STATE OF NEW YORK

3834

2019-2020 Regular Sessions

IN SENATE

February 19, 2019

Introduced by Sens. METZGER, ORTT -- 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 the provision of certain professional services to children's camps and camps for children with developmental disabilities

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

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

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

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

3. Any person, firm, corporation, or association that operates a children's overnight, summer day, or traveling summer day camp, and has obtained a permit pursuant to section thirteen hundred ninety-three of this article, shall be authorized to employ or contract with **any of the following licensed professionals:** a physician, nurse practitioner, physician assistant, registered nurse, or licensed practical nurse or emergency medical technician to act as a designated camp health director or to provide health services in assistance to the camp health director [~~pursuant to applicable regulations promulgated by the commissioner~~]. **All decisions, identification or coordination of professional services, or other professional interactions with campers and staff, must be made based on the professional judgment of such licensees to provide professional services within his or her lawful scope of practice for the purpose of treating campers and staff during their attendance or employ-**

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

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ment at such camp, pursuant to applicable regulations promulgated by the commissioner in consultation with the commissioner of education.

§ 3. The public health law is amended by adding two new sections 1394-c and 1394-d to read as follows:

§ 1394-c. Licensed professionals; children's camps. 1. Any person, firm, corporation, or association that operates a children's overnight, summer day or traveling summer day camp, and has obtained a permit pursuant to section thirteen hundred ninety-three of this article, shall be authorized to employ or contract with any of the mental health practitioners licensed under articles one hundred fifty-three, one hundred fifty-four and one hundred sixty-three of the education law.

2. All decisions, identification or coordination of professional services, or other professional interactions with campers and staff, must be made based on the professional judgment of such licensees to provide professional services within his or her lawful scope of practice for the purpose of treating campers and staff during their attendance or employment at such camp, pursuant to applicable regulations promulgated by the commissioner in consultation with the commissioner of education.

§ 1394-d. Licensed professionals; camps for children with developmental disabilities. 1. Camps for children with developmental disabilities, as defined in subpart 7-2.2, part 7, chapter 1 of Title 10 of the New York codes, rules and regulations, and in compliance with the justice center for the protection of people with special needs, shall be authorized to employ or contract with any of the licensed professionals licensed under articles one hundred thirty-two, one hundred thirty-six, one hundred fifty-six, one hundred fifty-nine, one hundred sixty-two and one hundred sixty-seven of the education law.

2. All decisions, identification or coordination of professional services, or other professional interactions with campers and staff, must be made based on the professional judgment of such licensees to provide professional services within his or her lawful scope of practice for the purpose of treating campers and staff during their attendance or employment at such camp, pursuant to applicable regulations promulgated by the commissioner in consultation with the commissioner of education.

§ 4. This act shall take effect immediately.