AN ACT to amend the education law and the public health law, in relation to Methicillin-Resistant Staphylococcus Aureus protection and education

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

Section 1. The education law is amended by adding a new section 921 to read as follows:

S 921. MRSA AND OTHER INFECTIOUS SKIN DISEASE PROTECTION AND EDUCATION. 1. LEGISLATIVE INTENT. THE LEGISLATURE FINDS AND DETERMINES THAT METHICILLIN-RESISTANT STAPHYLOCOCCUS AUREUS (MRSA) IS A VERY SERIOUS HEALTH CONCERN FOR THE PEOPLE OF THE STATE OF NEW YORK. MRSA IS A BACTERIA THAT CAN LEAD TO THE OUTBREAK OF SERIOUS INFECTIONS. DUE TO ITS COMMON RESISTANCE TO MANY MODERN ANTIBIOTICS, IT IS VERY OFTEN DIFFICULT TO TREAT, AND CAN RESULT IN EXTENDED HOSPITALIZATION, SERIOUS ILLNESS, AND EVEN DEATH.

THE LEGISLATURE FURTHER FINDS AND DETERMINES THAT AS A SERIOUS HEALTH RISK, IT IS IMPORTANT FOR THE STATE OF NEW YORK TO PROMOTE EDUCATION AND AWARENESS ON HOW TO PREVENT THE SPREAD OF SUCH INFECTIOUS DISEASES AS MRSA, DEVELOP PROTOCOLS AND PROCEDURES TO HELP AVOID TRANSMISSION OF MRSA, AND THEREBY PROTECT THE PUBLIC HEALTH OF THE PEOPLE OF THE STATE OF NEW YORK. SUCH EDUCATION, PROTOCOLS AND PROCEDURES ARE ESPECIALLY IMPORTANT WHERE THE RISKS OF TRANSMISSION ARE SIGNIFICANT, INCLUDING IN OUR PUBLIC AND PRIVATE SCHOOLS, WHERE SUCH EDUCATION, PROTOCOLS AND METHODS CAN BE DEPLOYED TO LESSEN THE CHANCE AND RISK OF INFECTION.

THE LEGISLATURE ADDITIONALLY FINDS AND DETERMINES THAT ONE AREA IN WHICH SUCH EDUCATION, PROTOCOLS AND METHODS COULD BE ESPECIALLY USEFUL IS WITH RESPECT TO SCHOOL ATHLETIC FACILITIES AND EVENTS. THE PADDING USED IN SCHOOL ATHLETIC FACILITIES AND EVENTS, ALTHOUGH VERY IMPORTANT

EXPLANATION--Matter in ITALICS (underscored) is new; matter in brackets [ ] is old law to be omitted.
FOR THE SAFETY OF SCHOOL ATHLETES, HAS PROVEN TO BE A MEDIUM WHICH CAN
PERMIT THE BREEDING OF HARMFUL BACTERIA, INCLUDING MRSA, THAT CAN LEAD
TO INFECTIOUS AND POTENTIALLY LIFE-THREATENING DISEASES. WITHOUT PROPER
EDUCATION, PROTOCOLS AND PROCEDURES, THESE IMPORTANT SAFETY SURFACES CAN
BECOME CONTAMINATED, EXPOSING PARTICIPANTS TO THE DANGER OF CONTRACTING
INFECTIONS AND THE RESULTING ILLNESSSES. IN WRESTLING, IN PARTICULAR, THE
SKIN TO SKIN CONTACT BETWEEN COMPETITORS, AND THE ROUTINE EXPOSURE TO
THESE PADDING SURFACES, MAKE THE NEED FOR SUCH EDUCATION, PROTOCOLS AND
PROCEDURES ESPECIALLY IMPORTANT.

THE LEGISLATURE ALSO FINDS AND DETERMINES THAT EDUCATING STUDENTS AND
THEIR SUPERVISORS, AND PROMOTING THE PUBLICATION OF PROTOCOLS AND PROCE-
DURES, WITH RESPECT TO MRSA, INFECTIOUS SKIN DISEASES, AND HOW TO
PREVENT THEM, CAN SIGNIFICANTLY CURB THEIR SPREAD. BY INFORMING
STUDENTS AND COACHES OF THE IMPORTANCE OF GOOD HYGIENE, AMONG OTHER
THINGS, THE SPREAD OF MRSA CAN BE DRASTICALLY DIMINISHED. SHOWERING
IMMEDIATELY AFTER PRACTICES AND MATCHES HAVE PROVEN TO DECREASE INCI-
DENCES OF INFECTIOUS SKIN DISEASES. THAT BY DIRECTING THE NEW YORK
STATE EDUCATION DEPARTMENT AND THE NEW YORK STATE DEPARTMENT OF HEALTH,
TO WORK TOGETHER TO DEVELOP IMPORTANT EDUCATION, PROTOCOLS AND PROCE-
DURES NECESSARY TO ADDRESS THIS VERY SERIOUS HEALTH CONCERN, AND BY
ENABLING SUCH DEPARTMENTS TO ASSIST SCHOOLS, THEIR ATHLETIC FACILITIES
AND OTHER PUBLIC INSTITUTIONS, TO HELP PREVENT THE SPREAD OF MRSA AND
INFECTIOUS SKIN DISEASES, THIS LEGISLATION SEeks TO PROMOTE THE PUBLIC
HEALTH AND SAFETY OF STUDENTS, ATHLETES, AND THE PEOPLE OF THE STATE OF
NEW YORK.

