



NEW YORK STATE SENATOR

Rachel May

## Senator May and Assemblymember Stirpe's Bill to Help Small Businesses by Easing Burdensome Regulations for Filling Medical Oxygen Signed into Law

RACHEL MAY November 2, 2023

| ISSUE: **HEALTHCARE, AND SMALL BUSINESSES**



Senator Rachel May (Syracuse, Cayuga County) and Assemblymember Al Stirpe's bill to allow businesses that fill medical oxygen to hire supervisors trained under federal regulations has been signed by Governor Kathy Hochul.

Current FDA regulation requires precise and appropriate rules for filling medical oxygen while being less prescriptive and onerous than current New York State regulation. The burdensome state regulations made it difficult and expensive for small businesses to hire qualified employees, threatening business operations and the supply of medical oxygen to New Yorkers.

Senator May and Assemblymember Stirpe's bill allows New York State to adopt standards that align with the federal government, ensuring that medical oxygen is safe, pure, and high-quality.

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*Senator Rachel May – “This bill is the best of both worlds: it allows small business owners who fill medical oxygen tanks to operate with less burdensome hiring practices while maintaining strict federal safety standards. This ensures New Yorkers still receive medical oxygen that’s safe and pure. Getting this legislation across the board wouldn’t have been possible without the hard work and resolve of Assemblymembers Stirpe and Fahy and small business owners like Josh Haun. Thank you to Governor Hochul for signing this legislation that will protect small businesses and those who rely on medical oxygen.”*

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*Assemblymember Al Stirpe – “I’ve have been working on making this change in training and education requirements to transfill medical oxygen for over 8 years. Changing the standards to be more in line with the Code of Federal Regulations will ensure medical oxygen will be handled safely, while ensuring it will be available in every area throughout the State.” said Stirpe. “Hiring employees is challenging enough without the burden of requiring extraordinary credentials for vacant positions. This Bill I sponsored ensures oxygen wholesalers and others in the industry have the opportunity to hire more widely, can effectively train employees and get them on the job faster.”*

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*Joshua Haun, co-president of Haun Welding Supply Specialty Gases – “Thanks to the hard work and persistence of Senator May, Assemblyman Stirpe, and many of our other representatives, we are thrilled for this bill to finally be signed into law. We have been working on this legislation for several years to be able to continue to serve our customers with medical oxygen. This bill aligns NY law with federal law and allows us to safely continue to keep our hospitals, nursing homes, first responders, and other medical customers supplied with this critical medication. This was truly a team effort, and Haun Specialty Gases thanks all involved!”*

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*Assemblymember Patricia Fahy – “I want to commend Assemblymember Al Stirpe and Senator Rachel May for their years of hard work in getting this legislation across the finish line,” said Assemblymember Patricia Fahy. “I was proud to help shepherd this legislation through the Assembly Higher Education Committee, and ultimately, this legislation will ensure New York’s standards for oxygen tank match federal ones while ensuring we attract and retain workers qualified to supervise the process of transfilling medical oxygen as a result.” oxygen. This bill aligns NY law with federal law and allows us to safely continue to keep our hospitals, nursing homes, first responders, and other medical customers supplied with this critical medication. This was truly a team effort, and Haun Specialty Gases thanks all involved!”*