

STATE OF NEW YORK

6773--B

Cal. No. 68

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

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:

1 Section 1. Section 18-c of the public health law, as added by section
2 4 of part 0 of chapter 57 of the laws of 2024, is amended to read as
3 follows:
4 § 18-c. Separate patient consent for treatment and payment for health
5 care services. Informed consent from a patient to provide any treatment,
6 procedure, examination or other direct health care services shall be
7 obtained separately from such patient's consent to pay for the services.
8 [~~Consent to pay for any health care services by a patient shall not be~~
9 ~~given prior to the patient receiving such services and discussing treat-~~
10 ~~ment costs.~~] Any consent for payment shall be done utilizing a uniform
11 form which shall be developed by the superintendent of financial
12 services in conjunction with the commissioner. The uniform patient
13 liability form shall not include the use of language that requires
14 patients to assume an unlimited amount of financial liability. Such
15 form shall specify the patient is only liable for the cost of services
16 actually provided. Such form shall include the following language "I
17 understand that I may request a "Good Faith Estimate" of any current or
18 future visit, or procedure". Any such form not signed by a patient or
19 their legal representative shall be prohibited and unenforceable. For

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

LBD10497-05-5

1 purposes of this section, "consent" means an action which: (a) clearly
2 and conspicuously communicates the individual's authorization of an act
3 or practice; (b) is made in the absence of any mechanism in the user
4 interface that has the purpose or substantial effect of obscuring,
5 subverting, or impairing decision-making or choice to obtain consent;
6 and (c) cannot be inferred from inaction.

7 § 2. This act shall take effect immediately.