

**State Camp Safety Advisory Council (SCSAC)
April 30, 2014 Meeting Minutes**

Members

Present: Jordan Dale, George G. Coleman, Eric Bacon, Dawn Ewing, Gordon Felt, Meir Frischman, and Robert Scheinfeld

Members Douglas Pierce

Absent:

Department
of Health Staff

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

Chairperson Jordan Dale called the meeting to order at 10:30 a.m., at the University of Albany, School of Public Health, George Education Center, Room 110A, Rensselaer, New York. Doug Pierce was absent and there was one vacant position. A quorum was present.

Council Administrative Business

Mr. Shay updated the Council regarding membership appointments and reappointments. Eric Bacon, Rob Scheinfeld, Jordan Dale, and Meir Frischman's terms have expired. They have all gone through the vetting process and are awaiting Senate confirmation. They will continue to serve on the Council in their current positions until they are reappointed, replaced or resign. There remains one vacant position on the Council representing Children's Interests. Dr. Thomas Welch is being considered for the vacant position and is awaiting Senate confirmation.

Mr. Dale called for the Council Chairperson and Vice-Chairperson elections. In accordance with the amendments to the Council's Bylaws approved at the last meeting, the terms will now be for two years. Mr. Dale and Mr. Coleman were both nominated and unanimously re-elected as Chairperson and Vice-Chairperson, respectively.

Justice Center/Status of Amendments to Subpart 7-2

Mr. Shay reported that emergency amendments to Subpart 7-2 of the State Sanitary Code, which were developed as a result of the Justice Center legislation, were recently approved by the Public Health and Health Planning Council (PHHPC). There were no changes made to the emergency amendments since they were initially passed in June, 2013. Emergency amendments are valid for up to 90 days and this is the fourth time they have been passed. Mr. Shay stated the

Department is waiting for the Justice Center to finalize their regulations before moving forward with permanent regulations to avoid any inconsistencies.

Mr. Coleman inquired if the Justice Center had responded to the Council's request to amend the legislation to allow all camps access to the Justice Center Staff Exclusion List. Mr. Shay stated that after the last meeting he had passed along the Council's recommendation to a Justice Center attorney working on developing their regulations. At this time, access to the SEL is limited to those explicitly allowed by legislation. He was not sure if that would change in the future. The Council again expressed concern that staff prohibited from working at camps for the disabled could apply at other camps and be hired without the operator knowing that they were on the SEL. This could potentially put children at risk. Mr. Cambridge indicated the Department would have an additional opportunity to provide comments to Justice Centers during the comment period for the regulations and would reiterate the Council's recommendation, if needed. Mr. Dale asked if the Department could inquire with the Justice Center if there was any reason why anyone working with children should not have access to the SEL. Mr. Shay asked if in addition to the SEL checks if all camps should also check potential staff against the State Central Registry. Mr. Coleman said yes, but there should be no charge for the check.

Mr. Shay reported that the PHHPC had expressed concern about camps needing 20 percent or more enrollment of campers with developmental disabilities for the additional requirements in Subpart 7-2 to be applicable. PHHPC members felt that the additional requirements should apply to all camps with qualifying campers, even if it's only one. Mr. Shay reviewed the definition in Subpart 7-2 for a developmental disability and asked the Council for their input on whether the amendments should be expanded to include all camps that have a camper with a developmental disability. The Council discussed the issues and felt that some of the additional requirements, such as SEL checks for staff, should be applied to all camps with a camper with disabilities and that some other requirements would be burdensome for a camp with just one or a few campers with a disability. There was some discussion that the additional requirement may deter camps from accepting children with disabilities. Mr. Coleman made a motion to recommend that the PHHPC continue to pass the current emergency amendments on a temporary basis while the Council explores the best actions for implementation. The motion unanimously passed.

Mr. Felt commented that he thought the definition in Subpart 7-2 for a developmental disability is outdated and would like the Department to develop a more current definition. He commented that there could be a wide spectrum of children that fall within the categories listed in the definition and some terminology such as retardation are outdated. Mr. Shay stated that the definition is consistent with the definition contained in the Office for People with Developmental Disabilities regulation.

