

STATE OF NEW YORK

198

2021-2022 Regular Sessions

IN ASSEMBLY

(Prefiled)

January 6, 2021

Introduced by M. of A. CAHILL, SEAWRIGHT, ZEBROWSKI, BARRON, GLICK, BICHOTTE -- Multi-Sponsored by -- M. of A. COOK, DICKENS -- 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

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

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1 New York state; and any other topic or issue required to conduct this
2 study.

3 (c) The commissioner of health shall submit a report including recom-
4 mendations and findings based on this study to the governor, the tempo-
5 rary president of the senate, the speaker of the assembly and the chairs
6 of the senate and assembly standing committees on health no later than
7 December 31, 2022.

8 § 2. This act shall take effect immediately.