
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 964 Session of
2013

INTRODUCED BY CRUZ, YOUNGBLOOD, DONATUCCI, HENNESSEY, D. COSTA,
COHEN AND GOODMAN, MARCH 12, 2013

REFERRED TO COMMITTEE ON HEALTH, MARCH 12, 2013

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," providing for food allergy
4 guidelines.

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

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

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

11 * * *

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

14 * * *

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

16 Section 1021.1. Food Allergy Guidelines.--(a) No later than
17 January 1, 2013, the department, in conjunction with the
18 Department of Health, shall develop and provide guidelines to a
19 child day care center for managing a child with a

1 life-threatening food allergy. The guidelines shall contain all
2 of the following:

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

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

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

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

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

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

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

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

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

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

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

30 (5) Contact information of the individual to contact if the

1 child has an allergic reaction to food.

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

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