

STATE OF NEW YORK

387--A

2025-2026 Regular Sessions

IN ASSEMBLY

(Prefiled)

January 8, 2025

Introduced by M. of A. ROZIC, SIMON, WEPRIN, SEAWRIGHT, HEVESI, TAYLOR, SCHIAVONI, SHIMSKY, DeSTEFANO, McDONOUGH, EPSTEIN -- read once and referred to the Committee on Health -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the public health law, in relation to requiring hospitals to provide language assistance services

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

1 Section 1. The public health law is amended by adding a new section
2 2803-bb to read as follows:

3 § 2803-bb. Provision of language assistance. Every hospital shall
4 develop a language assistance program to ensure meaningful access to the
5 hospital's services and reasonable accommodation for all patients who
6 require language assistance. Program requirements shall include:

7 1. the designation of a language assistance coordinator who shall
8 report to hospital administration and who shall provide oversight for
9 the provision of language assistance services;

10 2. policies and procedures that ensure timely identification and ongoing
11 access for patients in need of language assistance services;

12 3. the development of materials that will be made available for
13 patients and potential patients that summarize the process and method to
14 access free language assistance services;

15 4. ongoing education and training for administrative, clinical and
16 other employees with direct patient care contact regarding the importance
17 of culturally and linguistically competent service delivery and
18 how to access the hospital's language assistance services on behalf of
19 patients;

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

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1 5. signage, as designated by the department, regarding the availabili-
2 ty of free language assistance services in public entry locations and
3 other public locations;

4 6. identification of language of preference and language needs of each
5 patient upon initial visit to the hospital;

6 7. documentation in the medical record of the patient's language of
7 preference, language needs, and the acceptance or refusal of language
8 assistance services;

9 8. a provision that family members, friends, or non-hospital personnel
10 may not act as interpreters, unless:

11 (a) the patient agrees to their use;

12 (b) free interpreter services have been offered by the hospital and
13 refused; and

14 (c) issues of age, competency, confidentiality, or conflicts of inter-
15 est are taken into account. Any individual acting as an interpreter
16 should be sixteen years of age or older; individuals younger than
17 sixteen years of age shall only be used in emergency circumstances and
18 their use documented in the medical record;

19 9. management of a resource of skilled interpreters and persons
20 skilled in communicating with vision and/or hearing-impaired individ-
21 uals. Interpreters and persons skilled in communicating with vision
22 and/or hearing-impaired individuals shall be available to patients in
23 the inpatient and outpatient setting within twenty minutes and to
24 patients in the emergency service within ten minutes of a request to
25 hospital administration by the patient, the patient's family or repre-
26 sentative or the provider of medical care. The commissioner may approve
27 time limited alternatives to the provisions of this subdivision regard-
28 ing interpreters and persons skilled in communicating with vision and/or
29 hearing-impaired individuals for patients of rural hospitals which:

30 (a) demonstrate that they have taken and are continuing to take all
31 reasonable steps to fulfill these requirements but are not able to
32 fulfill such requirements immediately for reasons beyond the hospital's
33 control; and

34 (b) have developed and implemented effective interim plans addressing
35 the communications needs of individuals in the hospital service area;

36 10. an annual needs assessment utilizing demographic information
37 available from the United States bureau of the census, hospital adminis-
38 trative data, school system data, or other sources, that shall identify
39 limited English-speaking groups comprising more than one percent of the
40 total hospital service area population. Translations/transcriptions of
41 significant hospital forms and instructions shall be regularly available
42 for the languages identified by the needs assessment; and

43 11. reasonable accommodation for a family member or patient's repre-
44 sentative to be present to assist with the communication assistance
45 needs for patients with mental and developmental disabilities.

46 § 2. This act shall take effect immediately.