

# STATE OF NEW YORK

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5683

2021-2022 Regular Sessions

## IN SENATE

March 16, 2021

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Introduced by Sen. LANZA -- read twice and ordered printed, and when printed to be committed to the Committee on Health

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.

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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.