STATE OF NEW YORK

8632

IN SENATE

February 23, 2024

Introduced by Sen. HOYLMAN-SIGAL -- read twice and ordered printed, and when printed to be committed 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:

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

(b) information regarding other appropriate treatment options should the patient wish to initiate or continue **curative** treatment. The information and counseling may be provided orally or in writing. Where the patient lacks capacity to reasonably understand and make informed choices relating to palliative care, the attending health care practitioner shall provide information and counseling under this section to a person with authority to make health care decisions for the patient. The attending health care practitioner may arrange for information and counseling under this section to be provided by another professionally qualified individual[.]**, and**

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

§ 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