

7791--A

2013-2014 Regular Sessions

I N A S S E M B L Y

June 4, 2013

Introduced by M. of A. ABINANTI, GOTTFRIED, MAYER, SIMANOWITZ, TITONE, RAIA, NOJAY, CAHILL, GOODELL, GALEF, DiPIETRO, BUCHWALD -- Multi-Sponsored by -- M. of A. ARROYO, CLARK, HEVESI, JACOBS, McDONOUGH -- read once and referred to the Committee on Health -- recommitted to the Committee on Health in accordance with Assembly Rule 3, sec. 2 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the public health law and the education law, in relation to authorizing schools to possess and administer epinephrine auto-injectors in emergency situations

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

1 Section 1. Paragraph (a) of subdivision 1 of section 3000-c of the
2 public health law, as amended by chapter 350 of the laws of 2001, is
3 amended to read as follows:
4 (a) "Eligible person, firm, organization, or other entity" means, (i)
5 an ambulance service or advanced life support first response service; a
6 certified first responder, emergency medical technician, or advanced
7 emergency medical technician, who is employed by or an enrolled member
8 of any such service; (ii) a children's overnight camp as defined in
9 subdivision one of section thirteen hundred ninety-two of this chapter,
10 a summer day camp as defined in subdivision two of section thirteen
11 hundred ninety-two of this chapter, a traveling summer day camp as
12 defined in subdivision three of section thirteen hundred ninety-two of
13 this chapter or a person employed by such a camp; or (iii) SCHOOL
14 DISTRICTS, BOARDS OF COOPERATIVE EDUCATIONAL SERVICES, COUNTY VOCATIONAL
15 EDUCATION AND EXTENSION BOARDS, CHARTER SCHOOLS, AND NON-PUBLIC ELEMEN-
16 TARY AND SECONDARY SCHOOLS IN THIS STATE OR ANY PERSON EMPLOYED BY ANY
17 SUCH ENTITY; OR (IV) any other person, firm, organization or entity
18 designated pursuant to regulations of the commissioner in consultation

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

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1 with other appropriate agencies; and all subject to regulations of the
2 commissioner.

3 S 2. The education law is amended by adding a new section 921 to read
4 as follows:

5 S 921. ON-SITE EPINEPHRINE AUTO-INJECTOR. 1. SCHOOL DISTRICTS, BOARDS
6 OF COOPERATIVE EDUCATIONAL SERVICES, COUNTY VOCATIONAL EDUCATION AND
7 EXTENSION BOARDS, CHARTER SCHOOLS, AND NON-PUBLIC ELEMENTARY AND SECOND-
8 ARY SCHOOLS IN THIS STATE MAY PROVIDE AND MAINTAIN ON-SITE IN EACH
9 INSTRUCTIONAL SCHOOL FACILITY EPINEPHRINE AUTO-INJECTORS IN QUANTITIES
10 AND TYPES DEEMED BY THE COMMISSIONER, IN CONSULTATION WITH THE COMMIS-
11 SIONER OF HEALTH, TO BE ADEQUATE TO ENSURE READY AND APPROPRIATE ACCESS
12 FOR USE DURING EMERGENCIES TO ANY STUDENT OR STAFF HAVING ANAPHYLACTIC
13 SYMPTOMS WHETHER OR NOT THERE IS A PREVIOUS HISTORY OF SEVERE ALLERGIC
14 REACTION.

15 2. SCHOOL DISTRICTS, BOARDS OF COOPERATIVE EDUCATIONAL SERVICES, COUN-
16 TY VOCATIONAL EDUCATION AND EXTENSION BOARDS, CHARTER SCHOOLS, AND NON-
17 PUBLIC ELEMENTARY AND SECONDARY SCHOOLS IN THIS STATE OR ANY PERSON
18 EMPLOYED BY ANY SUCH ENTITY MAY ADMINISTER EPINEPHRINE AUTO-INJECTORS IN
19 THE EVENT OF AN EMERGENCY PURSUANT TO THE REQUIREMENTS OF SECTION THREE
20 THOUSAND-C OF THE PUBLIC HEALTH LAW.

21 S 3. This act shall take effect on the one hundred twentieth day after
22 it shall have become a law. Effective immediately, the commissioner of
23 health, in consultation with the commissioner of education, may promul-
24 gate any rule or regulation necessary for the timely implementation of
25 this act on its effective date.