STATE OF NEW YORK

7823

2023-2024 Regular Sessions

IN ASSEMBLY

June 15, 2023

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

AN ACT to amend the public health law, in relation to care for adult malpractice victims injured at birth

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

Section 1. This act shall be known and may be cited as the "care for adult malpractice victims injured at birth act".

§ 2. Subdivision 3 of section 2999-h of the public health law, as amended by chapter 112 of the laws of 2023, is amended to read as follows:

3. "Qualifying health care costs" means the future medical, hospital, surgical, nursing, dental, rehabilitation, habilitation, respite, custodial, **adult day programs, sheltered workshops, care coordination services,** durable medical equipment, home modifications, assistive technology, vehicle modifications, transportation for purposes of health care related appointments, prescription and non-prescription medications, and other health care costs actually incurred for services rendered to and supplies utilized by qualified plaintiffs, which are necessary to meet their health care needs, as determined by their treating physicians, physician assistants, or nurse practitioners and as otherwise defined by the commissioner in regulation.

§ 3. This act shall take effect immediately and shall apply to any person enrolled in the New York state medical indemnity fund on and after such date.

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

LBD11770-01-3