

STATE OF NEW YORK

7872--A

Cal. No. 312

2023-2024 Regular Sessions

IN ASSEMBLY

July 7, 2023

Introduced by M. of A. PAULIN -- read once and referred to the Committee on Health -- recommitted to the Committee on Health in accordance with Assembly Rule 3, sec. 2 -- advanced to a third reading, passed by Assembly and delivered to the Senate, recalled from the Senate, vote reconsidered, bill amended, ordered reprinted, retaining its place on the order of third reading

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 treatment. The information and
6 counseling may be provided orally or in writing. Where the patient lacks
7 capacity to reasonably understand and make informed choices relating to
8 palliative care, the attending health care practitioner shall provide
9 information and counseling under this section to a person with authority
10 to make health care decisions for the patient. The attending health care
11 practitioner may arrange for information and counseling under this
12 section to be provided by another professionally qualified
13 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.

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