STATE OF NEW YORK

5716--B

2017-2018 Regular Sessions

IN SENATE

April 26, 2017

Introduced by Sens. LANZA, TEDISCO -- read twice and ordered printed, and when printed to be committed to the Committee on Health -- recommitted to the Committee on Health in accordance with Senate Rule 6, sec. 8 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the public health law and the education law, in relation to authorizing emergency medical service personnel to provide basic first aid to cats and dogs under certain circumstances

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

Section 1. Section 3013 of the public health law is amended by adding three new subdivisions 7, 8 and 9 to read as follows:

7. No certified first responder, emergency medical technician, or advanced emergency medical technician acting in accordance with section three thousand eighteen of this article, nor any ambulance service or advanced life support first response service of which such person is a member or employee, who, in the course of responding to an emergency, renders basic first aid to a dog or cat pursuant to such section, shall have any civil liability or have any liability for violating article one hundred thirty-five of the education law, for the provision of such care, or any damages to or death of any dog or cat alleged to have occurred by reason of an act or omission in rendering such medical assistance in an emergency unless it is established that such injuries were or such death was caused by gross negligence on the part of such certified first responder, emergency medical technician or advanced emergency medical technician.

8. Notwithstanding any provision of law to the contrary, any licensed veterinarian who provides off-site instruction, pursuant to section three thousand eighteen of this article, to any certified first respon-

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

LBD11236-07-8

der, emergency medical technician or advanced emergency medical technician providing basic first aid to a dog or cat shall not be liable for damages for injuries or death alleged to have been sustained by any dog or cat as a result of such instruction unless it is established that such injuries or death were caused by gross negligence on the part of such licensed veterinarian.

9. The commissioner of education shall promulgate rules and regulations for the provision of basic first aid to dogs and cats by emergency medical care personnel pursuant to this section.

§ 2. The public health law is amended by adding a new section 3018 to read as follows:

§ 3018. Basic first aid to dogs and cats. 1. In the course of responding to any emergency, a certified first responder, emergency medical technician or advanced emergency medical technician may, in accordance with the rules and regulations of the commissioner of education, provide basic first aid to a dog or cat prior to the transfer of such animal to the care of a licensed veterinarian. The basic first aid provided to cats and dogs pursuant to this section shall be limited to the following, if the certified first responder, emergency medical technician or advanced emergency medical technician is able and authorized to provide such care to a human:

(a) opening and manually maintaining an airway;

(b) providing mouth to mouth or mouth to barrier ventilation;

(c) administering oxygen;

(d) managing ventilation by mask;

(e) controlling hemorrhage with direct pressure;

(f) immobilizing fractures;

(g) bandaging; and

(h) administering naloxone hydrochloride to the extent authorized by law, rule or regulation and as directed by a licensed veterinarian.

2. To the extent practicable, each certified first responder, emergency medical technician or advanced emergency medical technician, during the course of providing basic first aid to a dog or cat pursuant to this section, shall communicate with a licensed veterinarian for the purpose of consulting upon the provision of such care.

3. The commissioner of education shall promulgate such rules and regulations as shall be necessary to implement the provisions of this section.

§ 3. Section 6702 of the education law is amended by adding a new subdivision 3 to read as follows:

3. Licensed veterinarians may provide instruction to any certified first responder, emergency medical technician or advanced emergency medical technician providing basic first aid to a dog or cat pursuant to section three thousand eighteen of the public health law.

§ 4. The opening paragraph of section 6703 of the education law is designated subdivision 1 and a new subdivision 2 is added to read as follows:

2. The commissioner shall promulgate rules and regulations for the provision of basic first aid to dogs and cats by emergency medical care personnel pursuant to section three thousand eighteen of the public health law.

§ 5. Section 6705 of the education law is amended by adding a new subdivision 16 to read as follows:

16. A certified first responder, emergency medical technician or advanced emergency medical technician providing basic first aid to the

extent authorized by section three thousand eighteen of the public health law.

§ 6. This act shall take effect one year after it shall have become a law.