STATE OF NEW YORK

5036--A

Cal. No. 516

2023-2024 Regular Sessions

IN SENATE

February 22, 2023

Introduced by Sens. MAY, JACKSON, MANNION -- read twice and ordered printed, and when printed to be committed to the Committee on Higher Education -- reported favorably from said committee, ordered to first and second report, ordered to a third reading, passed by Senate and delivered to the Assembly, recalled, vote reconsidered, restored to third reading, amended and ordered reprinted, retaining its place in the order of third reading

AN ACT to amend the education law, in relation to supervising the transfilling of medical oxygen

The People of the State of New York, represented in Senate and Assembly, 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 satisfactory to the state board of pharmacy; or

d. a person having training in accordance with the requirements established 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, 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.

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

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