

# STATE OF NEW YORK

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3088--B

2017-2018 Regular Sessions

## IN ASSEMBLY

January 26, 2017

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Introduced by M. of A. ABINANTI, LUPARDO, OTIS, BUCHWALD, CAHILL, JAFFEE, SANTABARBARA, ERRIGO, WOERNER, McDONALD, BRABENEC, STECK, RAI, MURRAY, PELLEGRINO, BRINDISI, SOLAGES -- Multi-Sponsored by -- M. of A. BYRNE, CUSICK, HEVESI -- read once and referred to the Committee on Higher Education -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- recommitted to the Committee on Higher Education in accordance with Assembly Rule 3, sec. 2 -- 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 Assembly, 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 judgment of such licensees: a physician, nurse practition-  
18 er, physician assistant, registered nurse, or licensed practical nurse

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

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1 or emergency medical technician to act as a designated camp health  
2 director or to provide health services in assistance to the camp health  
3 director pursuant to applicable regulations promulgated by the commis-  
4 sioner.

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

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

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

23 § 4. This act shall take effect immediately.