

STATE OF NEW YORK

1858--A

2017-2018 Regular Sessions

IN SENATE

January 11, 2017

Introduced by Sens. BONACIC, AVELLA, FELDER, KENNEDY, LATIMER, MARCHIONE
-- read twice and ordered printed, and when printed to be committed to
the Committee on Health -- reported favorably from said committee and
committed to the Committee on Higher Education -- committee
discharged, bill amended, ordered reprinted as amended and recommitted
to said committee

AN ACT to amend the public health law, in relation to the provision of
certain professional services to children's camps

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

1 Section 1. Subdivision 1 of section 1394 of the public health law, as
2 added by chapter 515 of the laws of 2000, is amended to read as follows:

3 1. The public health and health planning council shall prescribe stan-
4 dards and establish regulations for children's overnight, summer day and
5 traveling summer day camps, as defined in this article, concerning such
6 matters as may be appropriate for the protection and security of the
7 life, health and safety of the occupants of such camps.

8 § 2. Subdivision 3 of section 1394 of the public health law, as added
9 by chapter 214 of the laws of 2012, is amended to read as follows:

10 3. Any person, firm, corporation, or association that operates a chil-
11 dren's overnight, summer day, or traveling summer day camp, and has
12 obtained a permit pursuant to section thirteen hundred ninety-three of
13 this article, shall be authorized to employ or contract with any of the
14 following licensed professionals, provided however, all decisions, iden-
15 tification or coordination of professional services, or other profes-
16 sional interactions with campers and staff, must be made based on the
17 professional judgement of such licensees: a physician, nurse practition-
18 er, physician assistant, registered nurse, or licensed practical nurse
19 or emergency medical technician to act as a designated camp health
20 director or to provide health services in assistance to the camp health

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

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1 director pursuant to applicable regulations promulgated by the commis-
2 sioner.

3 § 3. The public health law is amended by adding a new section 1394-c
4 to read as follows:

5 § 1394-c. Licensed professionals. 1. Any person, firm, corporation, or
6 association that operates a children's overnight, summer day or travel-
7 ing summer day camp, and has obtained a permit pursuant to section thir-
8 teen hundred ninety-three of this article, shall be authorized to employ
9 or contract with any of the following licensed professionals: a physical
10 therapist, physical therapist assistant under the direction and control
11 of a physical therapist, psychologist, licensed behavioral analyst,
12 occupational therapist, occupational therapy assistant under the direc-
13 tion and supervision of an occupational therapist, licensed master
14 social worker, licensed clinical social worker, licensed mental health
15 counselor, licensed creative arts therapist or athletic trainer.

16 2. All decisions, identification or coordination of professional
17 services, or other professional interactions with campers and staff,
18 must be made based on the professional judgement of such licensees to
19 provide professional services within his or her lawful scope of practice
20 to campers and staff during their attendance or employment at such camp.

21 3. Supervision of any licensed professional employed or contracted
22 with by a children's overnight, summer day or traveling summer day camp,
23 pursuant to this section, shall comply with title eight of the education
24 law.

25 4. Each children's overnight, summer day or traveling summer day camp
26 employing or contracting with a licensed professional, pursuant to this
27 section, shall submit a form, prescribed by the education department, to
28 the board of regents. The education department may charge a fee upon
29 receipt of such form; provided, however, such fee shall not be more than
30 one hundred dollars, except that no such fee shall be more than fifty
31 dollars in the case of a children's overnight, summer day or traveling
32 summer day camp operated by a person, firm, corporation or association
33 for charitable, philanthropic or religious purposes.

34 5. The commissioner in consultation with the commissioner of education
35 shall promulgate rules or regulations in order to administer and effec-
36 tuate the purposes of this section.

37 § 4. This act shall take effect one year after it shall have become a
38 law.