

STATE OF NEW YORK

5705

2017-2018 Regular Sessions

IN ASSEMBLY

February 14, 2017

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

AN ACT to amend the public health law, in relation to decisions about
routine medical treatment for hospice patients without a surrogate
decision maker

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

1 Section 1. Paragraph (c) of subdivision 5-a of section 2994-g of the
2 public health law, as added by chapter 107 of the laws of 2015, is
3 amended to read as follows:

4 (c) The ethics review committee of the general hospital, residential
5 health care facility or hospice, as applicable, including at least one
6 physician who is not the patient's attending physician, or a court of
7 competent jurisdiction, must review the decision and determine that it
8 is consistent with such standards for surrogate decisions. This require-
9 ment shall not apply to decisions about routine medical treatment. Such
10 decisions shall be governed by subdivision three of this section.

11 § 2. 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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