STATE OF NEW YORK

8788

IN ASSEMBLY

January 12, 2022

Introduced by M. of A. WOERNER -- read once and referred to the Committee on Health

AN ACT to amend the public health law, in relation to ambulance services which provide transportation by aircraft; and to amend a chapter of the laws of 2021 amending the public health law relating to availability of air transport ambulance service providers to store and distribute blood, as proposed in legislative bills numbers S. 4085-A and A. 2561-B, in relation to the effectiveness thereof

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

Section 1. Section 3003-b of the public health law, as added by a chapter of the laws of 2021 amending the public health law relating to availability of air transport ambulance service providers to store and distribute blood, as proposed in legislative bills numbers S. 4085-A and A. 2561-B, is amended to read as follows:

§ 3003-b. Availability of [~~air transport~~] ambulance service [~~providers~~] **that provides transportation by aircraft** to store and distribute blood and initiate and administer blood transfusions. 1. [~~As used in this section, "air transport services" shall mean emergency medical care and the transportation of sick or injured persons by aircraft to, from, or between general hospitals or other health care facilities.~~

~~2.~~] An ambulance service [~~provider~~] licensed under this article that provides [~~air transport services~~] **transportation by aircraft** may store and distribute human blood and blood products at all their facilities and **qualified medical and health personnel, as defined in this article, operating within an ambulance service licensed under this article, may** initiate and administer human blood and blood product transfusions while providing air transport services. **As used in this section, "air transport services" means emergency medical care and the transportation of sick or injured persons by aircraft to, from or between general hospitals or other health care facilities.**

[~~3.~~] **2.** Notwithstanding [~~section~~] **title** five [~~hundred seventy-four~~] of **article five of** this chapter, any ambulance service [~~provider~~] licensed [~~pursuant to~~] **under** this article that provides **transportation by**

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

LBD01353-06-2

aircraft and only for purposes of providing air transport services, may store and distribute human blood and blood products in accordance with [~~section thirty-one hundred of this chapter; provided, however, an ambulance service provider shall meet or exceed all~~] standards for the storage of blood products of the United States Food and Drug Administration and any rules, regulations, guidance or minimum standards established pursuant to this section.

3. Prior to storing and distributing blood or allowing qualified medical and health personnel to initiate and administer blood transfusions under this section, the ambulance service shall ensure that it is in compliance with the rules, regulations, guidance or minimum standards established pursuant to this section and other applicable emergency medical service requirements, and shall provide notification of intent to store and distribute blood or allow qualified medical and health personnel to initiate and administer blood transfusions as part of their air transport services at least sixty days prior to beginning such care.

4. The state emergency medical services council, with the approval of the commissioner, shall promulgate rules and regulations to effectuate the purposes of this section.

§ 2. Section 2 of a chapter of the laws of 2021 amending the public health law relating to availability of air transport ambulance service providers to store and distribute blood, as proposed in legislative bills numbers S. 4085-A and A. 2561-B, is amended to read as follows:

§ 2. This act shall take effect [~~immediately~~] on the ninetieth day after it shall have become a law.

§ 3. This act shall take effect immediately, provided however that section one of this act shall take effect on the same date and in the same manner as a chapter of the laws of 2021 amending the public health law relating to availability of air transport ambulance service providers to store and distribute blood, as proposed in legislative bills numbers S. 4085-A and A. 2561-B, takes effect.