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

7028

I N S E N A T E

April 24, 2012

Introduced by Sen. FARLEY -- read twice and ordered printed, and when printed to be committed to the Committee on Health

AN ACT to amend the public health law, in relation to the liability of health care practitioner volunteers

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

Section 1. Subdivision 4 of section 260 of the public health law, as amended by chapter 84 of the laws of 2006, is amended to read as follows:

4. [No health care practitioner volunteer shall participate in the health care practitioner volunteer program established pursuant to this title unless, with respect to acts and omissions that occurred or allegedly occurred within the scope of his or her participation in such program, he or she is covered by an adequate professional liability insurance policy.] A HEALTH CARE PRACTITIONER VOLUNTEER SHALL BE DEEMED TO BE AN "EMPLOYEE" FOR PURPOSES OF SECTION SEVENTEEN OF THE PUBLIC OFFICERS LAW WITH RESPECT TO ANY ACTS AND OMISSIONS THAT OCCURRED OR ALLEGEDLY OCCURRED WITHIN THE SCOPE OF HIS OR HER PARTICIPATION IN SUCH PROGRAM.

S 2. This act shall take effect immediately.

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

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