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:

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

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

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

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

§ 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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