

STATE OF NEW YORK

8785

IN SENATE

May 18, 2018

Introduced by Sens. HANNON, BENJAMIN -- read twice and ordered printed,
and when printed to be committed to the Committee on Health

AN ACT to amend the public health law, in relation to requiring anaphylactic policies for child care services

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

1 Section 1. The public health law is amended by adding a new section
2 2500-1 to read as follows:

3 § 2500-1. Anaphylactic policy for child care services. 1. For purposes
4 of this section the term "child care service" shall mean all child day
5 care centers, as defined in section three hundred ninety of the social
6 services law, and all public and private nursery schools and pre-kinder-
7 garten programs.

8 2. The commissioner shall establish an anaphylactic policy for all
9 child care services setting forth guidelines and procedures to be
10 followed for both the prevention of anaphylaxis and during a medical
11 emergency resulting from anaphylaxis. Such policy shall be developed
12 after consultation with representatives of pediatric physicians, nurses
13 and other health care providers with expertise in treating children with
14 anaphylaxis, parents of children with life threatening allergies, and
15 appropriate not-for-profit corporations representing allergic individ-
16 uals at risk for anaphylaxis.

17 3. The anaphylactic policy established by this section shall include
18 the following:

19 (a) a procedure and treatment plan, including responsibilities for
20 child care service personnel, for responding to anaphylaxis;

21 (b) a training course for appropriate child care service personnel for
22 preventing and responding to anaphylaxis;

23 (c) a procedure and appropriate guidelines for the development of an
24 individualized emergency health care plan for children with a food or
25 other allergy which could result in anaphylaxis;

26 (d) a communication plan for intake and dissemination of information
27 regarding children with a food or other allergy which could result in
28 anaphylaxis;

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

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1 (e) strategies for the reduction of the risk of exposure to anaphylac-
2 tic causative agents, including food and other allergens;

3 (f) a communication plan for discussion with children about symptoms
4 of an allergic reaction; and

5 (g) a communication plan for discussion with anaphylactic children
6 about foods that are safe and unsafe for the child, and about strategies
7 to avoid exposure to unsafe food.

8 4. On or before June thirtieth, two thousand eighteen, an anaphylactic
9 policy shall be jointly forwarded by the commissioner to each child care
10 service in the state. Each child care service shall consider and take
11 action in response to such anaphylactic policy.

12 § 2. This act shall take effect immediately.