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

123

2015-2016 Regular Sessions

I N S E N A T E

(PREFILED)

January 7, 2015

Introduced by Sen. HOYLMAN -- 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 requiring all assisted living facilities to have a defibrillator, requiring that at least two persons on each shift at assisted living facilities be trained in CPR, requiring that CPR must be performed when needed and providing that anyone who in good faith performs CPR will be exempt from any liability

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

Section 1. The public health law is amended by adding a new section 3000-e to read as follows:

S 3000-E. AUTOMATED EXTERNAL DEFIBRILLATORS; ASSISTED LIVING RESIDENCE. 1. EACH ASSISTED LIVING RESIDENCE, AS DEFINED IN SECTION FORTY-SIX HUNDRED FIFTY-ONE OF THIS CHAPTER, SHALL BE EQUIPPED WITH AND MAINTAIN AUTOMATED EXTERNAL DEFIBRILLATORS AS DEFINED IN PARAGRAPH (A) OF SUBDIVISION ONE OF SECTION THREE THOUSAND-B OF THIS ARTICLE. THE OWNERS OR OPERATORS OF SUCH ASSISTED LIVING RESIDENCE SHALL PROVIDE SUCH AUTOMATED EXTERNAL DEFIBRILLATORS IN QUANTITIES DEEMED NECESSARY BY THE COMMISSIONER. SUCH EQUIPMENT SHALL BE READILY ACCESSIBLE FOR USE DURING MEDICAL EMERGENCIES. ANY INFORMATION DEEMED NECESSARY BY THE COMMISSIONER SHALL ACCOMPANY SUCH EQUIPMENT.

2. A MINIMUM OF TWO EMPLOYEES ON EACH WORK SHIFT AT AN ASSISTED LIVING FACILITY SHALL BE TRAINED IN CARDIOPULMONARY RESUSCITATION (CPR) AND IN THE USE OF THE FACILITY DEFIBRILLATORS BY A NATIONALLY-RECOGNIZED ORGANIZATION, AS DEFINED IN PARAGRAPH (D) OF SUBDIVISION ONE OF SECTION THREE THOUSAND-B OF THIS ARTICLE. CARDIOPULMONARY RESUSCITATION (CPR) MEASURES SHALL BE TAKEN IN EVERY INSTANCE WHEN THEY ARE WARRANTED; PROVIDED, HOWEVER, THAT NO SUCH MEASURES NEED BE TAKEN ON ANY PERSON WHO HAS PREVIOUSLY FILED A VALIDLY-EXECUTED "DO NOT RESUSCITATE", WHETHER INCOR-

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

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PORATED IN A LIVING WILL OR NOT, ORDER WITH THE ASSISTED LIVING FACILITY.

3. ANY PERSON WHO, IN GOOD FAITH, PERFORMS CARDIOPULMONARY RESUSCITATION (CPR) PURSUANT TO THE PROVISIONS OF THIS SECTION SHALL BE EXEMPT FROM ANY CIVIL OR CRIMINAL LIABILITY ARISING FROM HIS OR HER ACTIONS IN PERFORMING THE CARDIOPULMONARY RESUSCITATION (CPR).

S 2. This act shall take effect on the one hundred eightieth day after it shall have become a law; provided, however that effective immediately, the addition, amendment and/or repeal of any rule or regulation necessary for the implementation of this act on its effective date are authorized and directed to be made and completed on or before such effective date.