

STATE OF NEW YORK

7614

2023-2024 Regular Sessions

IN SENATE

July 26, 2023

Introduced by Sen. ASHBY -- read twice and ordered printed, and when printed to be committed to the Committee on Rules

AN ACT to amend the public health law, in relation to prehospital emergency medical services for individuals in substance use recovery

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

1 Section 1. Legislative intent. The legislature hereby finds that emer-
2 gency personnel are trained to look for intoxication, but not trained to
3 ask a patient if they identify as a person in substance use recovery.
4 People in recovery work extremely hard to maintain recovery and should
5 not be placed in a situation where their recovery is compromised. The
6 legislature finds that emergency personnel need to be trained in how to
7 communicate the risks of certain medications that could compromise their
8 recovery and what possible alternatives are available.

9 § 2. The public health law is amended by adding a new section 3000-f
10 to read as follows:

11 § 3000-f. Prehospital emergency medical services; substance use recov-
12 ery. 1. The department, the state council, and the regional council
13 shall include in their policies, procedures, and protocols for prehospi-
14 tal emergency medical services and transportation, standards for the
15 assessment and treatment of patients who identify as a person in
16 substance use recovery. Such policies, procedures, and protocols shall
17 include point-of-entry criteria and plans for the triage and transport
18 of individuals who identify as a person in substance use recovery. At
19 minimum such policies, procedures, and protocols shall require emergency
20 medical services and transportation providers to communicate to individ-
21 uals who identify as a person in substance use recovery the risks of
22 certain medications that could compromise such individuals' recovery by
23 offering alternate options for treatment and informing the hospital that
24 such individual identifies as a person in substance use recovery.

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

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1 2. Beginning upon the effective date of this section, the department,
2 the state council, and the regional council shall annually review and
3 update, if appropriate, their policies, procedures, and protocols for
4 prehospital emergency medical services and transportation to ensure
5 individuals who identify as a person in substance use recovery are
6 receiving adequate information prior to treatment.

7 § 3. Section 3053 of the public health law, as amended by chapter 445
8 of the laws of 1993, is amended to read as follows:

9 § 3053. Reporting. 1. Advanced life support first response services
10 and ambulance services registered or certified pursuant to article thir-
11 ty of this chapter shall submit detailed individual call reports on a
12 form to be provided by the department, or may submit data electronically
13 in a format approved by the department. The state emergency medical
14 services council, with the approval of the commissioner, may adopt rules
15 and regulations permitting or requiring ambulance services whose volume
16 exceeds twenty thousand calls per year to submit call report data elec-
17 tronically. Such rules shall define the data elements to be submitted,
18 and may include requirements that assure availability of data to the
19 regional emergency medical advisory committee.

20 2. Such individual call report form, and such form's alternative elec-
21 tronic format, shall include whether an individual identifies as a
22 person in substance use recovery and, if known, such individual's type
23 of addiction disease.

24 § 4. This act shall take effect immediately.