§ 2827. Plant-based food options. 1. Upon request by a patient or the patient's lawful representative in a hospital providing inpatient or residential care, the hospital shall offer the patient a plant-based food option as an alternative to every meal or snack offered in food service to the patient. All the hospital's written material describing food offerings shall include the availability of a plant-based food option. The plant-based food option shall be offered at no additional cost to the patient beyond what would be charged for a comparable non-plant-based food option.

2. The hospital shall respond in a reasonable manner and time to any request made under this section. The request shall be effective for every hospital meal or snack in which the patient is reasonably expected to participate. This section does not preclude the offering of plant-based food options to patients who have not requested it, and does not preclude an individual who has requested a plant-based food option from selecting a non-plant-based food option.

3. As used in this section:

(a) "Plant-based food option" means a food or beverage that is free of animal products and that has nutritional value comparable to the non-plant-based food option that it replaces.

(b) "Animal product" means meat, poultry, seafood, dairy, eggs, honey, and any derivative thereof.

4. This section shall not apply to patient nutritional support products including, but not limited to, infant formulas, nutritional modulars, oral nutritional supplements, enteral nutrition formulas, and parenteral or intravenous nutrition, prescribed or ordered by a health care professional, licensed, certified or otherwise authorized to practice under title eight of the education law, acting within the professional's lawful scope of practice. However, where a request is made under subdivision one of this section, and a health care professional is considering prescribing or ordering a patient nutritional support product under this subdivision, the health care professional shall consider and advise the requester whether a medically suitable plant-based food option is reasonably available.