

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.

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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.