

ASSEMBLY, No. 3778

STATE OF NEW JERSEY 220th LEGISLATURE

INTRODUCED MAY 2, 2022

Sponsored by:

Assemblywoman BRITNEE N. TIMBERLAKE

District 34 (Essex and Passaic)

Assemblyman PARKER SPACE

District 24 (Morris, Sussex and Warren)

Co-Sponsored by:

Assemblyman Caputo

SYNOPSIS

Requires portable anti-choking devices be placed in schools.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 6/15/2023)

A3778 TIMBERLAKE, SPACE

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1 AN ACT concerning the use of portable anti-choking devices in
2 schools and supplementing chapter 40 of Title 18A of the New
3 Jersey Statutes.

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5 **BE IT ENACTED** by the Senate and General Assembly of the State
6 of New Jersey:

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8 1. Each board of education of a public school district and the
9 governing board or chief school administrator of a nonpublic school
10 in the State shall ensure that at least one portable anti-choking
11 device is made available in the cafeteria, the office of the school
12 nurse, and any other similar location. The devices shall be placed
13 in unlocked and easily accessible locations during the school day
14 and at any other time when a school-sponsored event is taking
15 place. The locations of each device shall have an appropriate
16 identifying sign.

17 As used in this act, "portable anti-choking device" means a
18 portable medical device that uses manually created suction to
19 remove blockage from the airway during a choking emergency and
20 has been registered as a Class II acute upper airway obstruction
21 device with the United States Food and Drug Administration.

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23 2. Each board of education and the governing board or chief
24 administrator of a nonpublic school shall develop policies for the
25 use of portable anti-choking devices by school nurses and school
26 employees. The policies shall include a requirement that all school
27 nurses and school employees receive training in airway
28 management and in the removal of any obstruction from the airway
29 using a portable anti-choking device.

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31 3. The Commissioner of Education shall ensure that annual
32 educational opportunities are made available for school nurses and
33 employees of both public and nonpublic schools regarding airway
34 management and the use of portable anti-choking devices.

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36 4. The Department of Education shall provide for the
37 reimbursement of the costs incurred by school districts and
38 nonpublic schools in implementing the provisions of this act. The
39 department shall establish procedures by which a school district or
40 nonpublic school may apply for reimbursement pursuant to this
41 section. The department is authorized to accept contributions of
42 funds from private or nonprofit entities in order to defray the
43 expenses of the State in reimbursing public and nonpublic schools
44 pursuant to this section.

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46 5. This act shall take effect on the 180th day after enactment,
47 but the Commissioner of Education may take such anticipatory

1 administrative action in advance as necessary for the timely
2 implementation of this act.

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STATEMENT

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7 This bill would require public and nonpublic schools to ensure
8 that at least one portable anti-choking device is made available in
9 the cafeteria, school nurse's office, and any other similar location.
10 The devices would be placed in an unlocked and easily accessible
11 location during the school day and at any other time when a school-
12 sponsored event is taking place. The locations of each portable
13 anti-choking device shall have an appropriate identifying sign. A
14 portable anti-choking device is a device that uses manually created
15 suction to remove blockage from a person's airway during a
16 choking emergency. These devices may only be used in schools
17 provided they have been registered with the United States Food and
18 Drug Administration.

19 Each board of education and the governing board or chief
20 administrator of a nonpublic school would be required to develop
21 policies for the use of anti-choking devices by school nurses and
22 school employees. The policies would include a requirement that
23 all school nurses and school employees receive training in airway
24 management and in the removal of any obstructions from the airway
25 using a portable anti-choking device. The Commissioner of
26 Education would ensure that annual educational opportunities are
27 made available for school nurses and employees of both public and
28 nonpublic schools regarding airway management and the use of
29 portable anti-choking devices.

30 The Department of Education would reimburse public and
31 nonpublic schools for the costs incurred to implement the
32 provisions of this bill.