

# STATE OF NEW YORK

10164--A

## IN SENATE

May 1, 2026

Introduced by Sen. CLEARE -- read twice and ordered printed, and when printed to be committed 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 consent to include patient information in a general hospital facility directory

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 2805-aa to read as follows:

3 § 2805-aa. General hospital facility directories. 1. No general hospi-  
4 tal shall include any patient in a facility directory without first  
5 obtaining verbal and written informed consent from the patient or the  
6 patient's legal representative. In order for such consent to be valid,  
7 the general hospital shall inform the patient that the information  
8 contained within the facility directory may be shared with others, and  
9 the patient shall receive a copy of the general hospital's policy on the  
10 facility directory.

11 2. If the opportunity to consent to inclusion in the facility directo-  
12 ry cannot practicably be provided because of the patient's incapacity,  
13 provided the patient's legal representative is not practicably avail-  
14 able, or an emergency circumstance, a general hospital may include the  
15 patient in the facility directory and may disclose such patient's iden-  
16 tifying information, if such disclosure:

17 (a) is consistent with a prior expressed preference of the individual,  
18 if any, that is known to the general hospital; and

19 (b) is in the individual's best interest, as determined by general  
20 hospital staff, in the exercise of professional judgment.

21 § 2. This act shall take effect eighteen months after it shall have  
22 become a law.

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

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