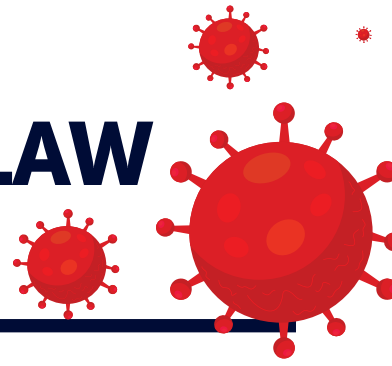


TEMPORARY CHANGES IN LAW DUE TO COVID CRISIS



Governor Cuomo issued Executive Order No. 202.10 on March 23, 2020 temporarily suspending certain provisions of state law and regulations in order to cope with this State disaster emergency. This is only in effect through April 22, 2020.

▶ **Good Samaritan Law Extended to COVID-19 Outbreak**

- This changes the standard to recover in civil medical malpractice cases to make it more difficult to sue RNs who are working on the COVID-19 outbreak.
- RNs and NPs cannot be found liable in court for any care provided “in support of the State’s response to the COVID-19 outbreak” unless RNs show reckless disregard for the safety or lives of others.
- Many if not all RNs employed by hospitals are now responding to this outbreak.
- This extends the NYS “Good Samaritan” law, designed to protect caregivers who volunteer to help in medical emergencies, to care provided during the COVID-19 outbreak.

▶ **Health care providers are relieved of recordkeeping requirements if necessary to respond to COVID-19.**

- RNs are given absolute immunity from liability for recordkeeping if acting “reasonably and in good faith” in responding to the COVID-19 outbreak.
- Similarly, OPD will not find unprofessional conduct for failing to maintain adequate records for each patient if an RN is acting “reasonably and in good faith” and is responding to the COVID-19 outbreak.
- RNs should still make best efforts regarding recordkeeping.

▶ **RNs and NPs licensed and in good standing in NYS but not registered in NYS are permitted to practice in NYS.**

▶ **RNs may order the collection of swabs for purposes of COVID-19 testing.**



Text COVID to 877-877
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