



## Office of Children and Family Services

ANDREW M. CUOMO  
Governor

SHEILA J. POOLE  
Commissioner

August 19, 2021

Dear Provider,

This letter contains important reminders and updates regarding Elijah's Law and an exciting opportunity for your child care program. Please read it carefully.

### **Anaphylaxis Policy**

On March 15, 2021 OCFS distributed the Anaphylaxis Policy for Child Day Care Programs, and a Dear Provider letter explaining the upcoming changes regarding allergy awareness and response. As a reminder, child day care programs are required to be in compliance with the elements of the anaphylaxis policy on September 15, 2021.

### **Regulations**

On July 9, 2021 OCFS notified child care programs that the proposed regulation changes related to Elijah's Law are published in the State Register. The public comment period closes on September 7, 2021. Any comments may be sent to: [regcomments@ocfs.ny.gov](mailto:regcomments@ocfs.ny.gov)

### **Training**

OCFS has developed an online training to assist child care programs with learning about allergies and how to respond in an anaphylaxis emergency. This one-hour online training is now available to all child care providers at no cost! All caregivers are encouraged to visit: [www.ecetp.pdp.albany.edu](http://www.ecetp.pdp.albany.edu) and take this new course. Each individual who completes the training will receive one hour of training credit toward their 30-hour biennial requirement. Please check it out!

### **Epinephrine Auto Injector Initiative**

As we shared in March, OCFS is thrilled to announce we are partnering with Health First, the authorized distributor of AUVI-Q, an epinephrine auto injector for children weighing between 16.5-33 pounds. Each participating program will receive a package containing two non-patient specific auto injectors and one training device. To participate in this opportunity, each interested program must:

- Designate at least one individual per program who successfully completed an approved epinephrine training course (such as OCFS's Elijah's Law no cost training). OCFS strongly encourages all caregivers to take the training, but to be eligible for the auto injectors, one person per program is required.
- Record each individual who has successfully completed the approved epinephrine course on Appendix H of the Health Care Plan (HCP).
- Update the HCP to indicate the program is stocking non-patient specific auto injector.
- Submit Appendix J of the HCP to your regulator.
- Submit a Hold Harmless Agreement to your regulator. (See attached.)

Upon successful completion of these steps, Health First will reach out to the child care program to verify the name of the designated individual, and the shipping address of the program. Health First will NOT ask for any sensitive information. Health First will ship a package containing two non-patient specific auto injectors and one training device directly to the child care program. Once received, the child care program must confirm receipt via email.

**Why should I participate in the auto injector initiative?**

Child care providers play an important role in the health and well-being of the children. Children with a diagnosed allergy rely on their caregivers to prevent exposure to allergens and to have a plan in place in the event of allergic reaction. Many of the children in your program are experiencing events for the first time, including new foods and insect bites. There is no way to predict when a child will have an allergic reaction. If it were to occur, do you and your staff know what to do? Epinephrine is the first line drug of choice for the emergency treatment of severe allergic reactions. It is a safe medication. There is no medical reason for trained, designated staff to withhold administration of an auto injector in an emergency if anaphylaxis is suspected. The goal of this initiative is to spread allergy awareness to all caregivers and families, thus preventing further tragedy. Having a non-patient specific auto injector in your program's emergency tool kit, and the knowledge on how to use it, is a potentially lifesaving investment. OCFS strongly encourages all childcare programs to take advantage of this exciting opportunity!

Thank you for your commitment to the well-being of children.

Sincerely,



Janice M. Molnar, Ph.D.  
Deputy Commissioner  
Division of Child Care Services