STATE OF NEW YORK

6773--C

2025-2026 Regular Sessions

IN ASSEMBLY

March 14, 2025

Introduced by M. of A. PAULIN, McDONALD, WOERNER -- read once and referred to the Committee on Health -- reported from committee, advanced to a third reading, amended and ordered reprinted, retaining its place on the order of third reading -- reported from committee, advanced to a third reading, amended and ordered reprinted, retaining its place on the order of third reading -- ordered to a third reading -- committed to the Committee on Health in accordance with Rule 3, sec. 2 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the public health law, in relation to removing the requirement that consent for the payment of certain medical services must occur after such services are administered; and requires a uniform form for consent for payment

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

Section 1. Section 18-c of the public health law, as added by section 4 of part O of chapter 57 of the laws of 2024, is amended to read as follows:

§ 18-c. Separate patient consent for treatment and payment for health care services. Informed consent from a patient to provide any treatment, procedure, examination or other direct health care services shall be obtained separately from such patient's consent to pay for the services. [~~Consent to pay for any health care services by a patient shall not be given prior to the patient receiving such services and discussing treatment costs.~~] **Any consent for payment shall be done utilizing a uniform form which shall be developed by the superintendent of financial services in conjunction with the commissioner. The uniform patient liability form shall not include language that requires patients to assume an unlimited amount of financial liability. Such form shall specify the patient is only liable for the cost of services actually provided. Such form shall include the following language: "I understand**

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

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that I may request a "good faith estimate" of any current or future visit, or procedure". Such good faith estimate shall be provided to patients upon request, subject to regulations developed by the superintendent of financial services in conjunction with the commissioner. The consent for payment form shall be signed by a patient or their legal representative. A form that does not comply with this section shall be prohibited and unenforceable. For purposes of this section, "consent" means an action which: (a) clearly and conspicuously communicates the individual's authorization of an act or practice; (b) is made in the absence of any mechanism in the user interface that has the purpose or substantial effect of obscuring, subverting, or impairing decision-making or choice to obtain consent; and (c) cannot be inferred from inaction.

§ 2. This act shall take effect immediately.