Boating Activities Oversight

Ms. Ewing reported on the Boating Activities Oversight Committee progress since the last meeting. She gave an overview of the history and issues discussed at prior Council meetings and presented documents developed by the committee to establish best practice procedures for the oversight of boating activities at camps. Mr. Scheinfeld inquired if the intent was for the recommendations to become part of the safety plan template as guidance and not regulations. If so, he asked if more could be done to make them regulations. Mr. Shay responded that the recommendations could be developed as a standalone guidance document and/or incorporated into an informational sidebar in the safety plan template. Possibly in the future the recommendations could be part of an amendment to Subpart 7-2, but there was concern over the Department being responsible for reviewing and approving boating courses. The quickest way to get the recommendations/best practices out to camp operators would be as guidance.

The Council requested that the recommendation be sent to camp operators for use this upcoming season. The Department responded that there is not much time to get a final guidance document developed and approved prior to the start of this children's camp season, but they agreed to assess what could be done and would send an email to Council member letting them know the outcome. The Council asked if a date could be set for the Department to report back. The Department responded that they would send out an email as soon as possible, but no later than July 1st.

The Council agreed that they would try to hold the Spring Council meetings earlier in the year to give more time to accomplish Council recommendations prior to the upcoming camp season.

Amusement Devices at Children's Camps

Mr. Shay reported that information and guidance documents have been distributed for the implementation of the Department of Health and Department of Labor Memorandum of Understanding related to the oversight of amusement devices at camps. As previously reported, the guidance is generally consistent with procedures implemented in prior years for amusement devices at camps.

Single-Purpose Camps

Mr. Dale asked the Department to discuss the legislation requiring the regulation of day programs that are currently exempt because they only offer one activity. Mr. Cambridge stated that the Department was aware of the legislation, but that he could not comment for the Department on proposed legislation. Mr. Dale asked audience member Gene DeSantis, who is a lobbyist working with legislators on this item, to update the Council on the legislation. Mr. DeSantis stated the legislation is in the Senate Health Committee and that there were some recent amendments to it based on the sponsoring legislator's meeting with the New York

State Camp Directors Association. The legislation now would only require single-purpose programs that operate for 20 or more continuous or intermittent days to be regulated. Also, the legislation includes an increase in the fees collected for camp permits based on the camps capacity and would require each camp to have liability insurance. Mr. Scheinfeld inquired how many additional camps Mr. DeSantis thought would be regulated if the legislation passed. Mr. DeSantis indicated that he did not think many single-purpose programs would be regulated as a result of the legislation.

Mr. DeSantis asked if the Department was aware of, and if so how it handles, local jurisdictions that charge more for a permit fee than is allowed by Statute. Mr. Cambridge commented that if the Department becomes aware of this, the local jurisdiction would be advised of the rate allowed by Statute. He would follow-up with the Department's legal Counsel to determine what steps could be taken against a local jurisdiction that continues to charge more than is allowed by Statute.

AEDs at Camps

At a number of Council meetings, the Council discussed and recommended that the Department require AEDs and epinephrine auto-injectors at camps. In response to the Council's request, the Department had internal discussion regarding mandatory requirements for these devices at camps.

The Department has been and will continue looking at the appropriateness of a requirement for epinephrine auto-injectors on a more global level (i.e. daycare center, school, camps). The Council will be updated on any advancements made by the Department. There is currently a two-house bill to require epinephrine auto-injectors at all summer camps. If the Department is asked to comment on the bill, the Council's recommendation in support of requiring epinephrine auto-injectors will be provided.

Pesticide Legislation

Mr. Dale asked Mr. Scheinfeld if there was any update on the law to restrict pesticide use at camps. Mr. Scheinfeld stated the legislation still has not passed in the Senate. He will continue to pursue and monitor the legislation and report back to the Council on any progress.

Injury Summary Reports

Mr. Dale asked for an update on the yearly Children's Camps Incident Summary Reports. Mr. Shay responded that the 2011 summary report was completed and in the final stages of the Department's internal review process. The Council commented that the summary reports were valuable and asked that the Department continue to provide the Council with yearly updates on incident statistics. The Department stated that they intended to do so.

Next Meeting/Adjournment

Mr. Dale asked the Council if they would interested in a guest speaker from a course he was made aware of related to mental health first aid. The course provides instruction on mental health and emotional well-being issues such as bullying, eating disorders, and suicide. The Council agreed to inquire if a speaker would come to the next meeting.

The topic of yearly mandatory operator training was asked to be added to the agenda for the next meeting.

The Council adjourned after tentatively scheduling the next Council meeting for Wednesday, October 29, 2014.