

# STATE OF NEW YORK

5127

2017-2018 Regular Sessions

## IN ASSEMBLY

February 6, 2017

Introduced by M. of A. ROSENTHAL, GOTTFRIED, BRONSON -- Multi-Sponsored  
by -- M. of A. GLICK, LUPARDO, McKEVITT -- read once and referred to  
the Committee on Health

AN ACT to amend the public health law, in relation to requiring pre-admission notification of policies authorizing the refusal to follow directives in health care proxies that are contrary to a hospital's operating principles

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

1 Section 1. Paragraph (a) of subdivision 3 of section 2984 of the  
2 public health law, as amended by chapter 8 of the laws of 2010, is  
3 amended to read as follows:

4 (a) the hospital has informed the patient or the health care agent of  
5 such policy prior to [~~ex-upon~~] admission, [~~if-reasonably-possible~~]  
6 provided, that in the case of an emergency, the information may be  
7 provided as soon as reasonably possible upon or after admission, and if  
8 such information is given upon admission or later, an explanation as to  
9 why such information was not given prior to admission shall be given to  
10 the patient or health care agent and shall be placed in the patient's  
11 medical record; and

12 § 2. Paragraph (b) of subdivision 1 of section 2994-n of the public  
13 health law, as added by chapter 8 of the laws of 2010, is amended to  
14 read as follows:

15 (b) The hospital has informed the patient, family, or surrogate of  
16 such policy prior to [~~ex-upon~~] admission, [~~if-reasonably-possible~~]  
17 provided, that in the case of an emergency, the information may be  
18 provided as soon as reasonably possible upon or after admission, and if  
19 such information is given upon admission or later, an explanation as to  
20 why such information was not given prior to admission shall be given to  
21 the patient or health care agent and shall be placed in the patient's  
22 medical record; and

23 § 3. This act shall take effect on the sixtieth day after it shall  
24 have become a law.

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

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