

## **State Camp Safety Advisory Council (SCSAC) March 24, 2015 Meeting Minutes**

### Members

Present: Jordan Dale, Eric Bacon, Dawn Ewing, Gordon Felt, Meir Frischman, Robert Scheinfeld, Dr. Thomas Welch

Members George G. Coleman, Douglas Pierce

Absent:

### Department of Health Staff

Present: Michael Cambridge, Timothy Shay, Brian Miner, Justin Pfeiffer, and James Maurer

Chairperson Jordan Dale called the meeting to order at 10:30 a.m., at the New York State Museum, Conference Room A/B, 260 Madison Avenue, Albany, New York. George G. Coleman and Doug Pierce were absent. A quorum was present.

### **Council Administrative Business**

Mr. Shay updated the Council regarding membership reappointments. George Coleman's and Dr. Thomas Welch's reappointments are still in process. The Council approved the minutes from the last Council meeting held on October 29<sup>th</sup>.

Mr. Shay raised an issue with the Council's bylaws. Recently, it was brought to the Department's attention that Article V, Section 5 (b) and (c) of the bylaws indicate that members of the Council must comply with Section 73 of the Public Officers Law. Justin Pfeiffer, Senior Attorney for DOH, indicated that Section 73 of the Public Officers Law was not intended to apply to advisory councils. Mr. Pfeiffer recommended that the bylaws be amended to remove the reference to Section 73. A 30-day notice is required for bylaw amendments; a motion to adopt the changes can be introduced at the next Council meeting. A copy of the updated bylaws will be circulated to the Council prior to the next meeting.

### **Justice Center/Status of Amendments to Subpart 7-2 – Update**

Mr. Shay updated the Council regarding the Public Health and Health Planning Council's (PHHPC) request for the Department to review the application of emergency amendments to Subpart 7-2 of the State Sanitary Code, which were developed as a result of Justice Center legislation, to only camps with 20% or more campers with a developmentally disability. Mr. Shay addressed the PHHPC Codes Committee on January 29<sup>th</sup> and conveyed concerns regarding expanding the application of the regulations to all camps accepting any children with developmental disabilities. The PHHPC adopted the emergency regulations without any changes to the 20% threshold on February 12<sup>th</sup>. Emergency amendments are valid for up to 90 days. A letter from the Justice Center sent to the PHHPC requested that the Department wait to finalize the regulations until after the Justice Center has finalized their regulations to ensure consistency between agencies.

At the previous meeting, the Council determined that the current definition of a development disability in Subpart 7-2 should be reviewed and updated. Mr. Felt drafted

a new definition, which was provided to the other Council members for discussion. Mr. Felt expressed concern that the current definition unnecessarily classifies children who otherwise would have no need for additional protections as having a developmental disability (i.e. highly functioning children with autism or seizure disorders). As a result, the inclusion of these additional children into ratios utilized for determining a camp's need to comply with supplementary requirements may be placing additional burdens on some camps unnecessarily. Mr. Shay stated that the current definition of a developmental disability was consistent with the Mental Hygiene Law. He expressed concern over unintended consequences that may result in adopting a definition that was not consistent with other state agencies. It was determined by the Council that the topic would be tabled until the next meeting to allow for additional time for the Council and Department to review the definition.

Mr. Dale inquired about progress towards children's camps ability to access the Justice Center's Staff Exclusive List (SEL). Mr. Shay stated that a request was previously made to the Justice Center, and the response was that access to the SEL would be limited to only those mandated by statute. Mr. Bacon made a motion asking the Department to make a second request to the Justice Center to allow any children's camp to access to the SEL. The motion was passed with all in favor.

### **AED and Epinephrine Auto Injectors**

Mr. Shay reported that shortly after the last Council meeting, legislation was passed that allows schools to implement a voluntary epinephrine auto-injector program, similar to camps. At this time, he is not aware of any movement to make the voluntary epinephrine auto-injector program mandatory at schools. There is proposed legislation to require epinephrine auto-injector at children's camps. This proposal has been reintroduced for the last several years, but has not moved in the legislature. Mr. Shay indicated that he was not aware of any legislation proposed to require AEDs at children's camps. Although, there are several legislative bills to require AEDs in other settings.

### **2014 Program Updates**

Mr. Shay updated the Council regarding requirements for amusement devices. The Department is currently reviewing its guidance, including the requirement for a professional engineer to design new amusement devices that are manufactured onsite such as zip lines, climbing walls and high rope/challenge courses. No determination has been made at this time regarding changes to the current guidance. The Department is continuing to evaluate the guidance and has reached out to Department of Labor for their feedback.

Mr. Shay updated the Council regarding a boating supervision fact sheet that was being drafted by the Department based on recommendations made by the Council. Mr. Shay stated that two recommendations made by the Council for staff overseeing boating activities, including a recommended minimum age of 21 years-old and a recommended minimum of two seasons of past experience, deviate significantly from the requirements currently in the State Sanitary Code and may cause confusion among camp operators and local health departments. The fact sheet is undergoing internal Department review.

Mr. Shay informed the Council that the New York State Immunization Information System (NYSIIS) now has a user role specific for camps. Additionally, NYSIIS training

for children's camps was recently developed and is available via an on-line recorded webinar. Last year camp staff were directed to view "school" training.

### **Local Health Department Permit Fees**

Mr. Shay presented a follow up to previous discussions regarding local health departments charging more than the camp permit fee allowed by statute. It was determined that some jurisdictions are charging additional fees (inspection fees) for services provided. At the last meeting, the Council requested a letter from the Department specifying that the camp permit fee set by statute should not be exceeded by local health departments. It was determined that this may be a broader issue not specific to children's camps and that it would be more appropriate for the Department to correspond directly with the local jurisdictions, rather than provide a letter to the Council. The Department is still exploring this issue.

### **Next Meeting/Adjournment**

The Council adjourned after tentatively scheduling the next Council meeting for Thursday, October 15, 2015.