STATE OF NEW YORK

5848--B

Cal. No. 142

2023-2024 Regular Sessions

IN ASSEMBLY

March 23, 2023

Introduced by M. of A. PAULIN, SAYEGH -- read once and referred to the Committee on Health -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- reported from committee, advanced 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, in relation to requiring patient transporters to meet certain minimum requirements

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

Section 1. This act shall be known and may be cited as "Melania's law".

§ 2. The public health law is amended by adding a new section 2831 to read as follows:

§ 2831. Patient transporters. 1. For the purposes of this section, the terms:

(a) "Patient transporter" shall mean a person who provides the services of transportation of patients in internal healthcare facility moves including, but not limited to, movements to and from testing or treatment areas, discharging of patients, and operation of transport equipment to escort patients throughout a healthcare facility. It shall only include those persons who hold the job title of transporter. "Patient transporter" shall exclude high-level clinical teams that provide the services of internal healthcare facility transportation for patients with high-acuity, or who present with certain symptoms as may be determined by the commissioner and mobile code teams.

(b) "Healthcare facility" shall mean facilities subject to this article.

2. A person shall not function as a patient transporter in a healthcare facility and a healthcare facility shall not employ or otherwise contract for the services of a patient transporter unless the patient transporter has successfully passed a state accredited basic life

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

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support course, in which knowledge and skills in cardiopulmonary resuscitation using automated external defibrillators and relieving airway obstructions is taught. Healthcare facilities shall provide such course to employees and potential employees at no cost to such individual. Such training shall also be considered work time.

3. A patient transporter currently employed or otherwise contracted by a healthcare facility who does not meet the requirements of subdivision two of this section shall have eighteen months from the date of enactment of this act to meet such requirements.

4. Nothing in this section shall prohibit any healthcare professional from performing patient transporter tasks or functions if the person is acting within the scope of his or her practice.

5. Nothing in this section shall be construed as a patient transporter duty to assess and act in a situation where basic life support may be required.

§ 3. This act shall take effect January 1, 2024. Effective immediately, the addition, amendment and/or repeal of any rule or regulation necessary for the implementation of this act on its effective date are authorized to be made and completed on or before such effective date.