

# STATE OF NEW YORK

4384

2017-2018 Regular Sessions

## IN SENATE

February 13, 2017

Introduced by Sen. MARCELLINO -- 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 allowing registered nurses and licensed practical nurses to provide volunteer emergency medical services

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

1 Section 1. The public health law is amended by adding a new section  
2 3033 to read as follows:

3 § 3033. Registered nurses or licensed practical nurses volunteering  
4 emergency medical services. Currently registered nurses or licensed  
5 practical nurses shall be able to provide volunteer emergency medical  
6 services for ambulance services and advanced life support first response  
7 services alongside emergency medical technicians and advanced emergency  
8 medical technicians without having to complete emergency medical techni-  
9 cian training, examination, or a certification program.

10 § 2. Subdivisions 1 and 4 of section 3013 of the public health law,  
11 subdivision 1 as amended by chapter 445 of the laws of 1993 and subdivi-  
12 sion 4 as amended by chapter 804 of the laws of 1992, are amended to  
13 read as follows:

14 1. Notwithstanding any inconsistent provision of any general, special  
15 or local law, a voluntary ambulance service or voluntary advanced life  
16 support first response service described in section three thousand one  
17 of this article and any member thereof who is a certified first respon-  
18 der, an emergency medical technician, an advanced emergency medical  
19 technician, a registered nurse or licensed practical nurse, or a person  
20 acting under the direction of an emergency medical technician ~~[ex]~~,  
21 advanced emergency medical technician, or a registered nurse or licensed  
22 practical nurse, and who voluntarily and without the expectation of  
23 monetary compensation renders medical assistance in an emergency to a  
24 person who is unconscious, ill or injured shall not be liable for

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

LBD09038-03-7

1 damages for injuries alleged to have been sustained by such person or  
2 for damages for the death of such person alleged to have occurred by  
3 reason of an act or omission in the rendering of such medical assistance  
4 in an emergency unless it is established that such injuries were or such  
5 death was caused by gross negligence on the part of such certified first  
6 responder, emergency medical technician, registered nurse or licensed  
7 practical nurse or advanced emergency medical technician or person  
8 acting under the direction of an emergency medical technician, regis-  
9 tered nurse or licensed practical nurse or advanced emergency medical  
10 technician.

11 4. A certified first responder, emergency medical technician [~~or~~],  
12 advanced emergency medical technician, or a registered nurse or licensed  
13 practical nurse, whether or not he or she is acting on behalf of an  
14 ambulance service or advanced life support first response service, who  
15 voluntarily and without the expectation of monetary compensation renders  
16 medical assistance in an emergency to a person who is unconscious, ill  
17 or injured shall not be liable for damages alleged to have been  
18 sustained by such person or for damages for the death of such person  
19 alleged to have occurred by reason of an act or omission in the render-  
20 ing of such medical assistance in an emergency unless it is established  
21 that such injuries were or such death was caused by gross negligence on  
22 the part of such certified first responder, emergency medical  
23 technician, registered nurse or licensed practical nurse or advanced  
24 emergency medical technician.

25 § 3. This act shall take effect immediately.