S T A T E O F N E W Y O R K

4988

2013-2014 Regular Sessions

I N S E N A T E

May 2, 2013

Introduced by Sen. BOYLE -- read twice and ordered printed, and when printed to be committed to the Committee on Education

AN ACT to amend the education law, in relation to authorizing the use of nebulizers in schools; and to repeal certain provisions of such law relating thereto

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. Section 919 of the education law is REPEALED.

S 2. The education law is amended by adding a new section 919 to read as follows:

S 919. ON-SITE NEBULIZERS. 1. THE BOARD OF EDUCATION OR TRUSTEES OF THE SCHOOL DISTRICT RESPONSIBLE FOR PROVIDING HEALTH SERVICES IN A SCHOOL, OR THE BOARD OF COOPERATIVE EDUCATIONAL SERVICES IN THE CASE OF PROGRAMS UNDER ITS JURISDICTION, MAY MAKE A NEBULIZER AVAILABLE ON-SITE IN PUBLIC AND PRIVATE SCHOOL BUILDINGS AND ON ATHLETIC COURTS AND FIELDS.

2. IF NEBULIZERS ARE PROVIDED PURSUANT TO SUBDIVISION ONE OF THIS SECTION, THEY SHALL BE MADE AVAILABLE TO AND ADMINISTERED BY STUDENTS WITH A PATIENT SPECIFIC ORDER, WHO REQUIRE INHALED MEDICATIONS ADMINISTERED BY A NEBULIZER.

3. EVERY NEBULIZER PROVIDED PURSUANT TO THIS SECTION SHALL BE MAINTAINED IN WORKING ORDER BY THE SCHOOL DISTRICT OR BOARD OF COOPERATIVE EDUCATIONAL SERVICES THAT PROVIDES SCHOOL HEALTH SERVICES TO THE SCHOOL BUILDING OR ATHLETIC COURTS OR FIELDS WHERE THE NEBULIZER IS LOCATED.

S 3. The commissioner of health is authorized to promulgate regulations for the implementation of this act.

S 4. This act shall take effect immediately.

EXPLANATION--Matter in ITALICS (underscored) is new; matter in brackets [ ] is old law to be omitted.

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