2. THE METHICILLIN-RESISTANT STAPHYLOCOCCUS AUREUS (MRSA) AND INFEC-
TIOUS SKIN DISEASE INFORMATIONAL PROGRAM. THE DEPARTMENT, IN CONSULTA-
TION WITH THE DEPARTMENT OF HEALTH, SHALL DEVELOP A MRSA AND INFECTIOUS
DISEASE EDUCATION PROGRAM. THE MRSA AND INFECTIOUS DISEASE EDUCATION
PROGRAM SHALL CONSIST OF A PROGRAM TO DISSEMINATE INFORMATION, THROUGH
THE DEPARTMENT'S WEB PAGE, THAT DESCRIBES THE CONDITIONS THAT CONTRIBUTE
TO MRSA AND INFECTIOUS DISEASE. SUCH INFORMATION SO DISSEMINATED SHALL
ALSO PRESCRIBE CLEANING METHODS, PROTOCOLS AND PROCEDURES THAT CAN
ERADICATE THE CONTAMINATION OF MRSA AND OTHER INFECTIOUS SKIN DISEASES.

3. INTERSCHOLASTIC WRESTLING HEALTH TRAINING AND EDUCATION PROGRAM.
THE DEPARTMENT, IN CONSULTATION WITH THE NEW YORK PUBLIC HIGH SCHOOL
ATHLETIC ASSOCIATION, AND THE DEPARTMENT OF HEALTH, SHALL DEVELOP AN
INTERSCHOLASTIC WRESTLING HEALTH TRAINING AND EDUCATION PROGRAM, WHICH
SHALL CONSIST OF AN ONLINE HEALTH TRAINING AND EDUCATION PROGRAM FOR
INTERSCHOLASTIC WRESTLING COACHES AND STUDENT ATHLETES PARTICIPATING IN
INTERSCHOLASTIC WRESTLING ON THE SUBJECT OF CONDITIONS THAT CONTRIBUTE
TO MRSA AND INFECTIOUS SKIN DISEASE, AS WELL AS CLEANING METHODS, PROTO-
COLS AND PROCEDURES THAT CAN ERADICATE THE CONTAMINATION OF MRSA AND/OR
OTHER INFECTIOUS SKIN DISEASES. COMPLETION OF SUCH INTERSCHOLASTIC WRES-
TLING HEALTH TRAINING AND EDUCATION PROGRAM SHALL BE MANDATORY FOR ALL
INTERSCHOLASTIC WRESTLING COACHES AND STUDENT ATHLETES PARTICIPATING IN
INTERSCHOLASTIC WRESTLING ON AN ANNUAL BASIS. THE TRAINING MUST BE
COMPLETED WITHIN TWO WEEKS OF THE COMMENCEMENT OF PRACTICES OR PRIOR TO
PARTICIPATION IN ANY INTERSCHOLASTIC WRESTLING SCRIMMAGE, MATCH, OR
TOURNAMENT, WHICHEVER IS SOONER. ANY STUDENT NOT IN COMPLIANCE SHALL BE
BARRED FROM PARTICIPATION UNTIL SUCH TIME THE STUDENT COMES WITHIN
COMPLIANCE WITH THIS SECTION. THE INTERSCHOLASTIC WRESTLING HEALTH
TRAINING AND EDUCATION PROGRAM SHALL BE PLATFORMED UPON A WEBSITE SPON-
SORED BY THE DEPARTMENT. THE DEPARTMENT SHALL MAINTAIN AN ON-LINE
REGISTRY CONTAINING THE NAMES OF ALL STUDENTS AND COACHES WHO HAVE
CERTIFIED COMPLETION OF THE TRAINING PROGRAM.
4. REGULATIONS. THE COMMISSIONER SHALL HAVE THE AUTHORITY TO PROMUL-
GATE RULES AND REGULATIONS TO PREVENT THE SPREAD OF METHICILLIN-RESIS-
TANT STAPHYLOCOCCUS AUREUS (MRSA).

