

# STATE OF NEW YORK

4411

2021-2022 Regular Sessions

## IN ASSEMBLY

February 4, 2021

Introduced by M. of A. WALCZYK -- read once and referred to the Committee on Higher Education

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  
23 license or certification as a registered professional nurse, licensed

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

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1 practical nurse, certified nurse practitioner, and clinical nurse  
2 specialist.

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

5 (2-a) Noticing the signs of and preventing human trafficking: have  
6 completed training in the prevention of human trafficking as designed  
7 and approved by the department;

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

10 (2-a) Noticing the signs of and preventing human trafficking: have  
11 completed training in the prevention of human trafficking as designed  
12 and approved by the department;

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

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

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

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

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

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

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

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