

3886

2015-2016 Regular Sessions

I N S E N A T E

February 20, 2015

Introduced by Sen. PARKER -- read twice and ordered printed, and when printed to be committed to the Committee on Local Government

AN ACT to amend the general municipal law and the public health law, in relation to the training of police officers and firefighters

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

1 Section 1. The general municipal law is amended by adding a new
2 section 209-ff to read as follows:
3 S 209-FF. TRAINING OF POLICE OFFICERS AND FIREFIGHTERS. 1. (A) THE
4 COMMISSIONER OF THE NEW YORK STATE DIVISION OF CRIMINAL JUSTICE
5 SERVICES, IN CONSULTATION WITH THE COMMISSIONER OF THE OFFICE FOR PEOPLE
6 WITH DEVELOPMENTAL DISABILITIES AND DISABILITY ADVOCACY GROUPS, SHALL
7 REVIEW THE TRAINING COURSE ENTITLED "PERSONS WITH DISABILITIES," PART
8 FIVE SECTION E OF THE BASIC COURSE FOR POLICE OFFICERS AND MODIFY IT TO
9 INCLUDE INSTRUCTION ON OTHER DEVELOPMENTAL DISABILITIES AS WELL. THE
10 TRAINING SHOULD INCLUDE INSTRUCTION ON CEREBRAL PALSY, EPILEPSY,
11 EMOTIONAL DISTURBANCE, TRAUMATIC BRAIN INJURY, PERSONS WHO ARE HEARING-
12 IMPAIRED, AND ANY OTHER DISABILITY DEEMED NECESSARY BY THE COMMISSION-
13 ERS. THE TRAINING SHALL BE DESIGNED TO EDUCATE POLICE OFFICERS ON APPRO-
14 PRIATE RECOGNITION AND RESPONSE TECHNIQUES FOR HANDLING EMERGENCY
15 SITUATIONS INVOLVING INDIVIDUALS WITH DEVELOPMENTAL DISABILITIES OR
16 PEOPLE WHO ARE HEARING-IMPAIRED. THE CURRICULUM SHOULD ALSO INCLUDE
17 INSTRUCTION ON APPROPRIATE INTERVIEW AND INTERROGATION TECHNIQUES. ADDI-
18 TIONAL ATTENTION SHOULD BE PLACED UPON BEHAVIORS ASSOCIATED WITH INDI-
19 VIDUALS WITH AUTISM AND OTHER NEUROLOGICAL AND BEHAVIORALLY BASED DISOR-
20 DERS. THIS REVIEW AND MODIFICATION SHALL BE IMPLEMENTED WITHIN TWELVE
21 MONTHS OF THE EFFECTIVE DATE OF THIS SECTION.
22 (B) NOTWITHSTANDING ANY STATE OR LOCAL LAW, PRIOR TO BEING APPOINTED
23 TO PERMANENT STATUS AS A LOCAL POLICE OFFICER IN A LAW ENFORCEMENT UNIT,
24 AN INDIVIDUAL SHALL BE REQUIRED TO COMPLETE THE TRAINING COURSE ENTITLED
25 "PERSONS WITH DISABILITIES." EVERY LOCAL POLICE OFFICER APPOINTED PRIOR

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

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1 TO THE EFFECTIVE DATE OF THIS SECTION SHALL, WITHIN THIRTY-SIX MONTHS OF
2 SUCH EFFECTIVE DATE, SATISFACTORILY COMPLETE THE TRAINING DEVELOPED
3 UNDER PARAGRAPH (A) OF THIS SUBDIVISION.

4 2. (A) THE STATE FIRE ADMINISTRATOR OF THE OFFICE OF FIRE PREVENTION
5 AND CONTROL, IN CONSULTATION WITH THE COMMISSIONER OF THE OFFICE FOR
6 PEOPLE WITH DEVELOPMENTAL DISABILITIES AND DISABILITY ADVOCACY GROUPS,
7 SHALL ADAPT THE TRAINING DEVELOPED BY THE COMMISSIONER OF THE NEW YORK
8 STATE DIVISION OF CRIMINAL JUSTICE SERVICES UNDER PARAGRAPH (A) OF
9 SUBDIVISION ONE OF THIS SECTION TO BE UTILIZED FOR TRAINING FIREFIGHT-
10 ERS. THE CURRICULUM SHALL BE INCORPORATED INTO EXISTING REQUIREMENTS FOR
11 TRAINING, RE-CERTIFICATION AND CONTINUING EDUCATION OF FIREFIGHTERS,
12 WITHIN SIXTEEN MONTHS OF THE EFFECTIVE DATE OF THIS SECTION.

