by -- M. of A. GLICK,  
WEISENBERG -- read once and referred to the Committee on Health --  
committee discharged, bill amended, ordered reprinted as amended and  
recommitted to said committee

AN ACT to amend the public health law, in relation to the reduction of  
hours or closure of a hospital emergency department

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

1     Section 1. The public health law is amended by adding a new section  
2     2801-h to read as follows:

3     S 2801-H. PUBLIC HEARING ON HOSPITAL EMERGENCY DEPARTMENT REDUCTION OF  
4     HOURS OR CLOSURE. 1. NO LATER THAN SIX MONTHS FROM RECEIVING A PROPOSAL  
5     FROM A GENERAL HOSPITAL FOR THE REDUCTION OF HOURS OR CLOSURE OF AN  
6     EMERGENCY DEPARTMENT OF SUCH GENERAL HOSPITAL, THE COMMISSIONER SHALL  
7     HOLD A PUBLIC HEARING FOR THE PURPOSE OF OBTAINING PUBLIC INPUT CONCERN-  
8     ING THE ANTICIPATED IMPACT OF THE REDUCTION OF HOURS OR GENERAL HOSPI-  
9     TAL'S EMERGENCY DEPARTMENT CLOSURE ON ACCESS TO HEALTH CARE SERVICES BY  
10    MEMBERS OF THE SURROUNDING COMMUNITY, INCLUDING BUT NOT LIMITED TO,  
11    RECIPIENTS OF MEDICAL ASSISTANCE FOR NEEDY PERSONS, THE UNINSURED, AND  
12    UNDERSERVED POPULATIONS, AND OPTIONS AND PROPOSALS TO AMELIORATE SUCH  
13    ANTICIPATED IMPACT. THE COMMISSIONER SHALL AFFORD COMMUNITY MEMBERS,  
14    HEALTH CARE PROVIDERS, LABOR UNIONS, PAYERS, BUSINESSES AND CONSUMERS A  
15    REASONABLE OPPORTUNITY TO SPEAK ABOUT RELEVANT MATTERS AT SUCH COMMUNITY  
16    FORUM.

17    2. A PUBLIC HEARING CONDUCTED PURSUANT TO THIS SECTION SHALL BE HELD  
18    AT A LOCATION WITHIN A REASONABLE PROXIMITY TO SUCH GENERAL HOSPITAL  
19    EMERGENCY DEPARTMENT SUBJECT TO REDUCTION OF HOURS OR CLOSURE, AND SHALL  
20    BE ANNOUNCED NO LESS THAN TEN DAYS PRIOR TO THE DATE OF SUCH PUBLIC  
21    HEARING.

22    3. NO HOSPITAL EXECUTIVE BONUSES SHALL BE GIVEN IN A CALENDAR YEAR IN  
23    WHICH A REQUEST TO REDUCE THE HOURS OR CLOSE A HOSPITAL EMERGENCY

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

LBD11932-03-3

1 DEPARTMENT IS SENT TO THE DEPARTMENT, AN APPLICATION IS IN THE PROCESS  
2 OF BEING REVIEWED BY THE DEPARTMENT TO REDUCE THE HOURS OR CLOSE A  
3 HOSPITAL EMERGENCY DEPARTMENT OR IN THE CALENDAR YEAR OF AND THE CALEN-  
4 DAR YEAR FOLLOWING A FINAL DECISION BY THE DEPARTMENT TO REDUCE THE  
5 HOURS OR CLOSE SUCH HOSPITAL EMERGENCY DEPARTMENT.  
6 S 2. Any hospital emergency department reduction of hours or closure  
7 pending before the department of health shall be delayed and subject to  
8 the provisions of section 2801-h of the public health law, as added by  
9 section one of this act.  
10 S 3. This act shall take effect immediately.