

2019-2020 Regular Sessions

I N   A S S E M B L Y

(PREFILED)

January 9, 2019

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Introduced by M. of A. CAHILL, JAFFEE, SEAWRIGHT, ZEBROWSKI, BARRON,  
RAIA, BLAKE, GLICK, ARROYO, BICHOTTE -- Multi-Sponsored by -- M. of A.  
COOK, DICKENS -- read once and referred to the Committee on Health

AN ACT in relation to requiring the commissioner of health to conduct a  
study relating to medical aid in dying

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEM-  
BLY, DO ENACT AS FOLLOWS:

1     Section 1. (a) The commissioner of health is hereby authorized and  
2     directed to study the issues, implications, practices, licensure  
3     requirements and other topics related to medical aid in dying.  
4     (b) The study shall include, but not be limited to, the following  
5     topics related to medical aid in dying: statutes currently in effect  
6     across the United States and elsewhere; program implementation; written  
7     and oral request processes; rescission of a patient's request; existing  
8     clinical criteria used by physicians to determine whether a patient is  
9     eligible; the specific type of physicians or medical professionals who  
10    are legally authorized to respond to a patient's inquiries or request  
11    for the end-of-life medication or assistance; the physicians' responsi-  
12    bilities and duties; the consulting physician's responsibilities and  
13    duties; the referral process to mental health professionals; the type of  
14    medical record documentation requirements; how physicians respond to a  
15    patient's inquiry; how physicians assess patients' decision making capa-  
16    bilities; the use of an interpreter in circumstances where one is  
17    requested, required or appropriate; procedures administered including  
18    the types and doses of prescription medications provided if any; infor-  
19    mation statistical and other regarding people who have used medical aid  
20    in dying; an appraisal of reported abuse, if any, of medical aid in  
21    dying; regular reporting requirements; issues involving health or life  
22    insurance coverage; an examination of current hospice services across

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

LBD00024-01-9

1 New York state; and any other topic or issue required to conduct this  
2 study.

3 (c) The commissioner of health shall submit a report including recom-  
4 mendations and findings based on this study to the governor, the tempo-  
5 rary president of the senate, the speaker of the assembly and the chairs  
6 of the senate and assembly standing committees on health no later than  
7 December 31, 2020.

8 § 2. This act shall take effect immediately.