

STATE OF NEW YORK

6053--A

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IN ASSEMBLY

February 23, 2017

Introduced by M. of A. NOLAN, BENEDETTO, BLAKE, COLTON, COOK, D'URSO, GLICK, HYNDMAN, JAFFEE, ORTIZ, PHEFFER AMATO, SANTABARBARA, SEAWRIGHT, SEPULVEDA, SIMON, SIMOTAS, WILLIAMS -- Multi-Sponsored by -- M. of A. BRAUNSTEIN, ENGLEBRIGHT -- read once and referred to the Committee on Education -- reported and referred to the Committee on Ways and Means -- advanced to a third reading, passed by Assembly and delivered to the Senate, recalled from the Senate, vote reconsidered, bill amended, ordered reprinted, retaining its place on the order of third reading

AN ACT to amend the education law and the public health law, in relation to a sepsis awareness, prevention and education program

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

1 Section 1. This act shall be known and may be cited as "Rory
2 Staunton's law."

3 § 2. Section 305 of the education law is amended by adding a new
4 subdivision 56 to read as follows:

5 56. a. The commissioner shall consult and collaborate with the commis-
6 sioner of health and organizations that promote sepsis awareness,
7 prevention and education, as well as other interested parties, to estab-
8 lish and develop a sepsis awareness, prevention and education program
9 within the department. Such program shall be defined by the commissioner
10 in regulations after consultation with the department of health and be
11 designed to educate students, parents and school personnel about sepsis
12 awareness and prevention. Such program shall include, but not be limited
13 to:

14 (i) age-appropriate model curriculum, exemplar lesson plans, and best
15 practice instructional resources for students, parents and school
16 personnel designed to promote awareness and prevention methods against
17 sepsis. Such model curriculum, lesson plans and instructional resources
18 shall include but not be limited to guidelines and methods of

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

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1 prevention, including recommendations for the reduction of exposure to
2 sepsis and an appropriate course of action for sepsis treatment;

3 (ii) instructional tools and materials for students, parents and
4 school personnel developed in collaboration with the commissioner of
5 health, which shall include updated data and information on sepsis
6 awareness and prevention, with a review of such data and information to
7 occur periodically, at intervals deemed appropriate by the commissioner
8 and the commissioner of health; and

9 (iii) public availability of all materials related to the sepsis
10 awareness, prevention and education program on a dedicated webpage on
11 the department's internet website, and provided at no cost to every
12 school district, board of cooperative educational services, charter
13 school and nonpublic school upon request.

14 b. The commissioner shall issue a guidance memorandum to every school
15 district, board of cooperative educational services, charter school and
16 nonpublic school, to inform them of the availability of the sepsis
17 awareness, prevention and education program and to encourage them to
18 develop policies and procedures, in consultation with their director of
19 school health services, or the substantial equivalent as determined by
20 the commissioner in regulations, regarding when parents and persons in
21 parental relations are to be notified of illness or injuries occurring
22 in school which affects their child, in accordance with article nineteen
23 of this chapter. The commissioner shall annually remind school
24 districts, boards of cooperative educational services, charter schools
25 and nonpublic schools, of the availability of sepsis awareness and
26 prevention materials as part of sepsis awareness month.

27 § 3. Section 6505-b of the education law, as amended by chapter 477 of
28 the laws of 2008, is amended to read as follows:

29 § 6505-b. Course work or training in infection control practices.
30 Every dentist, registered nurse, licensed practical nurse, podiatrist,
31 optometrist and dental hygienist practicing in the state shall, on or
32 before July first, nineteen hundred ninety-four and every four years
33 thereafter, complete course work or training appropriate to the profes-
34 sional's practice approved by the department regarding infection
35 control, which shall include sepsis, and barrier precautions, including
36 engineering and work practice controls, in accordance with regulatory
37 standards promulgated by the department, in consultation with the
38 department of health, which shall be consistent, as far as appropriate,
39 with such standards adopted by the department of health pursuant to
40 section two hundred thirty-nine of the public health law to prevent the
41 transmission of HIV, HBV ~~[ex]~~, HCV and sepsis in the course of profes-
42 sional practice. Each such professional shall document to the department
43 at the time of registration commencing with the first registration after
44 July first, nineteen hundred ninety-four that the professional has
45 completed course work or training in accordance with this section,
46 provided, however that a professional subject to the provisions of para-
47 graph (f) of subdivision one of section twenty-eight hundred five-k of
48 the public health law shall not be required to so document. The depart-
49 ment shall provide an exemption from this requirement to anyone who
50 requests such an exemption and who (i) clearly demonstrates to the
51 department's satisfaction that there would be no need for him or her to
52 complete such course work or training because of the nature of his or
53 her practice or (ii) that he or she has completed course work or train-
54 ing deemed by the department to be equivalent to the course work or
55 training approved by the department pursuant to this section. The
56 department shall consult with organizations representative of

1 professions, institutions and those with expertise in infection control
2 and HIV, HBV [~~and~~], HCV and sepsis with respect to the regulatory stand-
3 ards promulgated pursuant to this section.

4 § 4. Subdivision (a) of section 239 of the public health law, as
5 amended by chapter 477 of the laws of 2008, is amended to read as
6 follows:

7 (a) Every physician, physician assistant and specialist assistant
8 practicing in the state shall, on or before July first, nineteen hundred
9 ninety-four and every four years thereafter, complete course work or
10 training, appropriate to the professional's practice, approved by the
11 department regarding infection control, which shall include sepsis, and
12 barrier precautions, including engineering and work practice controls,
13 in accordance with regulatory standards promulgated by the department in
14 consultation with the department of education, to prevent the trans-
15 mission of HIV, HBV [~~or~~], HCV and sepsis in the course of professional
16 practice. Such coursework or training must also be completed by every
17 medical student, medical resident and physician assistant student in the
18 state as part of the orientation programs conducted by medical schools,
19 medical residency programs and physician assistant programs.

20 § 5. Every dentist, registered nurse, licensed practical nurse, podia-
21 trist, optometrist, dental hygienist, physician, physician assistant and
22 special assistant practicing in the state who is required to complete
23 course work or training that includes sepsis as required by section
24 6505-b of the education law or subdivision (a) of section 239 of the
25 public health law shall first be required to complete such course work
26 or training that includes such topics on or before July 1, 2022.

27 § 6. This act shall take effect on the first of July next succeeding
28 the date on which it shall have become a law; provided, however, that
29 effective immediately, the addition, amendment and/or repeal of any rule
30 or regulation necessary for the implementation of this act on its effec-
31 tive date are authorized to be made or completed on or before such
32 effective date.