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

6077--A

2015-2016 Regular Sessions

I N S E N A T E

October 27, 2015

Introduced by Sen. LATIMER -- read twice and ordered printed, and when printed to be committed to the Committee on Rules -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the public health law, in relation to requiring hospitals and physicians to include certain information regarding military service of patients or persons close to patients on admission forms

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

Section 1. Subdivision 5 of section 2805-b of the public health law, as added by chapter 694 of the laws of 1986, is amended to read as follows:

5. The staff of a general hospital shall inquire whether or not the person admitted is a veteran, as defined in section eighty-five of the civil service law. [Such information shall be listed on the] THE admissions form SHALL INCLUDE INFORMATION INCLUDING, BUT NOT LIMITED TO, WHETHER THE PATIENT OR SOMEONE CLOSE TO THE PATIENT HAS EVER SERVED IN THE MILITARY, WHO SERVED IN THE MILITARY, WHEN AND WHERE DID THE PERSON SERVE, WHAT WAS THE PERSON IN THE MILITARY'S JOB DESCRIPTION, WHETHER THE PATIENT IS CURRENTLY REGISTERED WITH THE VETERANS ADMINISTRATION, AND WHETHER THE PATIENT IS CURRENTLY RECEIVING ANY BENEFITS FROM THE VETERANS ADMINISTRATION. The staff shall notify any admittee who is a veteran of the possible availability of services at a hospital operated by the veterans administration, and, upon request by the admittee, such staff shall make arrangements for the individual's transfer to a veterans administration operated hospital. Transfers shall be authorized only after it has been determined, according to accepted clinical and medical standards, that the patient's condition has stabilized and transfer can be accomplished safely and without complication. The commissioner shall promulgate rules and regulations for notifying such admittees of possible available services and for arranging a requested transfer.

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

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S 2. The public health law is amended by adding a new article 26-B to read as follows:

ARTICLE 26-B

MILITARY SERVICE INQUIRY

SECTION 2640. MILITARY SERVICE; DUTY TO INQUIRE AND RECORD.

S 2640. MILITARY SERVICE; DUTY TO INQUIRE AND RECORD. 1. EVERY PHYSICIAN SHALL INQUIRE OF EVERY RESIDENT OF THE STATE OF NEW YORK COMING TO SUCH PHYSICIAN FOR SERVICES OR TREATMENT WHETHER THE PERSON IS A VETERAN, AS DEFINED IN SECTION EIGHTY-FIVE OF THE CIVIL SERVICE LAW, AND SHALL RECORD THE ANSWERS TO SUCH INQUIRY IN THE PATIENT'S MEDICAL RECORD. THE PHYSICIAN SHALL RECORD, AT A MINIMUM, THE FOLLOWING INFORMATION: WHETHER THE PATIENT OR SOMEONE CLOSE TO THE PATIENT HAS EVER SERVED IN THE MILITARY, WHO SERVED IN THE MILITARY, WHEN AND WHERE DID THE PERSON SERVE, WHAT WAS THE PERSON IN THE MILITARY'S JOB DESCRIPTION, WHETHER THE PATIENT IS CURRENTLY REGISTERED WITH THE VETERANS ADMINISTRATION, AND WHETHER THE PATIENT IS CURRENTLY RECEIVING ANY BENEFITS FROM THE VETERANS ADMINISTRATION.

2. EACH PHYSICIAN PROVIDING SERVICES OR TREATMENT TO A VETERAN OR SOMEONE CLOSE TO A VETERAN SHALL NOTIFY SUCH PATIENT OF THE POSSIBLE AVAILABILITY OF SERVICES AT A HOSPITAL OPERATED BY THE VETERANS ADMINISTRATION AND, UPON REQUEST BY THE PATIENT, SUCH PHYSICIAN SHALL TRANSFER THE PATIENT'S MEDICAL RECORDS TO SUCH HOSPITAL. THE COMMISSIONER SHALL PROMULGATE RULES AND REGULATIONS FOR NOTIFYING SUCH PATIENT OF POSSIBLE AVAILABLE SERVICES AND FOR ARRANGING FOR A TRANSFER OF MEDICAL RECORDS.

S 3. This act shall take effect immediately.