STATE OF NEW YORK

9383

IN ASSEMBLY

February 23, 2022

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

AN ACT to amend the public health law, in relation to prehospital emergency medical services for individuals in substance use recovery

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

Section 1. Legislative intent. The legislature hereby finds that emergency personnel are trained to look for intoxication, but not trained to ask a patient if they identify as a person in substance use recovery. People in recovery work extremely hard to maintain recovery and should not be placed in a situation where their recovery is compromised. The legislature finds that emergency personnel need to be trained in how to communicate the risks of certain medications that could compromise their recovery and what possible alternatives are available.

§ 2. The public health law is amended by adding a new section 3000-e to read as follows:

§ 3000-e. Prehospital emergency medical services; substance use recovery. 1. The department, the state council, and the regional council shall include in their policies, procedures, and protocols for prehospital emergency medical services and transportation, standards for the assessment and treatment of patients who identify as a person in substance use recovery. Such policies, procedures, and protocols shall include point-of-entry criteria and plans for the triage and transport of individuals who identify as a person in substance use recovery. At minimum such policies, procedures, and protocols shall require emergency medical services and transportation providers to communicate to individuals who identify as a person in substance use recovery the risks of certain medications that could compromise such individuals' recovery by offering alternate options for treatment and informing the hospital that such individual identifies as a person in substance use recovery.

2. Beginning upon the effective date of this section, the department, the state council, and the regional council shall annually review and update, if appropriate, their policies, procedures, and protocols for prehospital emergency medical services and transportation to ensure

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

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individuals who identify as a person in substance use recovery are receiving adequate information prior to treatment.

§ 3. Section 3053 of the public health law, as amended by chapter 445 of the laws of 1993, is amended to read as follows:

§ 3053. Reporting. **1.** Advanced life support first response services and ambulance services registered or certified pursuant to article thirty of this chapter shall submit detailed individual call reports on a form to be provided by the department, or may submit data electronically in a format approved by the department. The state emergency medical services council, with the approval of the commissioner, may adopt rules and regulations permitting or requiring ambulance services whose volume exceeds twenty thousand calls per year to submit call report data electronically. Such rules shall define the data elements to be submitted, and may include requirements that assure availability of data to the regional emergency medical advisory committee.

2. Such individual call report form, and such form's alternative electronic format, shall include whether an individual identifies as a person in substance use recovery and, if known, such individual's type of addiction disease.

§ 4. This act shall take effect immediately.