STATE OF NEW YORK

2043

2023-2024 Regular Sessions

IN SENATE

January 18, 2023

Introduced by Sens. TEDISCO, JACKSON -- 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 authorizing certain persons to possess and administer epinephrine by use of an epinephrine auto-injector device upon completion of appropriate training, and to require the department of health to establish a registry of the names of lay persons trained in the use of an epinephrine auto-injector device

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

Section 1. Paragraph (a) of subdivision 1 of section 3000-c of the public health law, as amended by chapter 194 of the laws of 2021, is amended to read as follows:

(a) "Eligible person or entity" means: (i) an ambulance service or advanced life support first response service; a certified first responder, firefighter in a city, town or village having a population of less than one million, emergency medical technician, or advanced emergency medical technician, who is employed by or an enrolled member of any such service; (ii) a children's overnight camp as defined in subdivision one of section thirteen hundred ninety-two of this chapter, a summer day camp as defined in subdivision two of section thirteen hundred ninety-two of this chapter, a traveling summer day camp as defined in subdivision three of section thirteen hundred ninety-two of this chapter or a person employed by such a camp; (iii) a school district, board of cooperative educational services, county vocational education and extension board, charter school, and non-public elementary and secondary school in this state or any person employed by any such entity, or employed by a contractor of such an entity while performing services for the entity; (iv) a sports, entertainment, amusement, education, government, day care or retail facility; an educational institution, youth organization or sports league; an establishment that serves food; or a person employed

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

LBD06461-01-3

by such entity; (v) a police officer or peace officer in a city, town or village having a population of less than one million; (vi) forest rangers, park rangers and environmental conservation police officers; [~~and~~] (vii) **any person who has voluntarily and successfully completed the training described in paragraph (c) of subdivision two of this section; and (viii)** any other person or entity designated or approved, or in a category designated or approved pursuant to regulations of the commissioner in consultation with other appropriate agencies.

§ 2. Section 3000-c of the public health law is amended by adding a new subdivision 5 to read as follows:

5. The department shall establish and regularly update a registry of persons currently trained to administer epinephrine by use of an epinephrine auto-injector device as provided in subparagraph (vii) of paragraph (a) of subdivision one of this section. A person's name shall be added to the registry upon request by the person and submission of information as determined by the commissioner documenting the successful completion by the person of the requisite training. A person whose name appears on the registry may obtain a non-patient-specific prescription for an epinephrine auto-injector device as provided in subdivision three of this section from a healthcare practitioner or from the department. The registry shall be maintained as an internal resource solely for the department's use and shall not be disclosed to the general public.

§ 3. This act shall take effect immediately.