



Proposed Amendments to 105 CMR 430.000: Minimum Standards for Recreational Camps for Children

Public Health Council
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Presentation Overview

- **105 CMR 430.000: Minimum Standards for Recreational Camps for Children**
 - Background
 - Proposed Amendments - Definitions, Additions and Technical Amendments
 - Next Steps
 - Questions

Background

- Recreational Camps are regulated pursuant M.G.L. 111, § 127A, which established the State Sanitary Code.
- Regulations seek to ensure a high quality of service, industry standardization and strong consumer protection for children who participate in recreational camps.
- Regulations apply to all day, residential, sports, travel, and trip camps, with some exemptions, such as programs sponsored by municipal recreation departments (statutorily-based) or those that are primarily classroom-based instructional programs (regulatory-based).

Background

- **Proposed amendments informed by:**
 - Executive Order 562 – Regulatory Review required for all state agencies. (Note: The Recreational Camp regulations were last amended in 2003)
 - Collaboration with stakeholders to solicit their input regarding needed revisions (e.g. - Boards of Health, Camping Associations, Alliance of YMCAs, etc.)
 - Inter-Agency and Inter-Bureau Input (e.g. – DEP, DPS, BCHAP, BIDLS, etc.)
 - Federal Guidance Documents
 - Center for Disease Control and Prevention (e.g. – immunizations, concussion awareness training)
 - American National Standards Institute – first aid kit requirement - Standard Z308.1-2015
 - Consumer Product Safety Commission – reference to Playground Safety Handbook
 - Industry Best Practice Standards (e.g. – American Camping Association)

Proposed Amendments – Definitions

- **Current definitions (430.020):**
 - Day Camp, Sports Camp and Residential Camp revised to lower the current threshold for licensing.
- **Proposed Amendments:**
 - Day Camp changed from 5 days in a two week period to 4 days
 - Sports Camp changed from 5 days in a two week period to 4 days
 - Residential Camp changed from 4 or more overnights to 3 or more overnights.
- **Rationale:**
 - Addresses concerns regarding sports clinics and other programs operating in an unlicensed capacity that may put children attending these programs at greater risk than those attending licensed camps.

Proposed Amendments – Additions

- **Additions to Specialized High Risk Activities (430.103):**
 - Updated current list of activities to include Challenge Courses/Climbing Walls
 - Added safety standards for Challenge Courses / Climbing Walls (Department of Public Safety code (520 CMR 5.00) and American Camping Association (ACA))
 - Updated safety standards for Firearms and Rifle Ranges based on input from MA Chief of Police Association and M.G.L. C. 140 §129c
- **Rationale:** Ensure regulatory consistency and best industry practices will be adopted at recreational camps.

Proposed Amendments – Technical

- **Storage and Administration of Medicine (430.160):**
 - Revised to require medication to be kept secure, either in locked storage or in the possession of the individual responsible for administering medication.
 - Revised to allow for self-administration under certain conditions for some medications, such as Epi-pens, inhalers and devices for monitoring blood sugar.
- **Tobacco Use (430.165):**
 - Revised to prohibit any form of nicotine delivery device, including e-cigarettes, by staff or campers.
- **Staff Orientation and Training (430.091):**
 - Additional training for specialized activities or to meet camper needs.
 - Additional requirement for staff to take a free-of-charge online head injury safety awareness training (e.g. - CDC's "Heads-Up).

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Proposed Amendments – Technical

- **Required Immunizations (430.152):**
 - Revised to reference annual immunization requirements developed by the CDC.
- **Communicable Disease Reporting and Parental Education Requirements (430.157):**
 - Revised reporting requirements for communicable disease and food poisoning incidents to include MDPH and LBOH.
 - Additional parent education requirement regarding meningococcal disease and immunization (M.G.L. c. 111, s. 219).
- **Health Care Staff to be Provided (430.159):**
 - Expanded to include procedures for using insect repellent, conducting tick checks, and promoting allergy awareness.

Proposed Amendments - Technical

- **Waterfront and Boating Program Requirements (430.204):**
 - Added reference for compliance with Christian's Law (M.G.L. c. 111, s.127A.5) that specifies requirement for swim ability tests and availability of personal flotation devices for campers that are non-swimmers or at-risk swimmers.
- **Swimming Pools (430.430):**
 - Updated to include the Pool Fence law (M.G.L. c.140, s 206) and a federal Virginia Graeme Baker (VGB) Pool and Spa Safety Act relating to pool drain cover safety.
 - Requirement for swim testing at pools was added.
- **Hot Water Temperatures (430.376):**
 - Revised to be consistent with the State Plumbing Code (105 CMR 248).

Proposed Amendments - Technical

- **Required Ratio of Counselors to Campers (430.101):**
 - Clarify required staffing ratios for campers younger than age 7.
 - Clarify line of sight/close proximity counselors must maintain with campers.
- **General Program Requirements (430.190):**
 - Addition of requirement for the camp operator to have a specific procedure for the appropriate identification and handling of unrecognized persons on camp property.
- **New definitions** added that were previously contained within the body of the regulations:
 - Aquatics Director, Lifeguard, CPR Certificate, First Aid Training, and Counselor-in-Training.

Next Steps

- The Bureau of Environmental Health has conducted a comprehensive review of *105 CMR 430.000 Minimum Standards for Recreational Camps for Children* and recommends these proposed amendments.
- Following this presentation to the Public Health Council, a public hearing and comment period will be held.
- A summary of public comments and any changes to the proposed amendments will be presented at a subsequent meeting of the Public Health Council.