

# 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:

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: a physician, nurse practitioner,  
15 physician assistant, registered nurse, or licensed practical nurse or  
16 emergency medical technician to act as a designated camp health director  
17 or to provide health services in assistance to the camp health director  
18 [~~pursuant to applicable regulations promulgated by the commissioner~~].

19 All decisions, identification or coordination of professional services,  
20 or other professional interactions with campers and staff, must be made  
21 based on the professional judgment of such licensees to provide profes-  
22 sional services within his or her lawful scope of practice for the  
23 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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1 ment at such camp, pursuant to applicable regulations promulgated by the  
2 commissioner in consultation with the commissioner of education.

3 § 3. The public health law is amended by adding two new sections  
4 1394-c and 1394-d to read as follows:

5 § 1394-c. Licensed professionals; children's camps. 1. Any person,  
6 firm, corporation, or association that operates a children's overnight,  
7 summer day or traveling summer day camp, and has obtained a permit  
8 pursuant to section thirteen hundred ninety-three of this article, shall  
9 be authorized to employ or contract with any of the mental health prac-  
10 titioners licensed under articles one hundred fifty-three, one hundred  
11 fifty-four and one hundred sixty-three of the education law.

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

19 § 1394-d. Licensed professionals; camps for children with develop-  
20 mental disabilities. 1. Camps for children with developmental disabili-  
21 ties, as defined in subpart 7-2.2, part 7, chapter 1 of Title 10 of the  
22 New York codes, rules and regulations, and in compliance with the  
23 justice center for the protection of people with special needs, shall be  
24 authorized to employ or contract with any of the licensed professionals  
25 licensed under articles one hundred thirty-two, one hundred thirty-six,  
26 one hundred fifty-six, one hundred fifty-nine, one hundred sixty-two and  
27 one hundred sixty-seven of the education law.

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

35 § 4. This act shall take effect immediately.