

STATE OF NEW YORK

366

2023-2024 Regular Sessions

IN ASSEMBLY

January 6, 2023

Introduced by M. of A. OTIS, WALLACE, BURKE, McMAHON, HUNTER, THIELE, BURDICK, CRUZ -- read once and referred to the Committee on Health

AN ACT to amend the public health law, in relation to requiring camps and youth leagues to have automated external defibrillators

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

1 Section 1. The public health law is amended by adding a new section
2 3000-f to read as follows:

3 § 3000-f. Automated external defibrillator; camps and youth leagues.
4 1. Definitions. As used in this section, unless the context clearly
5 requires otherwise, the following terms have the following meanings:

6 (a) "Automated external defibrillator" means a medical device,
7 approved by the United States food and drug administration, that: (i) is
8 capable of recognizing the presence or absence in a patient of ventricu-
9 lar fibrillation and rapid ventricular tachycardia; (ii) is capable of
10 determining, without intervention by an operator, whether defibrillation
11 should be performed on a patient; (iii) upon determining that defibril-
12 lation should be performed, automatically charges and requests delivery
13 of an electrical impulse to a patient's heart; and (iv) then, upon
14 action by an operator, delivers an appropriate electrical impulse to a
15 patient's heart to perform defibrillation.

16 (b) "Training course" means a course approved by a nationally-recog-
17 nized organization or the state emergency medical services council in
18 the operation of automated external defibrillators.

19 (c) "Nationally-recognized organization" means a national organization
20 approved by the department for the purpose of training people in use of
21 an automated external defibrillator.

22 (d) "Camp" means a children's overnight camp, summer day camp, or
23 traveling summer day camp as such terms are defined in section thirteen
24 hundred ninety-two of this chapter.

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

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1 (e) "Youth league" means youth recreation sports leagues other than
2 the public school leagues, including school leagues, little leagues,
3 community based organization leagues, and unaffiliated leagues.

4 (f) "Youth recreation" means athletic activity with participants who
5 are all seventeen years old or younger and shall include grade school
6 through high school athletic programs regardless of the age of the
7 participants.

8 2. A camp or youth league shall:

9 (a) make available an automated external defibrillator at every camp,
10 game and practice; and

11 (b) ensure that there is at least one employee, volunteer, coach,
12 umpire or other qualified adult who is present at each such camp, game
13 and practice who has successfully completed a training course within
14 twenty-four months of each such camp session, game and practice.

15 3. (a) No permits or other certifications shall be issued for the
16 operation of any camp or for the use of any public facility, including
17 parks and recreational facilities owned by the state or a municipality,
18 by a youth league unless such camp or youth league certifies that it
19 will comply with paragraph (b) of subdivision two of this section for
20 the duration of the season for which the permit or certification is
21 sought.

22 (b) Each camp and youth league shall maintain records that it
23 possesses a sufficient number of automated external defibrillators to
24 meet the requirements of paragraph (b) of subdivision two of this
25 section for three years from the date such camp league receives the
26 permit or certification that was the subject of the application.

27 (c) Any person who voluntarily and without expectation of monetary
28 compensation renders first aid or emergency treatment using an automated
29 external defibrillator that has been made available pursuant to this
30 section, to a person who is unconscious, ill or injured, and any indi-
31 vidual or entity that purchases or makes available an automated external
32 defibrillator as required by this section, is entitled to the limitation
33 of liability provided in section three thousand-a of this article.

34 4. (a) Nothing contained in this section imposes any duty or obli-
35 gation on any person to provide assistance with an automated external
36 defibrillator to a victim of a medical emergency.

37 (b) Nothing contained in this section affects the obligations or
38 liability of emergency health providers pursuant to section three thou-
39 sand-b of this article.

40 5. (a) Any camp or youth league that violates the provisions of para-
41 graph (b) of subdivision two or paragraph (b) of subdivision three of
42 this section shall receive a warning for a first violation and shall be
43 liable for a civil penalty of one thousand dollars for each subsequent
44 violation.

45 (b) No permit or certification shall be issued to any camp or youth
46 league that has a past due outstanding penalty for a violation issued
47 pursuant to paragraph (a) of this subdivision.

48 6. The commissioner is authorized and directed to promulgate any rules
49 as may be necessary for the purposes of carrying out the provisions of
50 this section.

51 § 2. This act shall take effect immediately.