



NEW YORK STATE SENATOR

Michelle Hinchey

Hinchey, Rozic Announce Legislation to Ensure Hospital Transparency

MICHELLE HINCHEY March 8, 2021

| ISSUE: **HOSPITAL TRANSPARENCY, POLICY-BASED EXCLUSIONS, HEALTH EQUITY**



Albany, NY – Senator Michelle Hinchey (SD-46) and Assemblywoman Nily Rozic (AD-25) today announced legislation to ensure that individuals have access to information about whether the hospital in their area provides the care they need prior to admission and to identify health care deserts in New York. The legislation will direct the Department of Health to collect a list of policy-based exclusions from each general hospital and to publish a list of the hospitals that have such exclusions, and the specific policy-based exclusions for each, on its website that is updated annually.

“It’s well past time to strengthen information transparency in our healthcare system,” **said Senator Hinchey**. “All New Yorkers have the right to know what medical services are available at their local hospital. This is especially important now as we are seeing a wave of hospital consolidations and, therefore, the loss of services in communities across the state. Our legislation will ensure that New Yorkers have access to the information they need to make the most informed health decisions possible for themselves and their families. At the same time, this bill will allow us to identify key service gaps that are leaving entire regions of our state without access to proper care. This is a critical step towards greater health equity for all New Yorkers.”

“The current pandemic has laid bare how crucial hospital care is and how little we know about what care each hospital provides,” **said Assemblywoman Rozic**. “No patient should be denied the care they need simply because they had no way to know that their local hospital excluded certain procedures. This legislation will go a long way to ensure New Yorkers have access to the data they deserve in order to make informed decisions about their health care needs.”

Allie Bohm, Policy Counsel at the New York Civil Liberties Union said: “New Yorkers are often unaware that their local hospital will not provide the health care they need. Denials of care are preventable and too often jeopardize people’s lives and, in some cases, have proven deadly. The NYCLU applauds Assembly Member Rozic and Senator Hinchey for introducing legislation that requires hospital transparency to help identify health care deserts and ensure that people can get the information they need to make time-sensitive and important health care decisions.”

Andrea Miller, President of the National Institute of Reproductive Health (NIRH) and its Action Fund said: “When someone needs medical attention, it is imperative they know if they will be

able to access the care they need at their local hospital. Confusion or denial of care can be dangerous -- and deadly. NIRH Action Fund applauds Assembly Member Rozic and Senator Hinchey for proactively introducing legislation to ensure transparency and clarify for patients and their loved ones as health care systems consolidate across New York.”

Robin Chappelle Golston, President and CEO Planned Parenthood Empire State Acts said:

“Communities across the state are facing hospital closures and consolidations that may impact or limit access to care. As these closures and consolidations occur, we must ensure that consumers have access to information about what services are or are not available within their community. We must also understand where access to services has been compromised so that we can identify pathways that ensure individuals are able to receive the care they need and have a right to obtain. Thank you Assemblymember Rozic and Senator Hinchey for your leadership on this important legislation.”

Michelle Ostrelich, Schenectady County Legislator, Chair of its Health and Human Services

Committee and founder of the Schenectady Coalition for Healthcare Access said: “The Healthcare Transparency Act is so timely and relevant as we face a merger in Schenectady County of our community hospital and a larger healthcare system - one that is part of a large midwestern conglomerate. The ramifications of this merger will have a direct and disparate impact on people already facing barriers in our healthcare delivery system - not just in our county, but throughout the Capital District and beyond. Community members have the right to know what services will be available to them at their local hospital and which ones will be lost as a result of any merger. And they have the right to patient-centered comprehensive health care. I am grateful to our own Senator Hinchey for championing this important legislation in the fight for healthcare justice.”

Alison Gill, American Atheists Vice President for Legal and Policy said: “When New Yorkers are

in the middle of a medical emergency, they need to know that their hospital will treat them, not turn them away for discriminatory reasons. Thankfully, Assemblymember Rozic and Senator Hinchey have introduced important legislation to fix this life-threatening problem. No one should find out that a hospital will deny them care until it's too late.”

Since 2003, over 40 community hospitals in New York have closed. Currently, large health care systems now control more than 70 percent of acute hospital beds, and hospital mergers in New York continue apace. Unfortunately, these large hospital systems sometimes remove categories of care from local hospitals, leaving patients in regions of the state without access to particular types of care, including some types of emergency care.

Too often, patients do not have the ability to determine whether the hospital or hospitals, in their area provides the care they seek, because information about how hospitals' restrictions impact options for care is too difficult to obtain. Worse still, denials of care can lead to serious adverse health impacts that jeopardize individuals' lives and wellbeing. And, some denials of care violate state and federal law.

This legislation will help identify whether and where there are health care deserts in the state, where particular types of care are unavailable, and to understand the impacts of such gaps on communities and individuals statewide.

The legislation also gives prospective patients the tools they need to determine whether the hospital or hospitals, in their area provides the care they seek prior to admission. Access to this information permits patients to make informed life-saving decisions about where to seek the health care they need.

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RELATED LEGISLATION

2021-S5400

- Introduced
- - In Committee Assembly
 - In Committee Senate
- - On Floor Calendar Assembly
 - On Floor Calendar Senate
- - Passed Assembly
 - Passed Senate
- Delivered to Governor
- Signed By Governor
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Relates to providing information to patients and the public on policy-based exclusions

March 03, 2021

In Assembly Committee

Sponsored by **Michelle Hinchey**

Do you support this bill?

NAY