

# STATE OF NEW YORK

8996

## IN ASSEMBLY

February 1, 2024

Introduced by M. of A. BICHOTTE HERMELYN, SIMON -- read once and referred to the Committee on Higher Education

AN ACT to amend the civil service law, the tax law and the education law, in relation to enacting the "New York state nurse employment, enhancement and dignity act"

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

1 Section 1. Short title. This act shall be known and may be cited as  
2 the "New York state nurse employment, enhancement and dignity act".

3 § 2. Legislative Findings. The profession of nursing is critical to  
4 the general health and safety of the residents of the state of New York  
5 and the need for nurses has been exacerbated by the COVID-19 pandemic.  
6 The nursing shortage and high attrition rates for nursing titles nega-  
7 tively impacts patients and staff and serves to undermine the quality of  
8 care in this state. The educational requirements for licensure into  
9 certain nursing titles has served as a practical and financial barrier  
10 to too many aspiring health care professionals. As an employer and the  
11 entity charged with the care of the state's most vulnerable, New York  
12 state must lead the way in making this profession more accessible and  
13 attractive so as to ensure the quality and continuity of care for New  
14 York's most at-risk citizens.

15 § 3. Subdivision 14 of section 130 of the civil service law is renum-  
16 bered subdivision 15 and a new subdivision 14 is added to read as  
17 follows:

18 14. Hazard duty payments to nurses during a state emergency disaster  
19 declaration. (a) Any professional or practical nurse, nurse practi-  
20 tioner, or clinical nurse specialist recognized in accordance with  
21 sections six thousand nine hundred five, six thousand nine hundred six,  
22 six thousand nine hundred ten and six thousand nine hundred eleven of  
23 the education law who is employed by the state and provides services in  
24 a licensed medical care or other state-operated agency or facility  
25 during any state disaster emergency declared pursuant to article  
26 two-B of the executive law to provide for the health, safety and welfare  
27 of the public shall be awarded a hazardous duty differential.

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

LBD06850-02-4

1 (b) A hazardous duty differential under this subdivision shall be  
2 twenty-five hundred dollars. The hazard pay differential provided in  
3 this subdivision shall be in addition to and shall not be part of an  
4 employee's basic annual salary, and shall not affect or impair any  
5 performance advancement payments, performance awards, longevity payments  
6 or other rights or benefits to which an employee may be entitled under  
7 the provisions of this chapter, provided, however, that any differential  
8 payable pursuant to this subdivision shall be included as compensation  
9 for retirement purposes. Employees eligible for the hazard duty  
10 payments authorized by this subdivision shall also receive thirty-five  
11 hours of additional vacation time accrual. The director of the budget  
12 shall adopt regulations to carry out the provisions of this subdivision.

13 § 4. Section 606 of the tax law is amended by adding a new  
14 subsection (ppp) to read as follows:

15 (ppp) Nurse exemption. (1) Allowance of credit. A taxpayer that is a  
16 professional or practical nurse, nurse practitioner, or clinical  
17 nurse specialist in the state recognized in accordance with sections  
18 six thousand nine hundred five, six thousand nine hundred six, six  
19 thousand nine hundred ten and six thousand nine hundred eleven of the  
20 education law and who provides services in a licensed medical care or  
21 other state-operated agency or facility in this state shall be allowed  
22 an annual credit of five hundred dollars against the tax imposed by this  
23 article.

24 (2) Overpayment. If the amount of the credit allowed under this  
25 subsection for any taxable year exceeds the taxpayer's tax for the tax-  
26 able year, the excess shall be treated as an overpayment of tax to be  
27 credited or refunded in accordance with the provisions of section six  
28 hundred eighty-six of this article, provided, however, no interest will  
29 be paid thereon.

30 § 5. The education law is amended by adding a new section 679-k to  
31 read as follows:

32 § 679-k. New York state nursing loan forgiveness incentive program. 1.  
33 Purpose. The president shall grant student loan forgiveness awards for  
34 the purpose of alleviating the burden of student loan debt for nurses  
35 in the state. Such awards shall be made on a competitive basis as  
36 promulgated by the corporation for such purposes, to applicants who  
37 meet the eligibility criteria. Such rules and regulations shall include  
38 provisions for the consideration of applicants who are economically  
39 disadvantaged.

40 2. Eligibility. To be eligible for an award pursuant to this  
41 section, applicants shall:

42 (a) have graduated and obtained a degree from an approved New York  
43 state college or university;

44 (b) have an outstanding student loan debt from obtaining such degree;

45 (c) be employed as a professional or practical nurse, nurse practi-  
46 tioner, or clinical nurse specialist in the state in accordance with  
47 sections six thousand nine hundred five, six thousand nine hundred six,  
48 six thousand nine hundred ten and six thousand nine hundred eleven of  
49 this chapter;

50 (d) apply for this program within five years of college graduation;

51 (e) comply with subdivision five of section six hundred sixty-one  
52 of this part;

53 (f) make a commitment to practice in a licensed medical care or  
54 other state-operated agency or facility in this state for a minimum  
55 period of ten years or for the duration of the award whichever is long-  
56 er.

1 3. Awards. The corporation shall grant such awards not to exceed  
2 one thousand dollars per recipient per year and the total cost of any  
3 awards made shall fall within amounts appropriated for such purposes  
4 and based on the availability of funds.

5 § 6. Paragraph (h) of subdivision 2 of section 355 of the education  
6 law is amended by adding a new subparagraph 4-c to read as follows:

7 (4-c) Notwithstanding the provisions of any other general or special  
8 law, rule or regulation to the contrary, such regulations shall require  
9 admission of any professional or practical nurse, nurse practitioner,  
10 or clinical nurse specialist recognized in accordance with sections  
11 six thousand nine hundred five, six thousand nine hundred six, six  
12 thousand nine hundred ten and six thousand nine hundred eleven of this  
13 chapter and who is employed by the state and who provides services in a  
14 licensed medical care or other state-operated agency or facility for  
15 purposes of attaining the baccalaureate degree requirements prescribed  
16 by section six thousand nine hundred five of this chapter.

17 § 7. Subdivision 7 of section 6206 of the education law is amended by  
18 adding a new paragraph (g) to read as follows:

19 (g) Notwithstanding the provisions of any other general or special  
20 law, rule or regulation to the contrary, the board of trustees shall  
21 adopt regulations requiring admission of any professional or practical  
22 nurse, nurse practitioner, or clinical nurse specialist recognized  
23 in accordance with sections six thousand nine hundred five, six thou-  
24 sand nine hundred six, six thousand nine hundred ten and six thousand  
25 nine hundred eleven of this chapter and who is employed by the state and  
26 who provides services in a licensed medical care or other state-operated  
27 agency or facility for purposes of attaining the baccalaureate degree  
28 requirements prescribed by section six thousand nine hundred five of  
29 this chapter.

30 § 8. This act shall take effect immediately and shall be deemed to  
31 have been in full force and effect on and after April 1, 2024.