

# **A New Right for Terminally Ill New Yorkers**

Medical Aid in Dying

# Today's Agenda

- Available End of Life Options in New York
- What is Medical Aid in Dying?
- A Brief History of the NY Campaign
- New York's Law
- FAQs/Audience Questions



# End of Life Options in New York

# What options are available to you in New York?

- All available medical treatments and interventions
- Discontinuing or refusing medical treatment
- Palliative care, including hospice services
- Voluntary Stopping of Eating and Drinking (VSED)
- Palliative sedation
- Medical aid in dying

# Medical Aid in Dying

# What is Medical Aid in Dying?

Medical aid in dying is a medical practice in which a mentally capable adult with a terminal illness and a prognosis of six months or less to live may request a prescription for medication which they can choose to self-ingest to die on their own terms.

# What is Medical Aid in Dying?

The multi-step request process, strict eligibility criteria and other safeguards embedded in medical aid-in-dying laws ensure that anyone pursuing the option is protected.



# Snapshot: National data

> 39%

of patients who had a prescription written for them did not ingest it

61% of those who received an eligible prescription chose to ingest it.

89%

of those who self-ingest are enrolled in palliative or hospice care

Highlights the importance of high quality care and interdisciplinary collaboration.

79%

of those who take their medication to do so at home

Aligned with the preference of a majority of Americans, who report wanting to die at home

# Medical Aid in Dying in New York: A Brief History

- Spring 2016 New York's Medical Aid in Dying Act introduced
- Spring 2025 Passed by both houses of the state legislature
- Fall 2025 Governor requested amendments
- Dec. 2025 Governor announces intent to sign the bill
- Feb. 2026 Amendments passed by state legislature
- Feb. 6, 2026 Bill signed by Governor
- Aug. 5, 2026 Law will take effect



# New York's Medical Aid in Dying Act

New York's Medical Aid in Dying Act authorizes the practice of medical aid in dying.

It was signed by Governor Kathy Hochul on Feb. 6, 2026, with an Aug. 5, 2026 effective date.



Legislation S.138/A.136 Gives New Yorkers the Choice to Suffer Less – to Shorten Not Their Lives, but Their Deaths

Governor Hochul Secured Key Additional Guardrails Ensuring Integrity of Patient Decision and Preparedness of Medical Institutions

# Who is eligible?

- Adult (18 years or older)
- State residency
- Terminally ill
- Prognosis of 6 months or less to live
- Mentally capable of making informed medical decisions
- Able to self-administer the medication



***Advanced age, disability, and chronic health conditions alone are not qualifying factors for medical aid-in-dying eligibility.***

# What the process requires

- One oral request to an attending physician, video or audio recording appended to the patient's medical records
- One written request, witnessed by two people, neither of whom can have an interest in the person's estate
- Confirmation by second (consulting) physician
- Mental health evaluation by psychiatrist, psychologist, or neurologist
- Waiting period between writing of prescription and dispensing the medication, can be waived if physician believes patient will die during that time

# Additional provisions

- In-person medical evaluation (limited waiver for patient hardship)
- Strict conflict-of-interest rules for witnesses and interpreters
- Criminal penalties for coercion or abuse
- Violations by providers subject to both criminal penalties and professional discipline
- Religiously-affiliated home hospice providers may opt out
- Annual Department of Health reporting and oversight
- Six-month implementation period

**FAQs**

# What does the mental health evaluation entail?

A determination by a psychiatrist, psychologist, or neurologist that the requesting patient is “Mentally capable,” which means they have the ability to

- Understand
- Weigh options (benefits and risks)
- Make an informed decision
- Communicate their choice

# Aid-in-Dying Medications

- No required or standard prescription
- Route of self-administration must be considered
- Mixture of medications that relieve nausea and anxiety, slow breathing and stop the heart
- Prepared only by a compounding pharmacy
- Dispensed as a powder, mixed with fluid at time of self-administration

# Protection for Patients & Providers

- Participation is voluntary for all patients and healthcare providers
- Legal protections for following the law
- No impact on life insurance or wills
- Privacy and dignity for patients and families

# Additional FAQs

Please contact Fran Triest for more information.

- Will Medical Aid in Dying be listed on the death certificate?
- What if a patient can't swallow or hold the aid-in-dying medications?
- Can Medical Aid in Dying be requested in an advance directive?
- Does insurance cover costs associated with MAID?
- How much do the medications cost?
- Will there be a list of participating or refusing providers?

# Additional FAQs

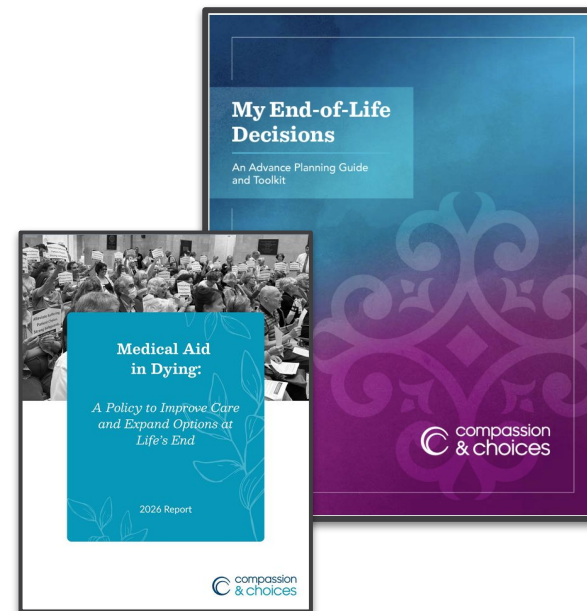
**Please contact Fran Triest for more information.**

- What does the audio recording requirement look like?
- What constitutes a New York State resident?
- What are the key differences between this NYS law and Canada's law?
- What if my health system or provider does not want to participate?

# Resources

# Resources for you

- [EOL Decisions Guide & Toolkit](#)
- [Utilization Report](#)
- [Guidance for clinicians](#)
- [Call Compassion](#)
- [Dementia Values & Priorities](#)
- [LGBTQ+ Planning Guide](#)
- **To come:** NY-specific booklet



*call* compassion



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**Thank you!**  
**To get involved or ask  
additional questions:**

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