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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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HOUSE BILL

No. 533 Session of  
2015

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INTRODUCED BY CRUZ, V. BROWN, COHEN, D. COSTA, READSHAW,  
MCNEILL, MAHONEY AND MURT, FEBRUARY 23, 2015

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REFERRED TO COMMITTEE ON HEALTH, FEBRUARY 23, 2015

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AN ACT

1 Amending the act of June 13, 1967 (P.L.31, No.21), entitled "An  
2 act to consolidate, editorially revise, and codify the public  
3 welfare laws of the Commonwealth," in departmental powers and  
4 duties as to licensing, further providing for definitions and  
5 providing for food allergy guidelines.

6 The General Assembly of the Commonwealth of Pennsylvania  
7 hereby enacts as follows:

8 Section 1. Section 1001 of the act of June 13, 1967 (P.L.31,  
9 No.21), known as the Public Welfare Code, is amended by adding a  
10 definition to read:

11 Section 1001. Definitions.--As used in this article--

12 \* \* \*

13 "Anaphylaxis." A life-threatening allergic reaction that is  
14 rapid in onset.

15 \* \* \*

16 Section 2. The act is amended by adding a section to read:

17 Section 1021.1. Food Allergy Guidelines.--(a) No later than  
18 January 1, 2016, the department, in conjunction with the  
19 Department of Health, shall develop and provide guidelines to a

1 child day care center for managing a child with a  
2 life-threatening food allergy. The guidelines shall contain all  
3 of the following:

4 (1) Training on administering medication with a cartridge  
5 injector.

6 (2) Procedures to ensure that a child's self-injectable  
7 epinephrine is available to child day care center personnel.

8 (3) Reasonable accommodations to reduce the risk of a child  
9 being exposed to anaphylaxis-causing agents located in areas of  
10 school activity.

11 (4) Protocols on responding to life-threatening allergic  
12 reactions.

13 (5) Procedures for implementing an individualized health  
14 care and food allergy plan.

15 (b) No later than September 30 of each year, a child day  
16 care center shall establish a food allergy policy in accordance  
17 with the guidelines under subsection (a) and shall provide  
18 notice of the policy to the parent or legal guardian of each  
19 enrolled child.

20 (c) A parent or legal guardian of a child enrolled in a  
21 child day care center who has a known food allergy shall submit  
22 to the child day care center all of the following:

23 (1) A list of foods that may cause the child to have an  
24 allergic reaction.

25 (2) Medication prescribed for the child to treat the food  
26 allergy or anaphylaxis.

27 (3) Symptoms that may indicate the child is having an  
28 allergic reaction to food.

29 (4) Emergency treatment procedures to use if the child has  
30 an allergic reaction to food.

1       (5) Contact information of the individual to contact if the  
2 child has an allergic reaction to food.

3       (6) Contact information of the child's primary health care  
4 provider.

5       Section 3. This act shall take effect in 60 days.