

STATE OF NEW YORK

10031

IN ASSEMBLY

March 7, 2018

Introduced by M. of A. TAYLOR -- read once and referred to the Committee on Health

AN ACT to amend the public health law, in relation to requiring anaphylactic policies for child care services

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. The public health law is amended by adding a new section 2500-1 to read as follows:

§ 2500-1. Anaphylactic policy for child care services. 1. For purposes of this section the term "child care service" shall mean all child day care centers, as defined in section three hundred ninety of the social services law, and all public and private nursery schools and pre-kindergarten programs.

2. The commissioner shall establish an anaphylactic policy for all child care services setting forth guidelines and procedures to be followed for both the prevention of anaphylaxis and during a medical emergency resulting from anaphylaxis. Such policy shall be developed after consultation with representatives of pediatric physicians, nurses and other health care providers with expertise in treating children with anaphylaxis, parents of children with life threatening allergies, and appropriate not-for-profit corporations representing allergic individuals at risk for anaphylaxis.

3. The anaphylactic policy established by this section shall include the following:

(a) a procedure and treatment plan, including responsibilities for child care service personnel, for responding to anaphylaxis;

(b) a training course for appropriate child care service personnel for preventing and responding to anaphylaxis;

(c) a procedure and appropriate guidelines for the development of an individualized emergency health care plan for children with a food or other allergy which could result in anaphylaxis;

(d) a communication plan for intake and dissemination of information regarding children with a food or other allergy which could result in anaphylaxis;

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

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1 (e) strategies for the reduction of the risk of exposure to anaphylac-
2 tic causative agents, including food and other allergens;

3 (f) a communication plan for discussion with children about symptoms
4 of an allergic reaction; and

5 (g) a communication plan for discussion with anaphylactic children
6 about foods that are safe and unsafe for the child, and about strategies
7 to avoid exposure to unsafe food.

8 4. On or before June thirtieth, two thousand eighteen, an anaphylactic
9 policy shall be jointly forwarded by the commissioner to each child care
10 service in the state. Each child care service shall consider and take
11 action in response to such anaphylactic policy.

12 § 2. This act shall take effect immediately.