

# Healthcare Compliance Considerations as New York Adopts Medical Aid in Dying Law

Healthcare Alert | 2 min read

Feb 13, 2026

By: Frank A. Mazzagatti, PhD, Stephen T. Moore

Governor Kathy Hochul signed the Medical Aid in Dying Act on February 6, 2026, permitting medical aid in dying for terminally ill New York adult residents with a prognosis of death within six months.

The law becomes effective on **August 6, 2026**, making New York the 14<sup>th</sup> US jurisdiction to authorize medical aid in dying for terminally ill adults.

## Key Provisions and Safeguards

The law incorporates a series of safeguards designed to protect patients and ensure the integrity of the process:

- **Mandatory Waiting Period:** A five-day waiting period is required between the writing and filling of a prescription for medical aid in dying.
- **Recorded Oral Request:** Patients must make an oral request for medical aid in dying, which must be documented by video or audio recording.
- **Mental Health Evaluation:** Patients seeking medical aid in dying must undergo a mental health evaluation by a psychologist or psychiatrist to confirm competency.
- **Protection Against Financial Conflicts:** Individuals who may benefit financially from the patient's death are prohibited from serving as witnesses to the oral request or as interpreters for the patient.
- **Residency Requirement:** Access to medical aid in dying is limited to New York residents.
- **In-Person Medical Evaluation:** The initial evaluation by the prescribing physician must be conducted in person.
- **Religious Opt-Out:** Religiously oriented home hospice providers are permitted to opt out of offering medical aid in dying.

- **Professional Misconduct:** Violations of the law will be classified as professional misconduct under the Education Law.
- **Delayed Implementation:** The law's effective date is set for six months after signing, allowing the Department of Health to establish necessary regulations and for healthcare facilities to train staff for compliance.

## Legislative and Advocacy Perspectives

The announcement was met with support from legislative sponsors and advocacy organizations, who emphasized the law's focus on autonomy, dignity, and compassion for terminally ill individuals.

Proponents highlighted the personal experiences of New Yorkers and their families, underscoring the importance of providing a choice to those facing end-of-life suffering. The law is presented as a measure to alleviate suffering, offering patients comfort and control in their final days.

## Implementation Considerations

With the law's passage, attention will turn to education and training for healthcare professionals, attorneys, and other stakeholders to ensure effective and compliant implementation.

Advocacy groups have also indicated a commitment to supporting these efforts and to ongoing public education regarding the new law.

## Conclusion

New York's Medical Aid in Dying law represents a significant development in end-of-life care, establishing a regulated framework for terminally ill patients to access medical aid in dying while incorporating robust safeguards to protect patient autonomy and prevent abuse.

The law is expected to provide greater comfort and dignity to New Yorkers at the end of life, with further guidance anticipated as regulatory and training processes are developed in advance of the law's effective date.

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**Frank A. Mazzagatti, PhD**

Partner

📞 212-471-6203



**Stephen T. Moore**

Partner

📞 815-490-4903

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