

STATE OF NEW YORK

10376

IN ASSEMBLY

April 18, 2018

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

AN ACT in relation to requiring the commissioner of health to conduct a study relating to medical aid in dying

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

1 Section 1. (a) The commissioner of health is hereby authorized and
2 directed to study the issues, implications, practices, licensure
3 requirements and other topics related to medical aid in dying.

4 (b) The study shall include, but not be limited to, the following
5 topics related to medical aid in dying: statutes currently in effect
6 across the United States and elsewhere; program implementation; written
7 and oral request processes; rescission of a patient's request; existing
8 clinical criteria used by physicians to determine whether a patient is
9 eligible; the specific type of physicians or medical professionals who
10 are legally authorized to respond to a patient's inquiries or request
11 for the end-of-life medication or assistance; the physicians' responsi-
12 bilities and duties; the consulting physician's responsibilities and
13 duties; the referral process to mental health professionals; the type of
14 medical record documentation requirements; how physicians respond to a
15 patient's inquiry; how physicians assess patients' decision making capa-
16 bilities; the use of an interpreter in circumstances where one is
17 requested, required or appropriate; procedures administered including
18 the types and doses of prescription medications provided if any; infor-
19 mation statistical and other regarding people who have used medical aid
20 in dying; an appraisal of reported abuse, if any, of medical aid in
21 dying; regular reporting requirements; issues involving health or life
22 insurance coverage; an examination of current hospice services across
23 New York state; and any other topic or issue required to conduct this
24 study.

25 (c) The commissioner of health shall submit a report including recom-
26 mendations and findings based on this study to the governor, the tempo-
27 rary president of the senate, the speaker of the assembly and the chairs
28 of the senate and assembly standing committees on health no later than
29 December 31, 2019.

30 § 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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