

3543

2015-2016 Regular Sessions

I N   A S S E M B L Y

January 23, 2015

---

Introduced by M. of A. ENGLEBRIGHT -- read once and referred to the  
Committee on Education

AN ACT to amend the education law and the public health law, in relation  
to methicillin-resistant staphylococcus aureus protection and educa-  
tion

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

1     Section 1. The education law is amended by adding a new section 922 to  
2     read as follows:  
3     S 922. MRSA AND OTHER INFECTIOUS SKIN DISEASE PROTECTION AND EDUCA-  
4     TION. 1. LEGISLATIVE INTENT. THE LEGISLATURE FINDS AND DETERMINES THAT  
5     METHICILLIN-RESISTANT STAPHYLOCOCCUS AUREUS (REFERRED TO IN THIS SECTION  
6     AS "MRSA") IS A VERY SERIOUS HEALTH CONCERN FOR THE PEOPLE OF THE STATE.  
7     MRSA IS A BACTERIA THAT CAN LEAD TO THE OUTBREAK OF SERIOUS INFECTIONS.  
8     DUE TO ITS COMMON RESISTANCE TO MANY MODERN ANTIBIOTICS, IT IS VERY  
9     OFTEN DIFFICULT TO TREAT, AND CAN RESULT IN EXTENDED HOSPITALIZATION,  
10    SERIOUS ILLNESS, AND EVEN DEATH.  
11    THE LEGISLATURE FURTHER FINDS AND DETERMINES THAT AS A SERIOUS HEALTH  
12    RISK, IT IS IMPORTANT FOR THE STATE TO PROMOTE EDUCATION AND AWARENESS  
13    ON HOW TO PREVENT THE SPREAD OF SUCH INFECTIOUS DISEASES AS MRSA, DEVEL-  
14    OP PROTOCOLS AND PROCEDURES TO HELP AVOID TRANSMISSION OF MRSA, AND  
15    THEREBY PROTECT THE PUBLIC HEALTH OF THE PEOPLE OF THE STATE. SUCH  
16    EDUCATION, PROTOCOLS AND PROCEDURES ARE ESPECIALLY IMPORTANT WHERE THE  
17    RISKS OF TRANSMISSION ARE SIGNIFICANT, INCLUDING IN OUR PUBLIC AND  
18    PRIVATE SCHOOLS, WHERE SUCH EDUCATION, PROTOCOLS AND METHODS CAN BE  
19    DEPLOYED TO LESSEN THE CHANCE AND RISK OF INFECTION.  
20    THE LEGISLATURE ADDITIONALLY FINDS AND DETERMINES THAT ONE AREA IN  
21    WHICH SUCH EDUCATION, PROTOCOLS AND METHODS COULD BE ESPECIALLY USEFUL  
22    IS WITH RESPECT TO SCHOOL ATHLETIC FACILITIES AND EVENTS. THE PADDING  
23    USED IN SCHOOL ATHLETIC FACILITIES AND EVENTS, ALTHOUGH VERY IMPORTANT  
24    FOR THE SAFETY OF SCHOOL ATHLETES, HAS PROVEN TO BE A MEDIUM WHICH CAN

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

LBD06829-01-5

1 PERMIT THE BREEDING OF HARMFUL BACTERIA, INCLUDING MRSA, THAT CAN LEAD  
2 TO INFECTIOUS AND POTENTIALLY LIFE-THREATENING DISEASES. WITHOUT PROPER  
3 EDUCATION, PROTOCOLS AND PROCEDURES, THESE IMPORTANT SAFETY SURFACES CAN  
4 BECOME CONTAMINATED, EXPOSING PARTICIPANTS TO THE DANGER OF CONTRACTING  
5 INFECTIONS AND THE RESULTING ILLNESSES. IN WRESTLING, IN PARTICULAR, THE  
6 SKIN TO SKIN CONTACT BETWEEN COMPETITORS, AND THE ROUTINE EXPOSURE TO  
7 THESE PADDING SURFACES, MAKE THE NEED FOR SUCH EDUCATION, PROTOCOLS AND  
8 PROCEDURES ESPECIALLY IMPORTANT.

