

9420

I N   A S S E M B L Y

April 29, 2014

---

Introduced by M. of A. ZEBROWSKI -- read once and referred to the  
Committee on Health

AN ACT to amend the public health law, in relation to insurance and  
protocols for ambulance services

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

1     Section 1. This act shall be known and may be cited as "Jimmy's Law".

2     S 2. Section 3001 of the public health law is amended by adding a new  
3     subdivision 22 to read as follows:

4     22. "MOBILE TO MOBILE TRANSFER" MEANS THE TRANSFER OF A PATIENT  
5     BETWEEN TWO AMBULANCE SERVICES THAT ARE ENGAGED IN THE TRANSPORT OF THE  
6     PATIENT BY MOTOR VEHICLE, AIRCRAFT OR OTHER FORMS OF TRANSPORTATION.

7     S 3. Section 3005 of the public health law is amended by adding a new  
8     subdivision 9 to read as follows:

9     9. ON OR AFTER JANUARY FIRST, TWO THOUSAND FIFTEEN, NO AMBULANCE  
10     SERVICE SHALL OPERATE IN THE STATE OF NEW YORK UNLESS IT POSSESSES A  
11     VALID CERTIFICATE OF INSURANCE THAT IS IN COMPLIANCE WITH THE PROVISIONS  
12     OF SECTION THREE THOUSAND THIRTEEN-A OF THIS ARTICLE.

13     S 4. The public health law is amended by adding a new section 3013-a  
14     to read as follows:

15     S 3013-A. MINIMUM LIABILITY STANDARDS FOR AMBULANCE SERVICES. 1. FOR  
16     THE PURPOSES OF THIS SECTION "MEDICAL MALPRACTICE INSURANCE" SHALL MEAN  
17     INSURANCE AGAINST LEGAL LIABILITY OF THE INSURED, AND AGAINST LOSS,  
18     DAMAGE, OR EXPENSE INCIDENT TO A CLAIM OF SUCH LIABILITY ARISING OUT OF  
19     THE DEATH OR INJURY OF ANY PERSON DUE TO MEDICAL MALPRACTICE BY ANY  
20     EMERGENCY MEDICAL TECHNICIAN, ADVANCED EMERGENCY MEDICAL TECHNICIAN, OR  
21     QUALIFIED MEDICAL AND HEALTH PERSONNEL.

22     2. ALL OPERATORS OF AN AMBULANCE SERVICE MUST MAINTAIN THE FOLLOWING  
23     MINIMUM MEDICAL MALPRACTICE INSURANCE REQUIREMENTS:

24     (A) AT LEAST ONE MILLION DOLLARS OF COVERAGE PER OCCURRENCE; AND

25     (B) AT LEAST THREE MILLION DOLLARS OF COVERAGE FOR ALL OCCURRENCES PER  
26     POLICY YEAR.

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

LBD14621-01-4

1 3. THE OPERATOR SHALL PROVIDE PROOF OF INSURANCE TO THE COMMISSIONER  
2 PRIOR TO OBTAINING AN AMBULANCE SERVICE CERTIFICATE OR UPON RENEWAL OF  
3 AN AMBULANCE CERTIFICATE.

4 S 5. The public health law is amended by adding a new section 3000-e  
5 to read as follows:

6 S 3000-E. TRANSFER OF CARE PROTOCOL. NO AMBULANCE SERVICE SHALL LEAVE  
7 THE VICINITY OF THE TRANSFER AREA DURING A MOBILE TO MOBILE TRANSFER  
8 UNTIL THE PATIENT IS SECURE AND ALL ADVANCED LIFE SUPPORT SYSTEMS ARE  
9 SUCCESSFULLY CONNECTED IN THE RECEIVING AMBULANCE SERVICE.

10 S 6. The New York state emergency medical services council is hereby  
11 authorized to enact rules and regulations, with the consent of the  
12 commissioner of health, as necessary to implement the provisions of this  
13 act.

14 S 7. This act shall take effect January 1, 2015.