13 (B) NOTWITHSTANDING ANY STATE OR LOCAL LAW, ALL FIREFIGHTERS, VOLUN-
14 TEER OR PAID, PERMANENT OR NON-PERMANENT, AND ALL INDIVIDUALS ENGAGED IN
15 FIRE SUPPRESSION, FIREFIGHTING, OR FIRE RESCUE SHALL BE REQUIRED TO
16 SATISFACTORILY COMPLETE THE TRAINING DEVELOPED UNDER PARAGRAPH (A) OF
17 SUBDIVISION ONE OF THIS SECTION, AS PART OF EXISTING CONTINUING EDUCA-
18 TION REQUIREMENTS, AT LEAST ONCE EVERY THIRTY-SIX MONTHS.

19 S 2. The public health law is amended by adding a new section 3054 to
20 read as follows:

21 S 3054. TRAINING OF EMERGENCY RESPONDERS. 1. THE DIRECTOR OF THE NEW
22 YORK STATE HEALTH DEPARTMENT BUREAU OF EMERGENCY MEDICAL SERVICES, IN
23 CONSULTATION WITH THE COMMISSIONER OF THE OFFICE FOR PEOPLE WITH DEVEL-
24 OPMENTAL DISABILITIES AND DISABILITY ADVOCACY GROUPS, SHALL ADAPT THE
25 TRAINING DEVELOPED BY THE COMMISSIONER OF THE NEW YORK STATE DIVISION OF
26 CRIMINAL JUSTICE SERVICES PURSUANT TO PARAGRAPH (A) OF SUBDIVISION ONE
27 OF SECTION TWO HUNDRED NINE-FF OF THE GENERAL MUNICIPAL LAW TO BE
28 UTILIZED FOR TRAINING EMERGENCY RESPONDERS. THE CURRICULUM SHALL BE
29 INCORPORATED INTO EXISTING REQUIREMENTS FOR TRAINING, RE-CERTIFICATION
30 AND CONTINUING EDUCATION OF EMERGENCY RESPONDERS, WITHIN EIGHTEEN MONTHS
31 OF THE EFFECTIVE DATE OF THIS SECTION.

32 2. PRIOR TO CERTIFICATION BY THE NEW YORK STATE HEALTH DEPARTMENT
33 BUREAU OF EMERGENCY MEDICAL SERVICES, EVERY ADVANCED EMERGENCY MEDICAL
34 TECHNICIAN, EMERGENCY MEDICAL TECHNICIAN OR CERTIFIED FIRST RESPONDER,
35 AS DEFINED IN SECTION THREE THOUSAND ONE OF THIS CHAPTER, SHALL BE
36 REQUIRED TO SATISFACTORILY COMPLETE THE TRAINING DEVELOPED UNDER SUBDI-
37 VISION ONE OF THIS SECTION.

38 3. PRIOR TO RE-CERTIFICATION BY THE NEW YORK STATE HEALTH DEPARTMENT
39 BUREAU OF EMERGENCY MEDICAL SERVICES, EVERY ADVANCED EMERGENCY MEDICAL
40 TECHNICIAN, EMERGENCY MEDICAL TECHNICIAN OR CERTIFIED FIRST RESPONDER,
41 AS DEFINED IN SECTION THREE THOUSAND ONE OF THIS CHAPTER, SHALL BE
42 REQUIRED TO SATISFACTORILY COMPLETE THE TRAINING DEVELOPED UNDER SUBDI-
43 VISION ONE OF THIS SECTION. THE TRAINING SHALL BE COMPLETED AS PART OF A
44 STATE APPROVED REFRESHER COURSE OR CONTINUING EDUCATION COURSE. THE
45 TRAINING SHALL BE SUBSTANTIALLY SIMILAR, IN SUBSTANCE AND DURATION, TO
46 THE TRAINING MANDATED IN PARAGRAPH (A) OF SUBDIVISION ONE OF SECTION TWO
47 HUNDRED NINE-FF OF THE GENERAL MUNICIPAL LAW. NO ADVANCED EMERGENCY
48 MEDICAL TECHNICIAN, EMERGENCY MEDICAL TECHNICIAN OR CERTIFIED FIRST
49 RESPONDER, AS DEFINED IN SECTION THREE THOUSAND ONE OF THIS CHAPTER,
50 SHALL BE EXEMPT FROM THIS REQUIREMENT FOR ANY REASON, CERTIFICATION OR
51 TEST SCORE.

52 S 3. This act shall take effect on the one hundred eightieth day after
53 it shall have become a law.