

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.