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

5154--C

2015-2016 Regular Sessions

I N S E N A T E

May 5, 2015

Introduced by Sen. DeFRANCISCO -- read twice and ordered printed, and when printed to be committed to the Committee on Mental Health and Developmental Disabilities -- reported favorably from said committee, ordered to first report, amended on first report, ordered to a second report and ordered reprinted, retaining its place in the order of second report -- recommitted to the Committee on Mental Health and Developmental Disabilities in accordance with Senate Rule 6, sec. 8 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the mental hygiene law, in relation to enacting "Peter Falk's law" relating to guardianship duties

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

Section 1. This act shall be known and may be cited as "Peter Falk's law".

S 2. Subdivision (c) of section 81.16 of the mental hygiene law is amended by adding three new paragraphs 4, 5 and 6 to read as follows:

4. THE ORDER OF APPOINTMENT SHALL IDENTIFY THE PERSONS ENTITLED TO RECEIVE NOTICE OF THE INCAPACITATED PERSON'S DEATH, THE INTENDED DISPOSITION OF THE REMAINS OF THE DECEDENT, FUNERAL ARRANGEMENTS AND FINAL RESTING PLACE WHEN THAT INFORMATION IS KNOWN OR CAN BE REASONABLY ASCERTAINED BY THE GUARDIAN.

5. THE ORDER OF APPOINTMENT MAY IDENTIFY THE PERSON OR PERSONS ENTITLED TO NOTICE OF THE INCAPACITATED PERSON'S TRANSFER TO A MEDICAL FACILITY.

6. THE ORDER OF APPOINTMENT MAY IDENTIFY THE PERSONS ENTITLED TO VISIT THE INCAPACITATED PERSON, IF THEY SO CHOOSE. HOWEVER, THE IDENTIFICATION OF SUCH PERSONS IN THE ORDER SHALL IN NO WAY LIMIT THE PERSONS ENTITLED TO VISIT THE INCAPACITATED PERSON.

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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