

STATE OF NEW YORK

4835

2025-2026 Regular Sessions

IN ASSEMBLY

February 6, 2025

Introduced by M. of A. SANTABARBARA -- read once and referred to the Committee on People with Disabilities

AN ACT to amend the public health law and the insurance law, in relation to a premium reduction for physicians who complete a risk management strategies course relating to emergency department visits for individuals with a developmental or intellectual disability

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

Section 1. Section 2828 of the public health law, as added by chapter 689 of the laws of 2021, is renumbered section 2832 and a new section 2833 is added to read as follows:

§ 2833. Individuals with disabilities training strategies. 1. In order to improve patient safety and outcomes, minimize health inequity, build the capacity of staff to understand the needs of individuals with intellectual and developmental disabilities and to promote informed consultation by patients with their physicians, nurses and other staff during visits to an emergency department in a general hospital, the commissioner, in consultation with the office for people with developmental disabilities, shall approve courses for eligible physicians, nurses and other staff as provided in subdivision four of this section, that covers risk management strategies in emergency department visits for individuals with a developmental or intellectual disability as such term is defined in section 1.03 of the mental hygiene law, as described in subdivision two of this section. Such risk management strategies courses shall be subject to such standards as the commissioner, in consultation with the office for people with developmental disabilities, may prescribe by regulation.

2. Courses on risk management strategies during emergency visits by those with a developmental or intellectual disability shall promote evidence-based clinical guidelines and patient safety protocols, with an emphasis on perspectives from those with a developmental or intellectual

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

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1 disability. Options for courses should be appropriate for the respective
2 profession and may include information addressing risks associated with
3 emergency visits by individuals with a developmental or intellectual
4 disability. Course options shall be determined by the commissioner in
5 consultation with the office for people with developmental disabilities.

6 3. Attendance at any course approved by the commissioner pursuant to
7 this section shall be in person.

8 4. Physicians who are board certified, nurses and other staff from an
9 emergency department in a general hospital shall be eligible for a disa-
10 bilities risk management strategies course.

11 5. The commissioner, in consultation with the office for people with
12 developmental disabilities, shall be authorized to prescribe any rules
13 and regulations necessary to implement this section. In prescribing such
14 rules and regulations, the commissioner shall consider the rules and
15 regulations promulgated by the superintendent of financial services
16 pursuant to subsection (e) of section two thousand three hundred forty-
17 three of the insurance law and may consult with the superintendent of
18 financial services.

19 § 2. Subsection (e) of section 2343 of the insurance law, as added by
20 chapter 642 of the laws of 1990, is amended and a new subsection (f) is
21 added to read as follows:

22 (e) The superintendent may approve an appropriate premium reduction
23 for: (1) an insured physician who successfully completes a risk manage-
24 ment course; or (2) an insured physician who successfully completes a
25 course authorized by the commissioner of health pursuant to section
26 twenty-eight hundred thirty-three of the public health law, which must
27 be approved by the superintendent subject to such standards as the
28 superintendent may prescribe by regulation. In prescribing such regu-
29 lation the superintendent may consult with the commissioner of health.

30 (f) An insured physician who successfully completes a course author-
31 ized by the commissioner of health under section twenty-eight hundred
32 thirty-three of the public health law shall not, during the period set
33 forth in the superintendent's regulations prescribing standards for the
34 premium reduction, also be eligible for additional premium reduction for
35 an insured physician medical malpractice insurance policy for successful
36 completion of a risk management course approved by the superintendent
37 under part one hundred fifty-two of title eleven of the New York code of
38 rules and regulations.

39 § 3. This act shall take effect one year after it shall have become a
40 law and shall apply to all insurance policies and contracts issued,
41 renewed, modified or altered on and after such effective date. The
42 commissioner of health and the superintendent of financial services are
43 authorized to adopt, amend, suspend or repeal regulations and take other
44 actions necessary for the implementation of this act prior to such
45 effective date; provided, however, that such adoption, amendment,
46 suspension or repeal of regulations shall not have legal effect until
47 this act takes effect.