

STATE OF NEW YORK

184

2025-2026 Regular Sessions

IN ASSEMBLY

(Prefiled)

January 8, 2025

Introduced by M. of A. ROSENTHAL -- read once and referred to the
Committee on Health

AN ACT to amend the public health law, in relation to requiring epineph-
rine devices at children's overnight, summer day and traveling summer
camps

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

1 Section 1. Paragraph (a) of subdivision 1 of section 3000-c of the
2 public health law, as amended by chapter 472 of the laws of 2024, is
3 amended to read as follows:
4 (a) "Eligible person or entity" means: (i) an ambulance service or
5 advanced life support first response service; a certified first respon-
6 der, firefighter in a county, city, town or village having a population
7 of less than two million provided such county is not wholly located
8 within a city with a population of more than one million, emergency
9 medical technician, or advanced emergency medical technician, who is
10 employed by or an enrolled member of any such service; (ii) [~~a chil-~~
11 ~~dren's overnight camp as defined in subdivision one of section thirteen~~
12 ~~hundred ninety-two of this chapter, a summer day camp as defined in~~
13 ~~subdivision two of section thirteen hundred ninety-two of this chapter,~~
14 ~~a traveling summer day camp as defined in subdivision three of section~~
15 ~~thirteen hundred ninety-two of this chapter or a person employed by such~~
16 ~~a camp; (iii)] a school district, board of cooperative educational
17 services, county vocational education and extension board, charter
18 school, and non-public elementary and secondary school in this state or
19 any person employed by any such entity, or employed by a contractor of
20 such an entity while performing services for the entity; [~~(iv)~~] (iii) a
21 sports, entertainment, amusement, education, government, day care or
22 retail facility; an educational institution, youth organization or
23 sports league; an establishment that serves food; or a person employed
24 by such entity; [~~(v)~~] (iv) a police officer or peace officer in a coun-
25 ty, city, town or village having a population of less than two million
26 provided such county is not wholly located within a city with a popu-~~

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

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1 lation of more than one million; [~~(vi)~~] (v) forest rangers, park rangers
2 and environmental conservation police officers; [~~and (vii)~~] or (vi) any
3 other person or entity designated or approved, or in a category desig-
4 nated or approved pursuant to regulations of the commissioner in consul-
5 tation with other appropriate agencies.

6 § 2. The public health law is amended by adding a new section 1392-b
7 to read as follows:

8 § 1392-b. Epinephrine devices required. 1. Definitions. As used in
9 this section, "emergency health care provider" means (a) a physician
10 with knowledge and experience in the delivery of emergency care; or (b)
11 a hospital licensed under article twenty-eight of this chapter that
12 provides emergency care.

13 2. Collaborative agreement. (a) Every person, firm, limited liability
14 company, association and corporation which operates a children's over-
15 night, summer day and traveling summer day camp, as defined in this
16 article, shall maintain a collaborative agreement with an emergency
17 health care provider and shall have on the premises an epinephrine
18 device.

19 (b) The collaborative agreement required pursuant to paragraph (a) of
20 this subdivision shall include a written agreement that incorporates
21 written practice protocols, and policies and procedures that shall
22 ensure compliance with the provisions of this section. The person, firm,
23 limited liability company, organization or entity operating the chil-
24 dren's overnight, summer day and traveling summer day camp shall file a
25 copy of the collaborative agreement with the department and with the
26 appropriate regional council prior to using any epinephrine device.

27 3. Possession and use of epinephrine devices. Possession and use of
28 epinephrine devices shall be limited as follows:

29 (a) No person shall use an epinephrine device unless such person shall
30 have successfully completed a training course in the use of epinephrine
31 devices approved by the commissioner pursuant to the rules of the
32 department. This section does not prohibit the use of an epinephrine
33 device (i) by a health care practitioner licensed or certified under
34 title eight of the education law acting within the scope of such practi-
35 tioner's practice, or (ii) by a person acting pursuant to a lawful
36 prescription.

37 (b) Every person, firm, organization and entity authorized to possess
38 and use epinephrine devices pursuant to this section shall use, maintain
39 and dispose of such devices pursuant to regulations of the department.

40 (c) Every use of an epinephrine device pursuant to this section shall
41 immediately be reported to the emergency health care provider.

42 4. Application of other laws. (a) Use of an epinephrine device pursu-
43 ant to this section shall be considered first aid or emergency treatment
44 for the purpose of any statute relating to liability.

45 (b) Purchase, acquisition, possession or use of an epinephrine device
46 pursuant to this section shall not constitute the unlawful practice of a
47 profession or other violation under title eight of the education law or
48 article thirty-three of this chapter.

49 (c) Any person otherwise authorized to sell or provide an epinephrine
50 device may sell or provide it to a person authorized to possess it
51 pursuant to this section.

52 § 3. This act shall take effect on the one hundred eightieth day after
53 it shall have become a law. Effective immediately, the addition, amend-
54 ment and/or repeal of any rule or regulation necessary for the implemen-
55 tation of this act on its effective date are authorized to be made and
56 completed on or before such effective date.