



Healthcare Association
of New York State

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FOR MORE INFORMATION
WILLIAM VAN SLYKE
(518) 431-7770

**HANYS CALLS ON LEGISLATURE TO PASS MEASURE TO HELP
FAMILIES PREVENT HEALTH CARE DECISION NIGHTMARES**

**Family Health Care Decisions Act Will Protect Patient Dignity,
Establish Clear Rules for Decisions Concerning Incapacitated Patients**

ALBANY, N.Y. — The Healthcare Association of New York State (HANYS) today called on the State Legislature to pass much-needed legislation that will better protect the rights of incapacitated patients and spare family members from the nightmare of helplessly watching their loved one's health care wishes go unfulfilled.

New York is one of only two states in the nation that bars family members from making treatment decisions for incapacitated patients. Only 25% of New Yorkers have a "health care proxy." Without one, family members are powerless to make health decisions for loved ones. HANYS distributes wallet-sized proxy forms to anyone on request, but more must be done.

The legislation, known as the "Family Health Care Decisions Act," allows medical treatment decisions to be made privately by the patient's family or friends based on common sense standards: the patient's expressed wishes or, if unknown, the patient's best interest. Consultation with medical professionals is required to avoid hasty or ill-motivated decisions. Above all else, the legislation would require that all decisions be made out of respect for, and in consideration of, the individual dignity and uniqueness of the patient.

"These patients and their families are lost in the loopholes of existing law, too often resulting in terrible, unneeded suffering on the part of the patient and the patient's loved ones," said HANYS President Daniel Sisto. "We need to free them from these terrible dilemmas and give the patient every opportunity to have his or her own wishes fulfilled. It is an essential right for all of us."

The bill is sponsored in the Legislature by Senator Thomas Duane and Assemblyman Richard Gottfried.