

# STATE OF NEW YORK

4971

2017-2018 Regular Sessions

## IN SENATE

March 3, 2017

Introduced by Sen. MARCELLINO -- read twice and ordered printed, and  
when printed to be committed to the Committee on Education

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 Assem-  
bly, do enact as follows:

1 Section 1. Section 305 of the education law is amended by adding a new  
2 subdivision 56 to read as follows:

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

12 (i) age-appropriate model curriculum, exemplar lesson plans, and best  
13 practice instructional resources for students, parents and school  
14 personnel designed to promote awareness and prevention methods against  
15 sepsis. Such model curriculum, lesson plans and instructional resources  
16 shall include but not be limited to guidelines and methods of  
17 prevention, including recommendations for the reduction of exposure to  
18 sepsis and an appropriate course of action for sepsis treatment;

19 (ii) instructional tools and materials for students, parents and  
20 school personnel developed in collaboration with the commissioner of  
21 health, which shall include updated data and information on sepsis  
22 awareness and prevention, with a review of such data and information to  
23 occur periodically, at intervals deemed appropriate by the commissioner  
24 and the commissioner of health; and

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

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

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

19 § 2. Section 6505-b of the education law, as amended by chapter 477 of  
20 the laws of 2008, is amended to read as follows:

21 § 6505-b. Course work or training in infection control practices.  
22 Every dentist, registered nurse, licensed practical nurse, podiatrist,  
23 optometrist and dental hygienist practicing in the state shall, on or  
24 before July first, nineteen hundred ninety-four and every four years  
25 thereafter, complete course work or training appropriate to the profes-  
26 sional's practice approved by the department regarding infection  
27 control, which shall include detection of the signs and symptoms of  
28 sepsis, and barrier precautions, including engineering and work practice  
29 controls, in accordance with regulatory standards promulgated by the  
30 department, in consultation with the department of health, which shall  
31 be consistent, as far as appropriate, with such standards adopted by the  
32 department of health pursuant to section two hundred thirty-nine of the  
33 public health law for sepsis awareness, prevention and education, and to  
34 prevent the transmission of HIV, HBV or HCV in the course of profes-  
35 sional practice. Each such professional shall document to the department  
36 at the time of registration commencing with the first registration after  
37 July first, nineteen hundred ninety-four that the professional has  
38 completed course work or training in accordance with this section,  
39 provided, however that a professional subject to the provisions of para-  
40 graph (f) of subdivision one of section twenty-eight hundred five-k of  
41 the public health law shall not be required to so document. The depart-  
42 ment shall provide an exemption from this requirement to anyone who  
43 requests such an exemption and who (i) clearly demonstrates to the  
44 department's satisfaction that there would be no need for him or her to  
45 complete such course work or training because of the nature of his or  
46 her practice or (ii) that he or she has completed course work or train-  
47 ing deemed by the department to be equivalent to the course work or  
48 training approved by the department pursuant to this section. The  
49 department shall consult with organizations representative of  
50 professions, institutions and those with expertise in infection control  
51 and HIV, HBV and HCV with respect to the regulatory standards promulgat-  
52 ed pursuant to this section.

53 § 3. Subdivision (a) of section 239 of the public health law, as  
54 amended by chapter 477 of the laws of 2008, is amended to read as  
55 follows:

1 (a) Every physician, physician assistant and specialist assistant  
2 practicing in the state shall, on or before July first, nineteen hundred  
3 ninety-four and every four years thereafter, complete course work or  
4 training, appropriate to the professional's practice, approved by the  
5 department regarding infection control, which shall include detection of  
6 the signs and symptoms of sepsis, and barrier precautions, including  
7 engineering and work practice controls, in accordance with regulatory  
8 standards promulgated by the department in consultation with the depart-  
9 ment of education, for sepsis awareness, prevention and education, and  
10 to prevent the transmission of HIV, HBV or HCV in the course of profes-  
11 sional practice. Such coursework or training must also be completed by  
12 every medical student, medical resident and physician assistant student  
13 in the state as part of the orientation programs conducted by medical  
14 schools, medical residency programs and physician assistant programs.

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

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