

# STATE OF NEW YORK

3344--C

2023-2024 Regular Sessions

## IN SENATE

January 30, 2023

Introduced by Sens. SKOUFIS, COMRIE -- read twice and ordered printed, and when printed to be committed to the Committee on Health -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- recommitted to the Committee on Health in accordance with Senate Rule 6, sec. 8 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

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:

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

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

5 § 2831. Patient transporters. 1. For the purposes of this section, the  
6 terms:

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

17 (b) "Healthcare facility" shall mean facilities subject to this arti-  
18 cle.

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

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1     2. A person shall not function as a patient transporter in a health-  
2 care facility and a healthcare facility shall not employ or otherwise  
3 contract for the services of a patient transporter unless the patient  
4 transporter has successfully passed a state accredited basic life  
5 support course, in which knowledge and skills in cardiopulmonary resus-  
6 citation using automated external defibrillators and relieving airway  
7 obstructions is taught. Healthcare facilities shall provide such course  
8 to employees and potential employees at no cost to such individual. Such  
9 training shall also be considered work time.

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

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

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

20    § 3. This act shall take effect January 1, 2025. Effective immediate-  
21 ly, the addition, amendment and/or repeal of any rule or regulation  
22 necessary for the implementation of this act on its effective date are  
23 authorized to be made and completed on or before such effective date.