

STATE OF NEW YORK

3798--A

Cal. No. 100

2023-2024 Regular Sessions

IN ASSEMBLY

February 8, 2023

Introduced by M. of A. L. ROSENTHAL, WEPRIN -- read once and referred to the Committee on Higher Education -- ordered to a third reading, amended and ordered reprinted, retaining its place on the order of third reading

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 nineteen 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 where such person acted reason-
13 ably and in good faith in rendering such medical assistance in an emer-
14 gency.

15 8. Notwithstanding any provision of law to the contrary, any licensed
16 veterinarian who provides off-site instruction, pursuant to section
17 three thousand nineteen of this article, to any certified first respon-
18 der, emergency medical technician or advanced emergency medical techni-
19 cian providing basic first aid to a dog or cat shall not be liable for
20 damages for injuries or death alleged to have been sustained by any dog
21 or cat as a result of such instruction where such veterinarian acted
22 reasonably and in good faith in providing such instruction.

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

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1 9. The commissioner of education shall promulgate rules and regu-
2 lations for the provision of basic first aid to dogs and cats by emer-
3 gency medical care personnel pursuant to this section.

4 § 2. The public health law is amended by adding a new section 3019 to
5 read as follows:

6 § 3019. Basic first aid to dogs and cats. 1. In the course of respond-
7 ing to any emergency, a certified first responder, emergency medical
8 technician or advanced emergency medical technician may, in accordance
9 with the rules and regulations of the commissioner of education, provide
10 basic first aid to a dog or cat prior to the transfer of such animal to
11 the care of a licensed veterinarian, provided however, that there are no
12 persons requiring medical attention or transportation at such time. The
13 basic first aid provided to cats and dogs pursuant to this section shall
14 be limited to the following, if the certified first responder, emergency
15 medical technician or advanced emergency medical technician is able and
16 authorized to provide such care to a human:

- 17 (a) opening and manually maintaining an airway;
- 18 (b) providing mouth to mouth or mouth to barrier ventilation;
- 19 (c) administering oxygen;
- 20 (d) managing ventilation by mask;
- 21 (e) controlling hemorrhage with direct pressure;
- 22 (f) immobilizing fractures;
- 23 (g) bandaging; and
- 24 (h) administering naloxone hydrochloride to the extent authorized by
25 law, rule or regulation and as directed by a licensed veterinarian.

26 2. To the extent practicable, each certified first responder, emergen-
27 cy medical technician or advanced emergency medical technician, during
28 the course of providing basic first aid to a dog or cat pursuant to this
29 section, shall communicate with a licensed veterinarian for the purpose
30 of consulting upon the provision of such care.

31 3. The commissioner of education shall promulgate such rules and regu-
32 lations as shall be necessary to implement the provisions of this
33 section.

34 § 3. Section 6702 of the education law is amended by adding a new
35 subdivision 3 to read as follows:

36 3. Licensed veterinarians may provide instruction to any certified
37 first responder, emergency medical technician or advanced emergency
38 medical technician providing basic first aid to a dog or cat pursuant to
39 section three thousand nineteen of the public health law.

40 § 4. The opening paragraph of section 6703 of the education law is
41 designated subdivision 1 and a new subdivision 2 is added to read as
42 follows:

43 2. The commissioner shall promulgate rules and regulations for the
44 provision of basic first aid to dogs and cats by emergency medical care
45 personnel pursuant to section three thousand nineteen of the public
46 health law.

47 § 5. Section 6705 of the education law is amended by adding a new
48 subdivision 16 to read as follows:

49 16. A certified first responder, emergency medical technician or
50 advanced emergency medical technician providing basic first aid to the
51 extent authorized by section three thousand nineteen of the public
52 health law.

53 § 6. This act shall take effect one year after it shall have become a
54 law.