



# HEALTH CARE NEWS

A Monthly Publication From the New York State Attorney General's Health Care Bureau

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## UPS JOINS EFFORT TO REDUCE YOUTH SMOKING

### *Spitzer Praises Company, Urges Congress to Compel the Postal Service to Take Similar Steps*

Attorney General Eliot Spitzer recently announced an agreement with UPS, the world's largest package delivery company, to help reduce youth access to cigarettes over the Internet.

Under the agreement, UPS will stop all deliveries of cigarettes to consumers throughout the United States. The agreement is part of a continuing effort to end the sale and shipment of contraband cigarettes over the Internet.

"This initiative is an excellent example of law enforcement and private industry working together to stop illegal transactions from occurring, and I welcome UPS's participation in this effort," said Spitzer. "In addition to helping to stop criminal activity, this is also an important public health issue, because an increasing number of children are obtaining cigarettes over the Internet."

Internet and mail order cigarette retailers operate in violation of numerous federal, state and local laws, including tax laws, age verification laws, delivery restrictions, reporting requirements, and federal wire fraud and mail fraud statutes. As a result, a coalition of federal, state and local law enforcement officials has been working on a multi-faceted initiative to stop these illegal sales.

Attorney General Spitzer also urged Congress to enact federal legislation explicitly prohibiting the United States Postal Service from shipping cigarettes through the mail.

"Internet cigarette traffickers are increasingly using the federal mail system to distribute their wares," said Spitzer. "The Postal Service clearly has the legal authority to refuse these shipments, but has not done so. It is an embarrassment that major private companies have stopped shipping contraband cigarettes, but the federal government continues to do so. Congress needs to step in and stop this practice immediately."

In March 2005, all of the major credit card companies agreed not to process payment transactions for cigarette sales. In addition to UPS, DHL agreed in July not to deliver cigarettes for these illegal Internet sellers.

## NEW VIDEO EXPLAINS RIGHTS TO CHOOSE MEDICAL TREATMENTS

### *Planning in Advance Possible Under State Law*

The Attorney General's office recently released a new educational DVD - *Planning Your Health Care in Advance* - that describes the steps New Yorkers can take under state law to help ensure that their personal health care decisions are known and honored if they are unable to speak for themselves.

"The decision to accept or reject medical treatment, including life-sustaining procedures, is an intensely personal matter," said Attorney General Spitzer. "This DVD can help people understand their rights under the law."

Under federal and state law, competent persons have the right to accept or refuse medical treatment. However, under New York State law, a person incapacitated due to a sudden accident or a stroke, for example, runs the risk of not having personal medical decisions followed unless they have an *Advance Directive*.

The DVD provides a description of the legal rights extended to New Yorkers under different types of Advance Directives, including a Health Care Proxy, a Living Will and a Do Not Resuscitate Order. The DVD can be used in conjunction with the Attorney General's booklet, *Planning Your Health Care in Advance: How to Make Your Wishes Known and Honored*. For example, the booklet contains the Health Care Proxy form and the DVD presents step-by-step instructions about how to complete the form.



## DID YOU KNOW?

Advance directives can express your health care decisions if you are unable to speak for yourself. To get a copy of the Attorney General's Advance Directives booklet or DVD - *Planning Your Health Care in Advance: How to Make Your Wishes Known and Honored*, call 518-486-9704 or visit [www.oag.state.ny.us/online\\_forms/brochure\\_request.jsp](http://www.oag.state.ny.us/online_forms/brochure_request.jsp)