ECLEG JUN19'12 AM10:05

A RESOLUTION TO BE SUBMITTED BY
LEGISLATORS DIXON & RATH

RE: Requesting that New York State Revise Guidelines Referring to the Application of Sunscreen in Schools

WHEREAS, according to the American Cancer Society, more than 3.5 million cases of skin cancer are diagnosed in the United States each year; and

WHEREAS, skin cancer accounts for more diagnoses than all other cancers combined; and

WHEREAS, along with wearing a shirt, hat and sunglasses, the American Cancer Society recommends frequent and sufficient application of sunscreen to protect from harmful UV rays; and

WHEREAS, the New York State Department of Education's "Administration of Medication in the School Setting – Guidelines" states that "All medications, including nonprescription drugs, given in school shall be prescribed by a licensed prescriber on an individual basis as determined by the student's health status;" and

WHEREAS, further "[m]edication orders must be renewed annually or when there is a change in medication or dosage;" and

WHEREAS, additionally, written parent consent is required for the administration of medication; and

WHEREAS, according to the United States Food & Drug Administration, sunscreen is considered an over-the-counter medication; and

WHEREAS, sunscreen may subjects users to certain risks, including allergic reactions; and

WHEREAS, it has been suggested that certain ingredients in certain sunscreens might possibly be linked to certain deleterious medical conditions; and

WHEREAS, despite the potential risks, most experts continue to promote the use of sunscreen to prevent sunburn and skin cancer; and

WHEREAS, physicians justifiably bill for their time and expertise; and

WHEREAS, as such, providing written prescriptions from physicians costs individuals and insurance rate payers, as well as imposing opportunity costs, such as time lost, to parents for having to secure a physician prescription to apply sunscreen; and

WHEREAS, further, there are costs to school districts and, therefore, school tax payers, for having to maintain and update physician prescriptions for the application of sunscreen; and

WHEREAS, rather than instituting bureaucratic red tape that tends to make the application of sunscreen burdensome, the public health would be better served by encouraging the use of sunscreen, especially among our youth, who can develop the use of sunscreen as a lifelong good practice for promoting skin health; and

WHEREAS, one possible revision to current guidelines might be to eliminate a physician prescription for sunscreen, while maintaining parental permission to apply sunscreen, including the parent signing a statement that they understand the possible risks of applying sunscreen and consent to the use of sunscreen despite those possible risks, as well as the parent stating that he or she has tested the sunscreen on his or her child to determine if the child had an allergic reaction to the sunscreen; and

WHEREAS, regardless, eliminating the requirement of a physician prescription for the application of sunscreen on a child in school would promote the use of sunscreen, while at the same time reducing costs to parents, insurance rate payers and taxpayers.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature requests that the New York State Department of Education revise its guidelines to promote the use of sunscreen in children, while at the same time reducing costs to parents, insurance rate payers and taxpayers; and be it further

RESOLVED, that copies of this resolution be forwarded to the New York State Commissioner of Education John B. King, Jr., Governor Andrew Cuomo and the local delegation of the New York State Legislature.

Fiscal Impact: None.