9 THE LEGISLATURE ALSO FINDS AND DETERMINES THAT EDUCATING STUDENTS AND  
10 THEIR TEACHERS, AND PROMOTING THE PUBLICATION OF PROTOCOLS AND PROCE-  
11 DURES, WITH RESPECT TO MRSA, INFECTIOUS SKIN DISEASES, AND HOW TO  
12 PREVENT THEM, CAN SIGNIFICANTLY CURB THEIR SPREAD. BY INFORMING  
13 STUDENTS AND COACHES OF THE IMPORTANCE OF GOOD HYGIENE, AMONG OTHER  
14 THINGS, THE SPREAD OF MRSA CAN BE DRASTICALLY DIMINISHED. SHOWERING  
15 IMMEDIATELY AFTER PRACTICES AND MATCHES HAVE PROVEN TO DECREASE INCI-  
16 DENCES OF INFECTIOUS SKIN DISEASES. THAT BY DIRECTING THE DEPARTMENT  
17 AND THE DEPARTMENT OF HEALTH TO WORK TOGETHER TO DEVELOP IMPORTANT  
18 EDUCATION, PROTOCOLS AND PROCEDURES NECESSARY TO ADDRESS THIS VERY SERI-  
19 OUS HEALTH CONCERN, AND BY ENABLING SUCH DEPARTMENTS TO ASSIST SCHOOLS,  
20 THEIR ATHLETIC FACILITIES AND OTHER PUBLIC INSTITUTIONS, TO HELP PREVENT  
21 THE SPREAD OF MRSA AND INFECTIOUS SKIN DISEASES, THIS LEGISLATION SEEKS  
22 TO PROMOTE THE PUBLIC HEALTH AND SAFETY OF STUDENTS, ATHLETES, AND THE  
23 PEOPLE OF THE STATE.

24 2. THE METHICILLIN-RESISTANT STAPHYLOCOCCUS AUREUS AND INFECTIOUS SKIN  
25 DISEASE INFORMATIONAL PROGRAM. THE DEPARTMENT, IN CONSULTATION WITH THE  
26 DEPARTMENT OF HEALTH, SHALL DEVELOP A MRSA AND INFECTIOUS DISEASE EDUCA-  
27 TION PROGRAM. THE MRSA AND INFECTIOUS DISEASE EDUCATION PROGRAM SHALL  
28 CONSIST OF A PROGRAM TO DISSEMINATE INFORMATION, THROUGH THE DEPART-  
29 MENT'S WEBPAGE, THAT DESCRIBES THE CONDITIONS THAT CONTRIBUTE TO MRSA  
30 AND INFECTIOUS DISEASE. SUCH INFORMATION SO DISSEMINATED SHALL ALSO  
31 PRESCRIBE CLEANING METHODS, PROTOCOLS AND PROCEDURES THAT CAN ERADICATE  
32 THE CONTAMINATION OF MRSA AND OTHER INFECTIOUS SKIN DISEASES.

33 3. INTERSCHOLASTIC WRESTLING HEALTH TRAINING AND EDUCATION PROGRAM.  
34 THE DEPARTMENT, IN CONSULTATION WITH THE NEW YORK PUBLIC HIGH SCHOOL  
35 ATHLETIC ASSOCIATION AND THE DEPARTMENT OF HEALTH, SHALL DEVELOP AN  
36 INTERSCHOLASTIC WRESTLING HEALTH TRAINING AND EDUCATION PROGRAM, WHICH  
37 SHALL CONSIST OF AN ONLINE HEALTH TRAINING AND EDUCATION PROGRAM FOR  
38 INTERSCHOLASTIC WRESTLING COACHES AND STUDENT ATHLETES PARTICIPATING IN  
39 INTERSCHOLASTIC WRESTLING ON THE SUBJECT OF CONDITIONS THAT CONTRIBUTE  
40 TO MRSA AND INFECTIOUS SKIN DISEASE, AS WELL AS CLEANING METHODS, PROTO-  
41 COLS AND PROCEDURES THAT CAN ERADICATE THE CONTAMINATION OF MRSA AND/OR  
42 OTHER INFECTIOUS SKIN DISEASES. COMPLETION OF SUCH INTERSCHOLASTIC WRES-  
43 TLING HEALTH TRAINING AND EDUCATION PROGRAM SHALL BE MANDATORY FOR ALL  
44 INTERSCHOLASTIC WRESTLING COACHES AND STUDENT ATHLETES PARTICIPATING IN  
45 INTERSCHOLASTIC WRESTLING ON AN ANNUAL BASIS. THE TRAINING MUST BE  
46 COMPLETED WITHIN TWO WEEKS OF THE COMMENCEMENT OF PRACTICES OR PRIOR TO  
47 PARTICIPATION IN ANY INTERSCHOLASTIC WRESTLING SCRIMMAGE, MATCH, OR  
48 TOURNAMENT, WHICHEVER IS SOONER. ANY STUDENT NOT IN COMPLIANCE SHALL BE  
49 BARRED FROM PARTICIPATION UNTIL SUCH TIME THE STUDENT COMES WITHIN  
50 COMPLIANCE WITH THIS SECTION. THE INTERSCHOLASTIC WRESTLING HEALTH  
51 TRAINING AND EDUCATION PROGRAM SHALL BE PLATFORMED UPON A WEBSITE SPON-  
52 SORED BY THE DEPARTMENT. THE DEPARTMENT SHALL MAINTAIN AN ONLINE REGIS-  
53 TRY CONTAINING THE NAMES OF ALL STUDENTS AND COACHES WHO HAVE CERTIFIED  
54 COMPLETION OF THE TRAINING PROGRAM.

