

THE CITY UNIVERSITY OF NEW YORK MEDICAL AMNESTY/GOOD SAMARITAN POLICY

- I. The City University of New York's ("CUNY's") Medical Amnesty/Good Samaritan Policy's purpose is to encourage students to seek medical assistance related to drug and alcohol use without fear of being disciplined for such use. Because the use of drugs or alcohol may be life-threatening, CUNY wishes to reduce barriers to seeking and receiving medical help in those situations. In addition, CUNY wishes to encourage students who may be the victims of or witnesses to sexual harassment or sexual violence while under the influence of drugs or alcohol to seek medical assistance and to report that sexual assault. Toward that end, CUNY's Policy is that students who seek medical assistance either for themselves or others will not be subject to discipline under the circumstances described below.
- II. Students who call for medical assistance for themselves or others and/or who receive medical assistance as a result of a call will not be disciplined for the consumption of alcohol (either if underage or if consumed in a CUNY-owned or operated building/facility where alcohol consumption is prohibited) or drugs under certain conditions. First, the students involved must agree to timely completion of assigned alcohol and/or drug education activities, assessment, and/or treatment, to be determined by the individual campuses or units of CUNY with which the students are affiliated. Second, there must be no other violations that ordinarily would subject the student to disciplinary action. Other violations that would invoke discipline include but are not limited to (i) unlawful distribution of alcohol or drugs; (ii) sexual assault; (iii) sexual harassment; (iv) causing or threatening physical harm; (v) causing damage to property; (vi) hazing.
- III. If students are involved in repeated incidents, the availability of medical amnesty to those students is at the discretion of the campus or unit with which the students are affiliated. Even if medical amnesty is granted to those students, repeated incidents raise issues of medical concern and may result in parental notification, medical withdrawal, and/or other non-disciplinary responses.
- IV. Failure to complete required alcohol and/or drug education activities, assessment and/or treatment by the deadline may result in a revocation of medical amnesty.
- V. CUNY's Policy is intended to complement New York State's Good Samaritan Law, which is designed to encourage individuals to call 911 in the event of an alcohol or drug-related emergency. Generally, this law protects persons who witness or suffer from a medical emergency involving drugs or alcohol from being arrested or prosecuted for drug or underage alcohol possession after they call 911. It does not protect against arrest or prosecution for other offenses, such as the sale of drugs. For more information on New

York's Good Samaritan Law, *see* N.Y. Public Health L. §§ 3000-a, 3000-b, 3013 (McKinney 2000); *see also* [NY State Assembly website database of law](#).