

STATE OF NEW YORK

5121--A

2023-2024 Regular Sessions

IN ASSEMBLY

March 2, 2023

Introduced by M. of A. STIRPE, MAGNARELLI, DICKENS, LUPARDO, GUNTHER,
McDONALD -- Multi-Sponsored by -- M. of A. SIMON -- read once and
referred to the Committee on Higher Education -- committee discharged,
bill amended, ordered reprinted as amended and recommitted to said
committee

AN ACT to amend the education law, in relation to supervising the trans-
filling of medical oxygen

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

Section 1. Section 6808 of the education law is amended by adding a
new subdivision 9 to read as follows:

9. Supervision requirements for wholesalers transfilling medical
oxygen. Wholesalers registered under this section which transfill
medical oxygen shall ensure any person responsible for supervising the
transfilling of medical oxygen is:

a. a respiratory therapist certified by a national accrediting body;

b. a person holding a bachelor's degree in chemistry, microbiology,
chemical engineering or a related field;

c. a person having two years of education beyond high school and two
years experience in the handling of compressed medical gases satisfac-
tory to the state board of pharmacy; or

d. a person having training in accordance with the requirements estab-
lished in section 211.25 of title 21 of the code of federal regulations.

§ 2. This act shall take effect on the one hundred eightieth day after
it shall have become a law. Effective immediately, the addition, amend-
ment and/or repeal of any rule or regulation necessary for the implemen-
tation of this act on its effective date are authorized to be made and
completed on or before such effective date.

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

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