

STATE OF NEW YORK

7635--A

2017-2018 Regular Sessions

IN ASSEMBLY

May 5, 2017

Introduced by M. of A. BUCHWALD, KEARNS, SKOUFIS, ZEBROWSKI, GJONAJ, COLTON, CRESPO, D'URSO, ORTIZ, BENEDETTO, HARRIS, BRABENEC, LAWRENCE, MOSLEY, MURRAY -- Multi-Sponsored by -- M. of A. BRAUNSTEIN, GIGLIO, HIKIND, HYNDMAN, McDONOUGH, McLAUGHLIN, SCHIMMINGER, SIMON -- read once and referred to the Committee on Health -- 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 employees of certain entities to administer epinephrine auto-injectors

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 373 of the laws of 2016, is
3 amended to read as follows:
4 (a) "Eligible person or entity" means (i) an ambulance service or
5 advanced life support first response service; a certified first respon-
6 der, emergency medical technician, or advanced emergency medical techni-
7 cian, who is employed by or an enrolled member of any such service; (ii)
8 a children's overnight camp as defined in subdivision one of section
9 thirteen hundred ninety-two of this chapter, a summer day camp as
10 defined in subdivision two of section thirteen hundred ninety-two of
11 this chapter, a traveling summer day camp as defined in subdivision
12 three of section thirteen hundred ninety-two of this chapter or a person
13 employed by such a camp; (iii) a school district, board of cooperative
14 educational services, county vocational education and extension board,
15 charter school, and non-public elementary and secondary school in this
16 state or any person employed by any such entity, or employed by a
17 contractor of such an entity while performing services for the entity;
18 or (iv) a sports, entertainment, amusement, education, government, day
19 care or retail facility; an educational institution, youth organization

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

LBD11234-05-7

1 or sports league; an establishment that serves food; or a person
2 employed by such entity; and (v) any other person or entity designated
3 or approved, or in a category designated or approved pursuant to regu-
4 lations of the commissioner in consultation with other appropriate agen-
5 cies.

6 § 2. Section 921 of the education law, as added by chapter 424 of the
7 laws of 2014, is renumbered section 921-a and amended to read as
8 follows:

9 § 921-a. On-site epinephrine auto-injector. 1. School districts,
10 boards of cooperative educational services, county vocational education
11 and extension boards, charter schools, and non-public elementary and
12 secondary schools in this state may provide and maintain on-site in each
13 instructional school facility epinephrine auto-injectors in quantities
14 and types deemed by the commissioner, in consultation with the commis-
15 sioner of health, to be adequate to ensure ready and appropriate access
16 for use during emergencies to any student or staff having anaphylactic
17 symptoms whether or not there is a previous history of severe allergic
18 reaction.

19 2. School districts, boards of cooperative educational services, coun-
20 ty vocational education and extension boards, charter schools, and non-
21 public elementary and secondary schools in this state ~~or~~, any person
22 employed by any such entity, or employed by a contractor of such an
23 entity while performing services for the entity may administer epineph-
24 rine auto-injectors in the event of an emergency pursuant to the
25 requirements of section three thousand-c of the public health law.

26 § 3. This act shall take effect on the one hundred twentieth day after
27 it shall have become a law. Effective immediately, the commissioner of
28 health, in consultation with the commissioner of education, may promul-
29 gate any rule or regulation necessary for the timely implementation of
30 this act.