

# STATE OF NEW YORK

5079

2023-2024 Regular Sessions

## IN ASSEMBLY

March 2, 2023

Introduced by M. of A. GUNTHER -- read once and referred to the Committee on Health

AN ACT to amend the public health law, in relation to providing for minimum registered nurse staffing for intensive care and critical care patients

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

1 Section 1. The public health law is amended by adding a new section  
2 2805-aa to read as follows:

3 § 2805-aa. Minimum registered nurse staffing for intensive care and  
4 critical care patients. All hospitals shall provide a minimum of one  
5 registered professional nurse for every two patients in intensive care  
6 or critical care settings at all times, increased as appropriate for the  
7 acuity level of the patient. The hospital shall provide registered  
8 professional nurse staffing to maintain the minimum staffing ratio  
9 during meal breaks or absences from the patient care unit. The minimum  
10 staffing requirement shall apply to all designated intensive care and  
11 critical care units and to other units or departments of the hospital  
12 where patients requiring intensive or critical care services are housed  
13 or receiving treatment.

14 § 2. Subparagraph (ii) of paragraph (b) of subdivision 5 of section  
15 2805-t of the public health law, as added by chapter 155 of the laws of  
16 2021, is amended to read as follows:

17 (ii) [~~Staffing regulations to be promulgated by the commissioner~~  
18 ~~relating to staffing in intensive care and critical care units no later~~  
19 ~~than January first, two thousand twenty-two. Such regulations shall~~  
20 ~~consider the factors set forth in paragraph (b) of subdivision four of~~  
21 ~~this section, standards in place in neighboring states, and a minimum~~  
22 ~~standard of twelve hours of registered nurse care per patient per day]~~  
23 Minimum nurse to patient staffing ratios for intensive and critical care  
24 patients as required by section twenty-eight hundred five-aa of this  
25 article;

26 § 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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