

# STATE OF NEW YORK

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3802

2023-2024 Regular Sessions

## IN ASSEMBLY

February 8, 2023

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Introduced by M. of A. GUNTHER, STECK, COLTON -- read once and referred to the Committee on Labor

AN ACT to amend the labor law, in relation to including certified nursing assistants in provisions of law relating to restrictions on consecutive hours of work

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

1 Section 1. Paragraph b of subdivision 1 of section 167 of the labor  
2 law, as amended by chapter 815 of the laws of 2022, is amended and a new  
3 paragraph d is added to read as follows:

4 b. "Nurse" shall mean a registered professional nurse or a licensed  
5 practical nurse as defined by article one hundred thirty-nine of the  
6 education law who provides direct patient care, or a certified nursing  
7 assistant as defined in this subdivision.

8 d. "Certified nursing assistant" shall mean a person who has success-  
9 fully completed a nurse aide training and/or competency evaluation  
10 program administered by the department of health and/or is currently  
11 listed in the nurse aide registry.

12 § 2. This act shall take effect on the ninetieth day after it shall  
13 have become a law; provided however, that if chapter 815 of the laws of  
14 2022 shall not have taken effect on or before such date then this act  
15 shall take effect on the same date and in the same manner as such chap-  
16 ter of the laws of 2022, takes effect.

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

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