

STATE OF NEW YORK

387--B

Cal. No. 61

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, BURDICK, CRUZ, PAULIN, LEE, BRAUNSTEIN, COLTON, KIM, BICHOTTE HERMELYN, SAYEGH -- read once and referred to the Committee on Health -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- reported from committee, advanced to a third reading, amended and ordered reprinted, retaining its place on the order of third reading

AN ACT to amend the public health law, in relation to requiring general 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 general hospital
4 shall develop a language assistance program to ensure meaningful access
5 to the general hospital's services and reasonable accommodation for all
6 patients who require language assistance. Program requirements shall
7 include:

8 1. the designation of a language assistance coordinator who shall
9 report to general hospital administration and who shall provide over-
10 sight for the provision of language assistance services;

11 2. policies and procedures that ensure timely identification and ongo-
12 ing access for patients in need of language assistance services;

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

16 4. ongoing education and training for administrative, clinical and
17 other employees with direct patient care contact regarding the impor-
18 tance of culturally and linguistically competent service delivery and

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

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1 how to access the general hospital's language assistance services on
2 behalf of patients;

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

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

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

11 8. a provision that family members, friends, or non-general hospital
12 personnel shall not act as interpreters, unless:

13 (a) the patient agrees to their use;

14 (b) free interpreter services have been offered by the general hospi-
15 tal and refused; and

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

21 9. management of a resource of skilled interpreters and persons
22 skilled in communicating with vision and/or hearing-impaired individ-
23 uals. Interpreters and persons skilled in communicating with vision
24 and/or hearing-impaired individuals shall be available to patients with-
25 in a reasonable period of time from a request to general hospital admin-
26 istration by the patient, the patient's family or representative or the
27 provider of medical care. The commissioner may approve reasonable time
28 periods to the provisions of this subdivision regarding interpreters and
29 persons skilled in communicating with vision and/or hearing-impaired
30 individuals for patients of rural general hospitals which:

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

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

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

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

49 § 2. This act shall take effect immediately.