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:

Section 1. Section 305 of the education law is amended by adding a new subdivision 62 to read as follows:

62. a. The commissioner shall consult and collaborate with the commissioner of health to establish and develop a bleeding control kit program within the department that:

(i) ensures that bleeding control kits are stored in easily accessible areas of the school;

(ii) includes the use of bleeding control kits in the emergency operations plan or any other security planning measure or protocol adopted by the school district, board of cooperative educational services, charter school or nonpublic school; and

(iii) requires all district or school personnel who may be reasonably expected to use a bleeding control kit in the event of an injury to another person to receive training approved by the department.

b. A bleeding control kit required pursuant to this subdivision shall be a first aid response kit that includes at least:

(i) one tourniquet;

(ii) two compressed gauze dressings;

(iii) one trauma dressing;

(iv) nitrile gloves;

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

LBD07919-03-4

(v) scissors; and

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

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

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

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

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

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

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

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

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

§ 2. This act shall take effect immediately.