

# STATE OF NEW YORK

3868--A

2023-2024 Regular Sessions

## IN ASSEMBLY

February 8, 2023

Introduced by M. of A. McDONOUGH, BENDETT, E. BROWN, DeSTEFANO, TAGUE, LEMONDES, GIBBS -- Multi-Sponsored by -- M. of A. FLOOD, MORINELLO -- read once and referred to the Committee on Education -- recommitted to the Committee on Education in accordance with Assembly Rule 3, sec. 2 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

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 62 to read as follows:

3 62. 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;

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

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

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

7 (i) may be readily stored in a bleeding control kit;  
8 (ii) may be used to adequately treat an injury involving traumatic  
9 blood loss; and

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

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

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

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

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

33 § 2. This act shall take effect immediately.