

STATE OF NEW YORK

6462

2021-2022 Regular Sessions

IN ASSEMBLY

March 17, 2021

Introduced by M. of A. McDONOUGH, REILLY, DeSTEFANO, MORINELLO, ASHBY, SMULLEN, MIKULIN, BYRNE, CRUZ, DAVILA, B. MILLER, RA, BYRNES, TAGUE, J. M. GIGLIO, MANKTELOW -- Multi-Sponsored by -- M. of A. BLANKENBUSH, COOK, FRONTUS, WALSH -- read once and referred to the Committee on Education

AN ACT to amend the education law, in relation to requiring the development of a bleeding control kit program and the installation of bleeding control kits in schools

The People of the State of New York, represented in Senate and Assembly, 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

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

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1 (vi) instructional documents adopted by the agency detailing methods
2 to prevent blood loss following a traumatic event.

3 c. In addition to the items required to be included in a bleeding
4 control kit pursuant to paragraph b of this subdivision, a bleeding
5 control kit may also include any medical material or equipment that:

6 (i) may be readily stored in a bleeding control kit;

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

9 (iii) is approved by local law enforcement or emergency medical
10 services personnel.

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

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

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

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

32 § 2. This act shall take effect immediately.