

7262--A

I N S E N A T E

May 8, 2014

Introduced by Sens. HANNON, GOLDEN -- read twice and ordered printed, and when printed to be committed to the Committee on Health -- committee discharged, bill amended, ordered reprinted as amended and recommit-
mitted 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
19 with other appropriate agencies; and all subject to regulations of the
20 commissioner.

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

23 S 921. ON-SITE EPINEPHRINE AUTO-INJECTOR. 1. SCHOOL DISTRICTS, BOARDS
24 OF COOPERATIVE EDUCATIONAL SERVICES, COUNTY VOCATIONAL EDUCATION AND
25 EXTENSION BOARDS, CHARTER SCHOOLS, AND NON-PUBLIC ELEMENTARY AND SECOND-

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

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1 ARY SCHOOLS IN THIS STATE MAY PROVIDE AND MAINTAIN ON-SITE IN EACH
2 INSTRUCTIONAL SCHOOL FACILITY EPINEPHRINE AUTO-INJECTORS IN QUANTITIES
3 AND TYPES DEEMED BY THE COMMISSIONER, IN CONSULTATION WITH THE COMMIS-
4 SIONER OF HEALTH, TO BE ADEQUATE TO ENSURE READY AND APPROPRIATE ACCESS
5 FOR USE DURING EMERGENCIES TO ANY STUDENT OR STAFF HAVING ANAPHYLACTIC
6 SYMPTOMS WHETHER OR NOT THERE IS A PREVIOUS HISTORY OF SEVERE ALLERGIC
7 REACTION.

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

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