

STATE OF NEW YORK

7872

2023-2024 Regular Sessions

IN ASSEMBLY

July 7, 2023

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

AN ACT to amend the public health law, in relation to providing health care proxy information to palliative care patients

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

1 Section 1. Paragraph (b) of subdivision 2 of section 2997-c of the
2 public health law, as amended by chapter 256 of the laws of 2012, is
3 amended and a new paragraph (c) is added to read as follows:

4 (b) information regarding other appropriate treatment options should
5 the patient wish to initiate or continue curative treatment. The infor-
6 mation and counseling may be provided orally or in writing. Where the
7 patient lacks capacity to reasonably understand and make informed choic-
8 es relating to palliative care, the attending health care practitioner
9 shall provide information and counseling under this section to a person
10 with authority to make health care decisions for the patient. The
11 attending health care practitioner may arrange for information and coun-
12 seling under this section to be provided by another professionally qual-
13 ified individual~~[-]~~, and

14 (c) information and counseling regarding benefits of completing a
15 health care proxy and appointing a health care agent. A copy of the
16 newly completed or existing health care proxy shall be requested by the
17 health care practitioner and made a part of the patient's medical
18 record.

19 § 2. This act shall take effect immediately.

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

LBD10636-01-3