§ 1394. Children's camps; standards and regulations. 1. The public health and health planning council shall prescribe standards and establish regulations for children's overnight, summer day and traveling summer day camps, as defined in this article, concerning such matters as may be appropriate for the protection and security of the life, health and safety of the occupants of such camps.

2. All buses or other motor vehicles which are owned by a traveling summer day camp or which are operated or leased by such camp for the purpose of transporting children attending such camp shall meet the requirements for safe operation of such vehicles as provided for in section one hundred forty of the transportation law.

3. Notwithstanding the provisions of Title VIII of the education law, any person, firm, corporation, or association that operates a children's overnight, summer day, or traveling summer day camp, and has obtained a permit pursuant to section thirteen hundred ninety-three of this article, shall be authorized to employ or contract with a physician, nurse practitioner, physician assistant, registered nurse, or licensed practical nurse or emergency medical technician to act as a designated camp health director or to provide health services in assistance to the camp health director for the sole purpose of providing health services that benefit campers and staff at the camp while the camp is in operation. In cases where the camp health director's lawful scope of practice is more limited than that of the licensed professional providing services, the camp health director shall not supervise the provision of such treatment, but shall be informed of such treatment as medically necessary to ensure the well-being of the camper and staff. In cases where an emergency medical technician is the camp health director, the emergency medical technician shall not supervise the provision of treatment by the licensed professional providing services, but shall be informed of such treatment as medically necessary to ensure the well-being of the camper and staff.

4. Each children's overnight camp, summer day camp and travelling summer day camp shall allow children attending such camp to carry and use topical sunscreen products approved by the federal Food and Drug

Administration for over-the-counter use for the purpose of avoiding overexposure to the sun and not for medical treatment of an injury or illness, with the written permission of the parent or guardian of the child. A record of such permission shall be maintained by the camp. A child who is unable to physically apply sunscreen may be assisted by unlicensed personnel when directed to do so by the child, if permitted by a parent or guardian and authorized by the camp.

5. Each children's overnight camp, summer day camp and traveling summer day camp shall allow children attending such camp to carry and use insect repellent with the written permission of a parent or guardian of any child. A record of such permission shall be maintained by the camp. A child who is unable to physically apply insect repellent may be assisted by unlicensed personnel when directed to do so by the child, if permitted by a parent or guardian and authorized by the camp.

6. Notwithstanding the provisions of Title VIII of the education law, any person, firm, corporation, or association that operates a children's overnight, summer day, or traveling summer day camp, and has obtained a permit pursuant to section thirteen hundred ninety-three of this article, shall be authorized to employ or contract with individuals licensed under articles one hundred fifty-three, one hundred fifty-four, one hundred sixty-three and one hundred sixty-seven of the education law to provide mental health services for any period during which the camp has a valid permit to operate and for the sole purpose of providing health services that benefit campers and staff at the camp while the camp is in operation. Individuals hired under this section shall communicate with the camp health director when medically necessary.

7. All decisions, identification or coordination of professional services, or other professional interactions with campers and staff, must be made based on the professional judgment of such licensees to provide professional services within his or her lawful scope of practice for the purpose of treating campers and staff during their attendance or employment at such camp, pursuant to applicable regulations promulgated by the commissioner in consultation with the commissioner of education.

8. Nothing in this section shall be construed to limit the authority of another state agency if such state agency is otherwise authorized under another provision of law to certify, license, contract or authorize such camp, nor shall the authority to hire individuals licensed pursuant to this section be construed to provide an exemption of such camp from any certification, licensure, or any other such requirement established by such state agency or under any other provision of law.

9. A camp that employs or contracts with an individual licensed under articles one hundred fifty-three, one hundred fifty-four, one hundred sixty-three and one hundred sixty-seven of the education law under this section shall list such individuals in their general consent form.