§ 2899-m. Permissible refusals and prohibitions. 1. (a) A physician, nurse, pharmacist, other health care provider or other person shall not be under any duty, by law or contract, to participate in the provision of medication to a patient under this article.

(b) If a health care provider is unable or unwilling to participate in the provision of medication to a patient under this article and the patient transfers care to a new health care provider, the prior health care provider shall transfer or arrange for the transfer, upon request, of a copy of the patient's relevant medical records to the new health care provider.

2. (a) A private health care facility may prohibit the prescribing, dispensing, ordering or self-administering of medication under this article while the patient is being treated in the health care facility or in an affiliated facility that is majority-owned, operated, or controlled by the same corporate entity as the health care facility, or while the patient is residing in the health care facility if:

(i) the prescribing, dispensing, ordering or self-administering is contrary to a formally adopted policy of the health care facility that is expressly based on sincerely held religious beliefs or moral convictions central to the health care facility's operating principles; and

(ii) the health care facility has informed the patient of such policy prior to admission or as soon as reasonably possible.

(b) Where a health care facility has adopted a prohibition under this subdivision, if a patient who wishes to use medication under this article requests, the patient shall be transferred promptly to another health care facility that is reasonably accessible under the circumstances and willing to permit the prescribing, dispensing, ordering and self-administering of medication under this article with respect to the patient.

(b-1) A health care facility or an affiliated facility that is majority-owned, operated, or controlled by the same corporate entity as the health care facility that has adopted a prohibition under this subdivision may restrict any employee from participating in the provision of medication under this article.

(c) Where a health care facility has adopted a prohibition under this

subdivision, any health care provider or employee or independent contractor of the health care facility or any facility that is majority-owned, operated, or controlled by the same corporate entity as the health care facility who violates the prohibition may be subject to sanctions otherwise available to the health care facility, provided the health care facility has previously notified the health care provider, employee or independent contractor of the prohibition in writing.

3. Nothing in this section shall be construed to restrict a patient at home from accessing care under this article.