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

2076

2015-2016 Regular Sessions

I N A S S E M B L Y

January 15, 2015

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 ASSEMBLY, DO ENACT AS FOLLOWS:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

S 7. This act shall take effect January 1, 2016.