5. DEFINITIONS. FOR PURPOSES OF THIS SECTION MRSA SHALL MEAN METHICIL-
LIN-RESISTANT STAPHYLOCOCCUS AUREUS.

2. The public health law is amended by adding a new section 2111-a to read as follows:

S 2111-A. MRSA AND INFECTIOUS SKIN DISEASE PROTOCOL AND EDUCATION. 1.
THE METHICILLIN-RESISTANT STAPHYLOCOCCUS AUREUS (MRSA) AND INFECTIOUS
SKIN DISEASE INFORMATIONAL PROGRAM. THE DEPARTMENT, IN CONSULTATION WITH
THE EDUCATION DEPARTMENT, SHALL DEVELOP A MRSA AND INFECTIOUS SKIN
DISEASE EDUCATION PROGRAM. THE MRSA AND INFECTIOUS SKIN DISEASE EDUCA-
TION PROGRAM SHALL CONSIST OF A PROGRAM TO DISSEMINATE INFORMATION,
THROUGH THE DEPARTMENT'S WEBPAGE, THAT DESCRIBES THE CONDITIONS THAT
CONTRIBUTE TO MRSA AND INFECTIOUS SKIN DISEASE. SUCH INFORMATION SO
DISSEMINATED SHALL ALSO PRESCRIBE CLEANING METHODS, PROTOCOLS AND PROCED-
URES THAT CAN ERADICATE THE CONTAMINATIONS OF MRSA AND OTHER INFECTIOUS
SKIN DISEASES. THE PAGE MAINTAINED BY THE DEPARTMENT, UPON WHICH THE
MRSA AND INFECTIOUS SKIN DISEASE EDUCATION PROGRAM SHALL BE PLATFORMED,
SHALL ALSO CONTAIN A DOWNLOADABLE FACT SHEET ON MRSA, ITS ORIGINS,
TREATMENT AND PREVENTION.

2. INTERSCHOLASTIC WRESTLING HEALTH TRAINING AND EDUCATION PROGRAM.
THE DEPARTMENT, IN CONSULTATION WITH THE NEW YORK PUBLIC HIGH SCHOOL
ATHLETIC ASSOCIATION, AND THE DEPARTMENT OF EDUCATION, SHALL ASSIST IN
DEVELOPING AN INTERSCHOLASTIC WRESTLING HEALTH TRAINING AND EDUCATION
PROGRAM, WHICH SHALL CONSIST OF AN ONLINE HEALTH TRAINING AND EDUCATION
PROGRAM FOR INTERSCHOLASTIC WRESTLING COACHES AND STUDENT ATHLETES
PARTICIPATING IN INTERSCHOLASTIC WRESTLING ON THE SUBJECT OF CONDITIONS
THAT CONTRIBUTE TO MRSA AND INFECTIOUS SKIN DISEASE, AS WELL AS CLEANING
METHODS, PROTOCOLS AND PROCEDURES THAT CAN ERADICATE THE CONTAMINATION
OF MRSA AND/OR OTHER INFECTIOUS SKIN DISEASES WHICH SHALL BE HOSTED ON
THE STATE EDUCATION DEPARTMENT WEBPAGE. COMPLETION OF SUCH INTERSCHO-
LASTIC WRESTLING HEALTH TRAINING AND EDUCATION PROGRAM SHALL BE MANDATO-
RY FOR ALL INTERSCHOLASTIC WRESTLING COACHES AND STUDENT ATHLETES
PARTICIPATING IN INTERSCHOLASTIC WRESTLING.

3. POWERS OF THE DEPARTMENT. THE DEPARTMENT SHALL, IN CONSULTATION
WITH THE STATE EDUCATION DEPARTMENT, PROMULGATE RULES AND REGULATIONS
REGARDING THE CEASING OF PARTICIPATION IN, AND RESUMPTION OF PARTIC-
IPATION IN, INTERSCHOLASTIC WRESTLING PRACTICES AND COMPETITIONS, WHEN A
STUDENT HAS CONTRACTED AN INFECTIOUS SKIN DISEASE. SUCH RULES AND REGU-
LATIONS SHALL SPECIFY WHEN A STUDENT ATHLETE SHALL DISCONTINUE PARTIC-
IPATION, AS WELL AS DEFINE THE PROTOCOLS, REQUIREMENTS AND TIMING FOR
THE RESUMPTION OF PARTICIPATION IN SUCH ATHLETIC CONTESTS.

4. REGULATIONS. THE COMMISSIONER SHALL HAVE THE AUTHORITY TO PROMUL-
GATE RULES AND REGULATIONS TO PREVENT THE SPREAD OF METHICILLIN-RESIS-
TANT STAPHYLOCOCCUS AUREUS (MRSA).

5. DEFINITIONS. FOR PURPOSES OF THIS SECTION MRSA SHALL MEAN METHICIL-
LIN-RESISTANT STAPHYLOCOCCUS AUREUS.

S 3. This act shall take effect October 1, 2012; provided however that
effective immediately, the addition, amendment and/or repeal of any rule
or regulation necessary for the implementation of this act on its effec-
tive date is authorized and directed to be made and completed on or
before such effective date.