



NEW YORK STATE SENATOR

Liz Krueger

Schools Must Get to Work Protecting Students WITH Food Allergies

LIZ KRUEGER August 5, 2007

Legislature Passed Allergy and Anaphylaxis Management Act of 2007; Bill Awaiting Governor's Signature

New York—State Senator Liz Krueger today called on Governor Spitzer to sign S298A/A4051A, the Allergy and Anaphylaxis Management Act of 2007. The legislation is the first in a series of steps the state must take to ensure that schools statewide implement an action plan that protects students with food allergies, or who suffer allergic reactions. If left untreated, within minutes an allergic reaction can lead to anaphylactic shock, which can lead to death. According to the Food Allergy Initiative, food allergies claim over 200 lives and are responsible for over 30,000 emergency room visits each year.

The law sets up a commission to implement an action plan for all schools under the guidance of the Departments of Education and Health. The commission has not yet been put into law, and many schools continue to lack any type of reaction plan that meets recommended standards.

"The way that things are currently handled is not adequate considering the severity of anaphylaxis," Senator Krueger explained. "Though the majority of reactions can be remedied quickly, in a world of allergies and allergic reactions, our current system does not allow for

immediate medical attention, potentially allowing anaphylaxis shock to set in. Waiting too long can cause permanent damage, or in some cases, an unnecessary loss of life. We need a comprehensive response system in place in every school across New York."

"This is vital legislation that will save lives," said Robert Pacenza, Executive Director of the Food Allergy Initiative. "If a food-allergic child accidentally ingests even a miniscule trace of the wrong food, it can trigger a reaction that can kill within minutes. By implementing the recommendations of the American Academy of Asthma, Allergy and Immunology, every school across the state will abide by guidelines that keep these kids safe. The Food Allergy Initiative is proud to have been the organizing force behind this effort, and we hope the Governor quickly signs this bill into law so that the commission can take form and recommend a universal standard as soon as possible."

The American Academy of Asthma, Allergy and Immunology Position Statement on Anaphylaxis in Schools recommends the following guidelines for schools to implement:

Developing a system that identifies children with allergies;

Reviewing treatment protocols, as prescribed by a physician, by all school personnel, and staff involved with the child's care be instructed about the potentially severe nature and proper treatment of allergic reactions;

Allowing for prescribed epinephrine auto-injector devices to be clearly labeled with the child's name and classroom number, with children old enough to self-administer allowed to carry their own kits. Students not old enough should have their kit easily accessible by school personnel. In the event that the kit is administered, the child would be immediately transported to a hospital;

Informing cafeteria staff, in writing, of foods to be avoided while preparing meals, along with a list of "safe" substitutions;

Requiring that food brought in from outside vendors have complete ingredient declarations.

The Asthma and Allergy Foundation of America says that at least 8-percent of children less than 3-years of age have allergic reactions to food, and 2-percent of adults. More than 3-million children are allergic to peanuts and tree nuts. Life-threatening reactions most often come from peanuts, tree nuts, shellfish, fish, and eggs. Children with asthma are more frequently subject to severe reactions.

"Every day that our schools are left without an actual response system, someone's life remains at risk. The Commissioners of Education and Health should immediately follow these suggested guidelines, and move to enact such a system, as well as educate school personnel, parents, and students of their rights, and what should be done in the event of an anaphylaxis reaction," Krueger concluded.