

10072

I N   A S S E M B L Y

March 3, 2010

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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 ASSEM-  
BLY, DO ENACT AS FOLLOWS:

1     Section 1. Paragraph b of subdivision 1 of section 167 of the labor  
2     law, as added by chapter 493 of the laws of 2008, is amended to read as  
3     follows:  
4     b. "Nurse" shall mean a registered professional nurse or a licensed  
5     practical nurse as defined by article one hundred thirty-nine of the  
6     education law who provides direct patient care, OR A CERTIFIED NURSING  
7     ASSISTANT.  
8     S 2. Section 6510-e of the education law, as added by chapter 493 of  
9     the laws of 2008, is amended to read as follows:  
10    S 6510-e. Nurses' refusal of overtime work. The refusal of a licensed  
11    practical nurse [or], a registered professional nurse OR A CERTIFIED  
12    NURSING ASSISTANT to work beyond said nurse's regularly scheduled hours  
13    of work shall not solely constitute patient abandonment or neglect  
14    except under the circumstances provided for under subdivision three of  
15    section one hundred sixty-seven of the labor law.  
16    S 3. This act shall take effect on the ninetieth day after it shall  
17    have become a law.

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

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