

STATE OF NEW YORK

8464--A

2019-2020 Regular Sessions

IN ASSEMBLY

July 8, 2019

Introduced by M. of A. WALCZYK -- read once and referred to the Committee on Higher Education -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the education law, the public health law and the civil practice law and rules, in relation to requiring applicants for certain nursing licenses and certifications to complete training in the prevention of human trafficking

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

1 Section 1. Section 305 of the education law is amended by adding a new
2 subdivision 59 to read as follows:

3 59. The commissioner shall consult and collaborate with the commis-
4 sioner of health and appropriate organizations that have expertise in
5 the prevention of human trafficking, as well as other interested
6 parties, to establish and develop training within the department related
7 to noticing signs and evidence of, and the prevention of, human traf-
8 ficking. Such training shall be defined by the commissioner in regu-
9 lations after consultation with the department of health and be designed
10 to educate those seeking the license or certification of registered
11 professional nurse, licensed practical nurse, certified nurse practi-
12 tioner, and clinical nurse specialist. The training shall be defined and
13 ready for usage by license or certification applicants no later than
14 three years after the effective date of this subdivision.

15 § 2. Section 206 of the public health law is amended by adding a new
16 subdivision 31 to read as follows:

17 31. The commissioner shall assist the commissioner of education and
18 consult and collaborate with appropriate organizations that have exper-
19 tise in the prevention of human trafficking, as well as other interested
20 parties, to establish and develop training within the department of
21 education related to noticing signs and evidence of, and the prevention
22 of, human trafficking for the purposes of educating those seeking

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

LBD11035-02-9

1 license or certification as a registered professional nurse, licensed
2 practical nurse, certified nurse practitioner, and clinical nurse
3 specialist.

4 § 3. Section 6905 of the education law is amended by adding a new
5 subdivision 2-a to read as follows:

6 (2-a) Noticing the signs of and preventing human trafficking: have
7 completed training in the prevention of human trafficking as designed
8 and approved by the department;

9 § 4. Section 6906 of the education law is amended by adding a new
10 subdivision 2-a to read as follows:

11 (2-a) Noticing the signs of and preventing human trafficking: have
12 completed training in the prevention of human trafficking as designed
13 and approved by the department;

14 § 5. Subdivision 1 of section 6910 of the education law is amended by
15 adding a new paragraph (c-1) to read as follows:

16 (c-1) Noticing the signs of and preventing human trafficking: have
17 completed training in the prevention of human trafficking as designed
18 and approved by the department;

19 § 6. Paragraph (c) of subdivision 1 of section 6911 of the education
20 law, as added by chapter 364 of the laws of 2013, is amended and a new
21 paragraph (c-1) is added to read as follows:

22 (c) (i) have satisfactorily completed an educational program regis-
23 tered by the department including a master's or doctoral degree, or a
24 post-master's certificate from a program acceptable to the department
25 which prepares graduates to practice as CNSs and which is accredited by
26 a national nursing accredited body acceptable to the department, and
27 (ii) meets all other requirements established by the department to prac-
28 tice as a clinical nurse specialist, or (iii) have received educational
29 preparation determined by the department to be the substantial equiv-
30 alent of subparagraphs (i) and (ii) of this paragraph; ~~and~~

31 (c-1) noticing the signs of and preventing human trafficking: have
32 completed training in the prevention of human trafficking as designed
33 and approved by the department; and

34 § 7. Paragraph (f) of subdivision 2 of section 1349 of the civil prac-
35 tice law and rules, as added by chapter 655 of the laws of 1990, is
36 amended to read as follows:

37 (f) In addition to amounts, if any, distributed pursuant to paragraph
38 (d) of this subdivision, five percent of all moneys realized through
39 forfeiture to the claiming agent in satisfaction of actual costs
40 incurred for protecting, maintaining and forfeiting the property includ-
41 ing that proportion of the salaries of attorneys, clerical and investi-
42 gative personnel devoted thereto and with respect to all moneys realized
43 through forfeiture which are remaining pursuant to this section to
44 provide for the reimbursement of amounts actually expended for the
45 development of a training program for nurses relating to human traffick-
46 ing contained in sections sixty-nine hundred five, sixty-nine hundred
47 six, sixty-nine hundred ten, and sixty-nine hundred eleven of the educa-
48 tion law;

49 § 8. This act shall take effect immediately; provided, however, that
50 sections three, four, five, and six of this act shall take effect three
51 years after this act shall have become a law.