



NEW YORK STATE SENATOR

John J. Flanagan

Senator Flanagan's Legislation To Protect Students With Medical Conditions Signed Into Law

JOHN J. FLANAGAN October 31, 2014

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Legislation sponsored by Senator John Flanagan (2nd Senate District) that will provide relief to students who struggle with respiratory diseases or diabetes has been signed into law. The new law permits students who utilize an inhaler or other prescribed equipment or medication to carry and use these devices in school and at school functions.

Specifically, the law will standardize policies and practices regarding self-administered medications in all school districts throughout the state whether they are used for allergic reactions, asthma attacks or dangerous blood sugar levels. It also adheres to the guidance from New York State Education Department (NYSED) and its School Health Services Center which have over the years issued guidelines about best practices for student health services including those for students with asthma, allergies and diabetes.

Under the terms of the new law, NYSED will still be able to provide guidance to school districts regarding policies governing student self-management of allergies, asthma or diabetes and school responsibilities to respond to students with such health conditions. Additionally, it makes clear that school districts would not be financially or legally liable for their efforts to comply with the new law.

“This new law is a common-sense approach to an important and growing issue in schools across our state. It will allow children who are afflicted by allergies and other serious medical issues to make decisions regarding their own health conditions in a timely and appropriate manner. That will provide them with a greater ability to fully concentrate on their education while providing their family with some much-needed peace of mind,” stated Senator Flanagan.

The law, which will take effect on July 1st of next year, was sponsored in the New York State Assembly by Assemblymember Catherine Nolan (37th Assembly District).