

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 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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