

6513

2013-2014 Regular Sessions

I N A S S E M B L Y

April 4, 2013

Introduced by M. of A. ORTIZ -- read once and referred to the Committee
on Codes

AN ACT to amend the penal law, in relation to creating the offense of failure to administer cardiopulmonary resuscitation; and to amend the general municipal law, in relation to requiring paid emergency responders to be retrained annually in cardiopulmonary resuscitation

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

1 Section 1. Short title. This act shall be known and may be cited as
2 "Briana's Law".
3 S 2. Title H of part 3 of the penal law is amended by adding a new
4 article 137 to read as follows:
5 ARTICLE 137
6 FAILURE TO ADMINISTER CARDIOPULMONARY RESUSCITATION
7 SECTION 137.00 FAILURE TO ADMINISTER CARDIOPULMONARY RESUSCITATION IN
8 THE SECOND DEGREE.
9 137.05 FAILURE TO ADMINISTER CARDIOPULMONARY RESUSCITATION IN
10 THE FIRST DEGREE.
11 S 137.00 FAILURE TO ADMINISTER CARDIOPULMONARY RESUSCITATION IN THE
12 SECOND DEGREE.
13 A PERSON IS GUILTY OF FAILURE TO ADMINISTER CARDIOPULMONARY RESUSCITATION IN THE SECOND DEGREE WHEN HE OR SHE, ACTING IN HIS OR HER CAPACITY AS A PAID EMERGENCY RESPONDER INCLUDING POLICE OFFICERS; FIREFIGHTERS; AND EMERGENCY MEDICAL TECHNICIANS REFUSES TO ADMINISTER
14 CARDIOPULMONARY RESUSCITATION, AS DEFINED BY SUBDIVISION SIX OF SECTION
15 SIX HUNDRED TWENTY-ONE OF THE GENERAL BUSINESS LAW, TO SOMEONE IN NEED
16 OF SUCH CARDIOPULMONARY RESUSCITATION.
17 FAILURE TO ADMINISTER CARDIOPULMONARY RESUSCITATION IN THE SECOND
18 DEGREE IS A CLASS A MISDEMEANOR.
19 S 137.05 FAILURE TO ADMINISTER CARDIOPULMONARY RESUSCITATION IN THE
20 FIRST DEGREE.
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EXPLANATION--Matter in *ITALICS* (underscored) is new; matter in brackets [] is old law to be omitted.

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1 A PERSON IS GUILTY OF FAILURE TO ADMINISTER CARDIOPULMONARY RESUSCI-
2 TATION IN THE SECOND DEGREE WHEN HE OR SHE, ACTING IN HIS OR HER CAPACI-
3 TY AS A PAID EMERGENCY RESPONDER INCLUDING POLICE OFFICERS; FIREFIGHT-
4 ERS; AND EMERGENCY MEDICAL TECHNICIANS REFUSES TO ADMINISTER
5 CARDIOPULMONARY RESUSCITATION, AS DEFINED BY SUBDIVISION SIX OF SECTION
6 SIX HUNDRED TWENTY-ONE OF THE GENERAL BUSINESS LAW, TO SOMEONE IN NEED
7 OF SUCH CARDIOPULMONARY RESUSCITATION AND THE PERSON IN NEED OF SUCH
8 CARDIOPULMONARY RESUSCITATION BECOMES PERMANENTLY DISABLED OR DIES.
9 FAILURE TO ADMINISTER CARDIOPULMONARY RESUSCITATION IN THE FIRST
10 DEGREE IN A CLASS E FELONY.

11 S 3. The general municipal law is amended by adding a new section
12 208-h to read as follows:

13 S 208-H. ANNUAL CARDIOPULMONARY RESUSCITATION RETRAINING. EVERY PAID
14 EMERGENCY RESPONDER INCLUDING: POLICE OFFICERS; FIREFIGHTERS; AND EMER-
15 GENCY MEDICAL TECHNICIANS SHALL BE ANNUALLY:

16 1. RETAINED IN CARDIOPULMONARY RESUSCITATION AS DEFINED BY SUBDIVI-
17 SION SIX OF SECTION SIX HUNDRED TWENTY-ONE OF THE GENERAL BUSINESS LAW;
18 AND

19 2. REQUIRED TO DEMONSTRATE THE SATISFACTORY COMPLETION OF TRAINING IN
20 CARDIOPULMONARY RESUSCITATION.

21 S 4. This act shall take effect on the sixtieth day after it shall
22 have become a law.