

STATE OF NEW YORK

61

2019-2020 Regular Sessions

IN ASSEMBLY

(Prefiled)

January 9, 2019

Introduced by M. of A. L. ROSENTHAL, LUPARDO -- read once and referred to the Committee on Higher Education

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:

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

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

17 8. Notwithstanding any provision of law to the contrary, any licensed
18 veterinarian who provides off-site instruction, pursuant to section
19 three thousand eighteen of this article, to any certified first respon-
20 der, emergency medical technician or advanced emergency medical techni-
21 cian providing basic first aid to a dog or cat shall not be liable for
22 damages for injuries or death alleged to have been sustained by any dog
23 or cat as a result of such instruction unless it is established that

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

LBD01839-01-9

1 such injuries or death were caused by gross negligence on the part of
2 such licensed veterinarian.

3 9. The commissioner of education shall promulgate rules and regu-
4 lations for the provision of basic first aid to dogs and cats by emer-
5 gency medical care personnel pursuant to this section.

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

8 § 3018. Basic first aid to dogs and cats. 1. In the course of respond-
9 ing to any emergency, a certified first responder, emergency medical
10 technician or advanced emergency medical technician may, in accordance
11 with the rules and regulations of the commissioner of education, provide
12 basic first aid to a dog or cat prior to the transfer of such animal to
13 the care of a licensed veterinarian. The basic first aid provided to
14 cats and dogs pursuant to this section shall be limited to the follow-
15 ing, if the certified first responder, emergency medical technician or
16 advanced emergency medical technician is able and authorized to provide
17 such care to a human:

- 18 (a) opening and manually maintaining an airway;
- 19 (b) providing mouth to mouth or mouth to barrier ventilation;
- 20 (c) administering oxygen;
- 21 (d) managing ventilation by mask;
- 22 (e) controlling hemorrhage with direct pressure;
- 23 (f) immobilizing fractures;
- 24 (g) bandaging; and
- 25 (h) administering naloxone hydrochloride to the extent authorized by
26 law, rule or regulation and as directed by a licensed veterinarian.

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

32 3. The commissioner of education shall promulgate such rules and regu-
33 lations as shall be necessary to implement the provisions of this
34 section.

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

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

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

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

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

50 16. A certified first responder, emergency medical technician or
51 advanced emergency medical technician providing basic first aid to the
52 extent authorized by section three thousand eighteen of the public
53 health law.

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