STATE OF NEW YORK

9816

IN ASSEMBLY

April 19, 2022

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

AN ACT to amend the education law, in relation to allowing for unlicensed individuals to collect throat or nasopharyngeal swab specimens and to perform certain nursing tasks during certain state of disaster emergencies

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

Section 1. Section 6526 of the education law is amended by adding a new subdivision 11 to read as follows:

11. Any person in a declared state of disaster emergency for a disease outbreak or epidemic, pursuant to section twenty-eight of the executive law, shall be permitted, upon the successful completion of training deemed adequate by the commissioner, to collect throat or nasopharyngeal swab specimens from individuals suspected of being infected by an infectious disease, for purposes of testing. The commissioner, in consultation with the commissioner of health, shall establish training requirements for unlicensed individuals to collect throat or nasopharyngeal swab specimens.

§ 2. Subdivision 1 of section 6908 of the education law is amended by adding a new paragraph i to read as follows:

i. As prohibiting in a declared state of disaster emergency for a disease outbreak or epidemic, pursuant to section twenty-eight of the executive law, to the extent necessary, non-nursing staff, upon the successful completion of training deemed adequate by the commissioner, to perform tasks, under the supervision of a nurse, otherwise limited to the scope of practice of a licensed or registered nurse. The commissioner, in consultation with the commissioner of health, shall establish training requirements for non-nursing staff to perform the tasks permitted by this paragraph.

§ 3. This act shall take effect immediately.

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

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