S T A T E O F N E W Y O R K

10072

I N A S S E M B L Y

March 3, 2010

Introduced by M. of A. JOHN -- read once and referred to the Committee on Labor

AN ACT to amend the labor law and the education law, in relation to including certified nursing assistants in provisions of law relating to restrictions on consecutive hours of work

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. Paragraph b of subdivision 1 of section 167 of the labor law, as added by chapter 493 of the laws of 2008, is amended to read as follows:

b. "Nurse" shall mean a registered professional nurse or a licensed practical nurse as defined by article one hundred thirty-nine of the education law who provides direct patient care, OR A CERTIFIED NURSING ASSISTANT.

S 2. Section 6510-e of the education law, as added by chapter 493 of the laws of 2008, is amended to read as follows:

S 6510-e. Nurses' refusal of overtime work. The refusal of a licensed practical nurse [or], a registered professional nurse OR A CERTIFIED NURSING ASSISTANT to work beyond said nurse's regularly scheduled hours of work shall not solely constitute patient abandonment or neglect except under the circumstances provided for under subdivision three of section one hundred sixty-seven of the labor law.

S 3. This act shall take effect on the ninetieth day after it shall have become a law.

EXPLANATION--Matter in ITALICS (underscored) is new; matter in brackets [ ] is old law to be omitted.

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