1 4. REGULATIONS. THE COMMISSIONER SHALL HAVE THE AUTHORITY TO PROMUL-  
2 GATE RULES AND REGULATIONS TO PREVENT THE SPREAD OF METHICILLIN-RESIS-  
3 TANT STAPHYLOCOCCUS AUREUS.

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

6 S 2111-A. MRSA AND INFECTIOUS SKIN DISEASE PROTOCOL AND EDUCATION. 1.  
7 THE METHICILLIN-RESISTANT STAPHYLOCOCCUS AUREUS (REFERRED TO IN THIS  
8 SECTION AS "MRSA") AND INFECTIOUS SKIN DISEASE INFORMATIONAL PROGRAM.  
9 THE DEPARTMENT, IN CONSULTATION WITH THE EDUCATION DEPARTMENT, SHALL  
10 DEVELOP A MRSA AND INFECTIOUS SKIN DISEASE EDUCATION PROGRAM. THE MRSA  
11 AND INFECTIOUS SKIN DISEASE EDUCATION PROGRAM SHALL CONSIST OF A PROGRAM  
12 TO DISSEMINATE INFORMATION, THROUGH THE DEPARTMENT'S WEBPAGE, THAT  
13 DESCRIBES THE CONDITIONS THAT CONTRIBUTE TO MRSA AND INFECTIOUS SKIN  
14 DISEASE. SUCH INFORMATION SO DISSEMINATED SHALL ALSO PRESCRIBE CLEANING  
15 METHODS, PROTOCOLS AND PROCEDURES THAT CAN ERADICATE THE CONTAMINATIONS  
16 OF MRSA AND OTHER INFECTIOUS SKIN DISEASES. THE PAGE MAINTAINED BY THE  
17 DEPARTMENT, UPON WHICH THE MRSA AND INFECTIOUS SKIN DISEASE EDUCATION  
18 PROGRAM SHALL BE PLATFORMED, SHALL ALSO CONTAIN A DOWNLOADABLE FACT  
19 SHEET ON MRSA, ITS ORIGINS, TREATMENT AND PREVENTION.

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

34 3. POWERS OF THE DEPARTMENT. THE DEPARTMENT SHALL, IN CONSULTATION  
35 WITH THE EDUCATION DEPARTMENT, PROMULGATE RULES AND REGULATIONS REGARD-  
36 ING THE CEASING OF PARTICIPATION IN, AND RESUMPTION OF PARTICIPATION IN,  
37 INTERSCHOLASTIC WRESTLING PRACTICES AND COMPETITIONS, WHEN A STUDENT HAS  
38 CONTRACTED AN INFECTIOUS SKIN DISEASE. SUCH RULES AND REGULATIONS SHALL  
39 SPECIFY WHEN A STUDENT ATHLETE SHALL DISCONTINUE PARTICIPATION, AS WELL  
40 AS DEFINE THE PROTOCOLS, REQUIREMENTS AND TIMING FOR THE RESUMPTION OF  
41 PARTICIPATION IN SUCH ATHLETIC CONTESTS.

42 4. REGULATIONS. THE COMMISSIONER SHALL HAVE THE AUTHORITY TO PROMUL-  
43 GATE RULES AND REGULATIONS TO PREVENT THE SPREAD OF METHICILLIN-RESIS-  
44 TANT STAPHYLOCOCCUS AUREUS.

45 S 3. This act shall take effect October 1, 2015; provided however that  
46 effective immediately, the addition, amendment and/or repeal of any rule  
47 or regulation necessary for the implementation of this act on its effec-  
48 tive date is authorized and directed to be made and completed on or  
49 before such effective date.