



## Legislation Text

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**File #:** Res 0118-2022, **Version:** \*

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### Res. No. 118

Resolution calling on the New York State Department of Health to clarify and ensure that the New York State Hospital Patients' Bill of Rights applies to all hospitals, including temporary emergency hospitals and field hospitals.

By Council Members Rivera, Moya, Cabán, Stevens, Won, Barron, Restler, Krishnan and Sanchez

Whereas, The COVID-19 pandemic has severely impacted New York City and stretched the resources of New York City hospitals and health care providers; and

Whereas, During the height of the pandemic, a news report published by The City found that in 2020, only 3,557 hospital beds of all types were available out of 20,330 beds citywide, underlining the limited resources that New York City has to combat COVID-19; and

Whereas, As part of efforts to increase patient capacity in New York City and treat patients impacted by COVID-19, New York State and New York City permitted the establishment of publicly-operated and privately-operated temporary emergency field hospitals in New York City; and

Whereas, To cope with capacity pressure, Samaritan's Purse and Mount Sinai Health System established a 68-bed emergency field hospital in Central Park in New York City on March 31, 2020 which operated until May 4, 2020; and

Whereas, Samaritan's Purse is led by Franklin Graham, who has a history of promoting homophobic and transphobic biases, and has called the LGBTQ community "immoral" and "detestable"; and

Whereas, Samaritan's Purse requires that its volunteers agree to a written affirmation "that marriage is exclusively the union of one genetic male and one genetic female"; and

Whereas, The New York State Department of Health is charged with enforcing the New York State

Hospital Patients' Bill of Rights pursuant to Section 405.7 of Title 10 of the New York Codes, Rules, and Regulations; and

Whereas, Section 2801 of the New York Public Health Law defines a hospital as a facility or institution engaged principally in providing services by or under the supervision of a physician including, but not limited to, a general hospital; and

Whereas, Consistent with the New York State Hospital Patients' Bill of Rights, every general hospital must guarantee patients certain rights, including the right to receive treatment without discrimination as to race, color, religion, sex, gender identity, national origin, disability, sexual orientation, age or source of payment; and

Whereas, The New York State Hospital Patients' Bill of Rights applies to every general hospital, regardless of whether such hospital is operated by a public or private entity; and

Whereas, The rights afforded to hospital patients in New York State under the Patients' Bill of Rights should be guaranteed to patients regardless of the temporary or emergency nature of a particular field hospital; and

Whereas, Public and private entities providing health-related services in New York City hospitals during the COVID-19 crisis should care for their patients in a manner consistent with the rights guaranteed under the New York State Patients' Bill of Rights; and

Whereas, Every hospital patient deserves to be treated with equal dignity and respect; now, therefore, be it

Resolved, That the Council of the City of New York calls upon the New York State Department of Health to ensure and clarify that the New York State Hospital Patients' Bill of Rights applies to the provision of care in all hospital settings, including temporary and emergency field hospitals.

Session 12

AH  
LS #4406  
02/14/2020

Session 11

CP  
LS #14539  
Res. #1326-2020