

STATE OF NEW YORK

9620

IN SENATE

March 30, 2026

Introduced by Sen. SCARCELLA-SPANTON -- read twice and ordered printed,
and when printed to be committed to the Committee on Health

AN ACT to amend the public health law, in relation to requiring residential health care facilities to maintain hospice agreements to ensure access to hospice services for eligible residents

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

1 Section 1. Section 2808 of the public health law is amended by adding
2 a new subdivision 28 to read as follows:

3 28. (a) Each residential health care facility shall enter into and
4 maintain one or more written agreements with hospice programs licensed
5 pursuant to article forty of this chapter to ensure access to hospice
6 services for residents who are eligible for and elect the hospice bene-
7 fit.

8 (b) Such agreements shall provide for coordination of care between the
9 residential health care facility and the hospice program and shall, at a
10 minimum, address:

11 (i) timely hospice evaluation and referral;

12 (ii) roles and responsibilities of facility staff and hospice person-
13 nel;

14 (iii) interdisciplinary care planning and symptom management;

15 (iv) medication management and clinical oversight;

16 (v) after-hours communication and emergency response; and

17 (vi) documentation and information sharing, consistent with applicable
18 law.

19 (c) The department shall provide guidance and technical assistance to
20 residential health care facilities and hospice programs to support
21 implementation of this subdivision, including model contract provisions
22 and best practice recommendations.

23 (d) Failure to comply with the requirements of this subdivision shall
24 constitute a violation subject to enforcement pursuant to this article.

25 (e) To the extent necessary to implement the provisions of this subdi-
26 vision, the department shall seek any federal approvals required.

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

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1 § 2. This act shall take effect on the one hundredth day after it
2 shall have become a law. Effective immediately, the addition, amendment
3 and/or repeal of any rule or regulation necessary for the implementation
4 of this act on its effective date are authorized to be made and
5 completed on or before such effective date.