

STATE OF NEW YORK

9092

IN ASSEMBLY

January 17, 2020

Introduced by M. of A. McDONOUGH -- read once and referred to the
Committee on Education

AN ACT to amend the education law, in relation to requiring the develop-
ment of a bleeding control kit program and the installation of bleed-
ing control kits in schools

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 59 to read as follows:
- 3 59. a. The commissioner shall consult and collaborate with the commis-
4 sioner of health to establish and develop a bleeding control kit program
5 within the department that:
- 6 (i) ensures that bleeding control kits are stored in easily accessible
7 areas of the school;
- 8 (ii) includes the use of bleeding control kits in the emergency oper-
9 ations plan or any other security planning measure or protocol adopted
10 by the school district, board of cooperative educational services, char-
11 ter school or nonpublic school; and
- 12 (iii) requires all district or school personnel who may be reasonably
13 expected to use a bleeding control kit in the event of an injury to
14 another person to receive training approved by the department.
- 15 b. A bleeding control kit required pursuant to this subdivision shall
16 be a first aid response kit that includes at least:
- 17 (i) one tourniquet;
- 18 (ii) two compressed gauze dressings;
- 19 (iii) one trauma dressing;
- 20 (iv) nitrile gloves;
- 21 (v) scissors; and
- 22 (vi) instructional documents adopted by the agency detailing methods
23 to prevent blood loss following a traumatic event.
- 24 c. In addition to the items required to be included in a bleeding
25 control kit pursuant to paragraph b of this subdivision, a bleeding
26 control kit may also include any medical material or equipment that:
- 27 (i) may be readily stored in a bleeding control kit;

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

LBD13941-01-9

1 (ii) may be used to adequately treat an injury involving traumatic
2 blood loss; and

3 (iii) is approved by local law enforcement or emergency medical
4 services personnel.

5 d. Each school district, board of cooperative educational services,
6 charter school or nonpublic school shall conduct an annual inspection of
7 the medical material and equipment in each bleeding control kit and
8 replace any expired material or equipment as necessary.

9 e. Each school district, board of cooperative educational services,
10 charter school or nonpublic school shall restock each bleeding control
11 kit as soon as practicable after the use of such kit to ensure that the
12 kit contains all required material and equipment.

13 f. The department may approve an online course of instruction by the
14 American College of Surgeons or a similar organization to satisfy the
15 training required pursuant to subparagraph (iii) of paragraph a of this
16 subdivision.

17 g. A school district, board of cooperative educational services, char-
18 ter school or nonpublic school shall be immune from civil liability from
19 damages or injuries resulting from the good faith use of a bleeding
20 control kit by an employee of such school district, board of cooperative
21 educational services, charter school or nonpublic school to control the
22 bleeding of an injured person provided that the employee received the
23 training required pursuant to subparagraph (iii) of paragraph a of this
24 subdivision and the employee did not act with gross negligence in the
25 use of the bleeding control kit.

26 § 2. This act shall take effect immediately.