The New York State HERO Act: S.1034-B (Gianaris) / A.2681-B (Reyes) was signed into law by Governor Andrew Cuomo on 5/5/21. EMS providers that receive remuneration from a private entity such as a non-profit organization or business for their services are covered by the law.

Agencies should consult their legal counsel if there are questions about the law's coverage of their organization and/or providers.

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**The NY HERO Act, or the New York Health and Essential Rights Act**, requires the Departments of Labor and Health to implement enforceable minimum standards for workplace safety. The regulations include protocols on testing, PPE, social distancing, hand hygiene, disinfection and engineering controls.

This law applies to all “employees” as defined by the New York State HERO Act, which means any person providing labor or services for remuneration for a private entity or business within the state, without regard to an individual’s immigration status, and shall include part-time workers, independent contractors, domestic workers, home care and personal care workers, day laborers, farmworkers and other temporary and seasonal workers. However, the term shall not include employees of the state, any political subdivision of the state, a public authority, or any other governmental agency or instrumentality.

A large portion of EMS agencies in NYS are covered by the law as their providers are either fully paid or use a combination of paid and volunteer staff to provide services.

Although volunteers do not appear to be covered by the law, for non-profit combination agencies its likely impractical to have a double standard on some of the requirements and it’s not a bad guide for all volunteer agencies to implement.

The plan would go into effect when an airborne infectious disease is designated by the NYS Commissioner of Health as a highly contagious communicable disease that presents a serious risk of harm to the public health. As of 7/6/21 when the Department of Labor published its standard and as NYS continues to deal with COVID-19 and a risk still exists, no designation is in effect at this time.

The NYS Department of Labor issued the Airborne Infectious Disease Prevention Standard and a number of industry specific plans including a Plan for Emergency Response - see below:
Click HERE to link to PDF of NYS Department of Labor Exposure Prevention Standard

Click HERE to link to PDF of NYS Department of Labor Exposure Prevention Sample Industry Specific Template Plan for Emergency Response

NYS Volunteer Ambulance & Rescue Association’ Educational Conference and Trade Show

October 1st and 2nd, 2021 at the Albany Marriott and with a virtual option for those who cannot attend in-person.

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The mission of NYSVARA is to educate, represent, promote and advocate for Volunteer and Community Based Emergency Medical Agencies and Responders throughout New York State

To join NYSVARA click HERE.