

## Concern or Complaint?

**If you have a concern, problem or complaint related to any aspect of care during your hospital stay:** speak to your doctor, nurse or hospital staff member. Many hospitals have a patient representative or office to help resolve your concerns.

If staff can't resolve the problem, call the NYS Department of Health at 800-804-5447. You may also complete and file a Facility Complaint Form online at [apps.health.ny.gov/surveyd8/facility-complaint-form](https://apps.health.ny.gov/surveyd8/facility-complaint-form).

**If you feel you have received incompetent, negligent or fraudulent care from a doctor, physician assistant or specialist assistant:** file a written report with the NYS Department of Health Office of Professional Medical Conduct. Send a complaint form that includes the full name and address of the doctor, physician assistant or specialist assistant plus all relevant information to:

New York State Department of Health  
Office of Professional Medical Conduct (OPMC)  
Intake Unit, Suite 355  
Riverview Center  
150 Broadway  
Albany, NY 12204-2719

For more information or to obtain a complaint form, call 800-663-6114 or visit [health.ny.gov/professionals/doctors/conduct](https://health.ny.gov/professionals/doctors/conduct).

**If you feel you have received incompetent, negligent or fraudulent care from any other licensed health care professionals, such as nurses, dentists, social workers, optometrists, psychologists, physical or occupational therapists and podiatrists:** file a written report with the NYS Education Department Office of the Professions. For more information, call 800-442-8106, or email [conduct@nysed.gov](mailto:conduct@nysed.gov). To access the complaint form online, visit [op.nysed.gov/enforcement/discipline-complaint-form](https://op.nysed.gov/enforcement/discipline-complaint-form).



Dear Friend,

All hospital patients in New York State have rights and protections guaranteed by state and federal laws and regulations enacted to ensure the quality and safety of your hospital care.



This brochure contains the New York State Hospital Patients' Bill of Rights, as provided by the New York State Department of Health. It also offers resources if you have any questions or concerns about the quality of care you or a loved one have received.

As your representative, I am dedicated to ensuring New Yorkers can access quality health care at all health facilities in our state. Please contact my office for more information on this or any other topic.

Sincerely,

Carl E. Heastie  
Speaker of the Assembly

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### District office:

250 Broadway, Suite 2301  
New York, NY 10007  
212-312-1400

### Albany office:

Room 932, LOB  
Albany, NY 12248  
518-455-3791

[speaker@nyassembly.gov](mailto:speaker@nyassembly.gov)  
[www.nyassembly.gov](http://www.nyassembly.gov)

The New York State Assembly guide to the

# New York State Hospital Patients' Bill of Rights



Know your rights as a patient in  
any hospital in New York State

Courtesy of  
Speaker of the Assembly  
Carl E. Heastie



# New York State Hospital Patients' Bill of Rights

**As a patient in a hospital in New York State, you have the right, consistent with law, to:**

1. Understand and use these rights. If for any reason you do not understand or you need help, the hospital **MUST** provide assistance, including an interpreter.
2. Receive treatment without discrimination as to race, color, religion, sex, gender identity, national origin, disability, sexual orientation, age or source of payment.
3. Receive considerate and respectful care in a clean and safe environment free of unnecessary restraints.
4. Receive emergency care if you need it.
5. Be informed of the name and position of the doctor who will be in charge of your care in the hospital.
6. Know the names, positions and functions of any hospital staff involved in your care and refuse their treatment, examination or observation.
7. Identify a caregiver who will be included in your discharge planning and sharing of post-discharge care information or instruction.
8. Receive complete information about your diagnosis, treatment and prognosis.
9. Receive all the information that you need to give informed consent for any proposed procedure or treatment. This information shall include the possible risks and benefits of the procedure or treatment.
10. Receive all the information you need to give informed consent for an order not to resuscitate. You also have the right to designate an individual to give this consent for you if you are too ill to do so. If you would like additional information, please ask for a copy of the pamphlet "Deciding About Health Care - A Guide for Patients and Families."
11. Refuse treatment and be told what effect this may have on your health.
12. Refuse to take part in research. In deciding whether or not to participate, you have the right to a full explanation.
13. Privacy while in the hospital and confidentiality of all information and records regarding your care.
14. Participate in all decisions about your treatment and discharge from the hospital. The hospital must provide you with a written discharge plan and written description of how you can appeal your discharge.
15. Review your medical record without charge and, obtain a copy of your medical record for which the hospital can charge a reasonable fee. You cannot be denied a copy solely because you cannot afford to pay.
16. Receive an itemized bill and explanation of all charges.
17. View a list of the hospital's standard charges for items and services and the health plans the hospital participates with.
18. Challenge an unexpected bill through the Independent Dispute Resolution process.
19. Complain without fear of reprisals about the care and services you are receiving and to have the hospital respond to you and if you request it, a written response. If you are not satisfied with the hospital's response, you can complain to the New York State Health Department. The hospital must provide you with the State Health Department telephone number.
20. Authorize those family members and other adults who will be given priority to visit consistent with your ability to receive visitors.
21. Make known your wishes in regard to anatomical gifts. Persons sixteen years of age or older may document their consent to donate their organs, eyes and/or tissues, upon their death, by enrolling in the NYS Donate Life Registry or by documenting their authorization for organ and/or tissue donation in writing in a number of ways (such as a health care proxy, will, donor card, or other signed paper). The health care proxy is available from the hospital.

*Public Health Law (PHL) 2803 (1)(g) Patient's Rights, 10NYCRR, 405.7, 405.7(a)(1), 405.7(c)*