§ 6909. Special provision. 1. Notwithstanding any inconsistent provision of any general, special, or local law, any licensed registered professional nurse or licensed practical nurse who voluntarily and without the expectation of monetary compensation renders first aid or emergency treatment at the scene of an accident or other emergency, outside a hospital, doctor's office or any other place having proper and necessary medical equipment, to a person who is unconscious, ill or injured shall not be liable for damages for injuries alleged to have been sustained by such person or for damages for the death of such person alleged to have occurred by reason of an act or omission in the rendering of such first aid or emergency treatment unless it is established that such injuries were or such death was caused by gross negligence on the part of such registered professional nurse or licensed practical nurse. Nothing in this subdivision shall be deemed or construed to relieve a licensed registered professional nurse or licensed practical nurse from liability for damages for injuries or death caused by an act or omission on the part of such nurse while rendering professional services in the normal and ordinary course of her practice.

2. Nothing in this article shall be construed to confer the authority to practice medicine or dentistry.

3. An applicant for a license as a registered professional nurse or licensed practical nurse by endorsement of a license of another state, province or country whose application was filed with the department under the laws in effect prior to August thirty-first, nineteen hundred seventy-one shall be licensed only upon successful completion of the appropriate licensing examination unless satisfactory evidence of the completion of all educational requirements is submitted to the department prior to September one, nineteen hundred seventy-seven.

4. A certified nurse practitioner may prescribe and order a non-patient specific regimen to a registered professional nurse, pursuant to regulations promulgated by the commissioner, consistent with subdivision three of section six thousand nine hundred two of this article, and consistent with the public health law, for:

(a) administering immunizations.

(b) the emergency treatment of anaphylaxis.

(c) administering purified protein derivative (PPD) tests or other tests to detect or screen for tuberculosis infections.

(d) administering tests to determine the presence of the human immunodeficiency virus.

(e) administering tests to determine the presence of the hepatitis C virus.

(f) the urgent or emergency treatment of opioid related overdose or suspected opioid related overdose.

(g) screening of persons at increased risk for syphilis, gonorrhea and chlamydia.

* (h) administering tests to determine the presence of COVID-19 or its antibodies or influenza virus.

* NB Repealed July 1, 2030

(i) administering electrocardiogram tests to detect signs and symptoms of acute coronary syndrome.

(j) administering point-of-care blood glucose tests to evaluate acute mental status changes in persons with suspected hypoglycemia.

(k) administering tests and intravenous lines to persons that meet severe sepsis and septic shock criteria.

(l) administering tests to determine pregnancy.

5. A registered professional nurse may execute a non-patient specific regimen prescribed or ordered by a licensed physician or certified nurse practitioner, pursuant to regulations promulgated by the commissioner.

6. A registered professional nurse defined under subdivision one of section sixty-nine hundred two of this article may use accepted classifications of signs, symptoms, dysfunctions and disorders, including, but not limited to, classifications used in the practice setting for the purpose of providing mental health services.

7. A certified nurse practitioner may prescribe and order a patient specific order or non-patient specific regimen to a licensed pharmacist, pursuant to regulations promulgated by the commissioner, and consistent with the public health law, for: (a) administering immunizations to

prevent influenza and COVID-19 to patients two years of age or older; and (b) administering immunizations to prevent pneumococcal, acute herpes zoster, hepatitis A, hepatitis B, human papillomavirus, measles, mumps, rubella, varicella, meningococcal, tetanus, diphtheria or pertussis disease and medications required for emergency treatment of anaphylaxis to patients eighteen years of age or older; and (c) administering other immunizations for patients eighteen years of age or older if the commissioner of health in consultation with the commissioner determines that an immunization: (i) (A) may be safely administered by a licensed pharmacist within their lawful scope of practice; and (B) is needed to prevent the transmission of a reportable communicable disease that is prevalent in New York state; or (ii) is a recommended immunization for such patients who: (A) meet age requirements, (B) lack documentation of such immunization, (C) lack evidence of past infection, or (D) have an additional risk factor or another indication. Nothing in this subdivision shall authorize unlicensed persons to administer immunizations, vaccines or other drugs.

* 8. A registered professional nurse, while working for a home care services agency licensed or certified pursuant to article thirty-six of the public health law, a hospice program certified pursuant to article forty of the public health law, or an enhanced assisted living residence licensed pursuant to article seven of the social services law and certified pursuant to article forty-six-B of the public health law may, in accordance with this subdivision, assign advanced home health aides to perform advanced tasks for individuals pursuant to the provisions of subdivision two of section sixty-nine hundred eight of this article and supervise advanced home health aides who perform assigned advanced tasks.

(a) Prior to assigning or modifying an assignment to perform an advanced task, the registered professional nurse shall:

(i) complete a nursing assessment to ascertain the client's current health status and care needs; and

(ii) provide to the advanced home health aide written, individual-specific instructions for performing the advanced task and criteria for identifying, reporting and responding to problems or complications.

(b) The registered professional nurse shall not assign an advanced

task unless:

(i) the advanced task to be assigned is consistent with an authorized health practitioner's ordered care;

(ii) the registered professional nurse provides case specific training to the advanced home health aide and personally verifies that the advanced home health aide can safely and competently perform the advanced task;

(iii) the registered professional nurse determines that the advanced home health aide is willing to perform such advanced task; and

(iv) the registered professional nurse determines that the advanced home health aide is able to effectively and efficiently communicate with the individual receiving services and understand such individual's needs.

(c) The supervising registered professional nurse shall:

(i) visit individuals receiving services for the purpose of supervising the services provided by advanced home health aides no less than once every two weeks; and

(ii) conduct regular and ongoing assessment of the individual's needs.

* NB Repealed March 31, 2029

* NB There are 2 sb 8's

* 8. A certified nurse practitioner may prescribe and order a patient specific order or non-patient specific order to a licensed pharmacist, pursuant to regulations promulgated by the commissioner in consultation with the commissioner of health, and consistent with the public health law, for dispensing up to a seven day starter pack of HIV post-exposure prophylaxis for the purpose of preventing human immunodeficiency virus infection following a potential human immunodeficiency virus exposure.

* NB There are 2 sb 8's

9. A registered professional nurse may execute a standing order for newborn care in a hospital established under section twenty-eight hundred three-v of the public health law, as provided in that section. The commissioner may make regulations relating to implementation of this subdivision.

10. A certified nurse practitioner may prescribe and order a non-patient-specific regimen to a licensed pharmacist, for insulin and

related supplies pursuant to section sixty-eight hundred one of this title.

11. A certified nurse practitioner may prescribe and order a non-patient specific order to a pharmacist licensed and located in the state, pursuant to regulations promulgated by the commissioner, and consistent with section sixty-eight hundred one of this title, for dispensing self-administered hormonal contraceptives as defined in section sixty-eight hundred two of this title.