

STATE OF NEW YORK

1177--A

2019-2020 Regular Sessions

IN ASSEMBLY

January 14, 2019

Introduced by M. of A. ABINANTI, LUPARDO, OTIS, BUCHWALD, CAHILL, JAFFEE, SANTABARBARA, WOERNER, BRABENEC, STECK, RAIA, SOLAGES, L. ROSENTHAL, MORINELLO, GARBARINO, PAULIN, McDONOUGH, GALEF, QUART, MOSLEY, DILAN, PICHARDO, FAHY, JEAN-PIERRE, CRESPO, JONES, TAYLOR, STIRPE, FERNANDEZ, NORRIS, RA, WALSH, AUBRY, WALLACE, RODRIGUEZ, PALMESANO, M. L. MILLER, ARROYO -- Multi-Sponsored by -- M. of A. BYRNE, CUSICK, FITZPATRICK, HEVESI, LENTOL -- read once and referred 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 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-

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

LBD05079-02-9

1 er, physician assistant, registered nurse, or licensed practical nurse
2 or emergency medical technician to act as a designated camp health
3 director or to provide health services in assistance to the camp health
4 director pursuant to applicable regulations promulgated by the commis-
5 sioner.

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

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

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

25 § 4. This act shall take effect immediately.