SENATE DOCKET, NO. 1199 FILED ON: 1/19/2017

SENATE . . . . . No. 1196

The Commonwealth of Massachusetts

PRESENTED BY:

***James B. Eldridge*, (BY REQUEST)**

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act reducing the risk of skin cancer and excessive UV exposure in children.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	
Maura Flynn	*Maynard, MA 01754*	*2/8/2017*
Patrick M. O'Connor	*Plymouth and Norfolk*	*2/3/2017*

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By Mr. Eldridge (by request), a petition (accompanied by bill, Senate, No. 1196) of Maura Flynn and Patrick M. O'Connor for legislation to reduce the risk of skin cancer and excessive UV exposure in children. Public Health.

The Commonwealth of Massachusetts

In the One Hundred and Ninetieth General Court
(2017-2018)

An Act reducing the risk of skin cancer and excessive UV exposure in children.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

Section 1. Title. This act shall be known as and may be cited as "SUNucate" or the "Reducing the Risk of Skin Cancer and Excessive UV Exposure in Children Act"

Section 2. Purpose. The legislature hereby finds and declares that:

(a) Many children are exposed to UV radiation due to suboptimal sunscreen use and high rates of sunburning, and therefore at risk of excessive UV exposure which could lead to skin cancer development. It is a high priority to ensure that children can use sunscreen and sun-protective clothing when outdoors.

(b) News outlets have reported that some schools do not allow children to bring or use sunscreen without a prescription due to "medication bans" and fears of legal ramifications.

(c) The Centers for Disease Control and Prevention believes that school policies that prohibit hats or student possession of sunscreen can create barriers to the use of important sun protection methods.

(d) The United States Preventive Services Task Force recommends educating children, adolescents and young adults on the dangers of sun exposure to reduce the risk of skin cancer.

(e) It is in the public's interest that schools set policies that include education on sun exposure and encourage our youth to use sun protection, including sunscreen and sun-protective clothing.

Section 3. Sun-Protective Measures in Schools and Youth Camps.

(a) A student may possess and use a topical sunscreen product while on school property or at a school-sponsored event or activity without a physician's note or prescription if the product is approved by the federal Food and Drug Administration for over-the-counter use for the purpose of limiting ultraviolet light-induced skin damage.

(b) A participant in a youth camp may possess and use a topical sunscreen product while attending such camp without a physician's note or prescription if the product is approved by the federal Food and Drug administration for over-the-counter use for the purpose of limiting ultraviolet light-induced skin damage.

(c) A school district or youth camp operator may allow school or youth camp personnel to assist students in applying a topical sunscreen product with parental permission.

(d) School or youth camp personnel may not be held liable in a criminal action or for civil damages for application of a topical sunscreen product if the topical sunscreen product is available to and used by the student or camp participant in accordance with this section.

(e) Each school or camp shall allow for outdoor use articles of sun-protective clothing, including, but not limited to, hats.

i. Schools and youth camps may set a policy related to the type of sun-protective clothing, including, but not limited to, hats, that will be allowed to be used outdoors pursuant to paragraph (e). Specific clothing and hats determined by school or youth camp personnel to be inappropriate apparel may be prohibited by the dress code policy.

Section 4. Sun-Safe Education.

(a) All public schools shall incorporate instruction in the common school grades utilizing existing, free resources on skin cancer prevention. The instruction shall be provided in an age appropriate manner and shall include the following components:

i. The basic facts about skin cancer, including the negative impact of human exposure to ultraviolet radiation obtained through sunburns and indoor tanning.

ii. A comprehensive set of strategies and behaviors to reduce the risk of contracting skin cancer, including the use of sunscreen and sun-protective clothing.

Section 5. Effective. This act shall become effective immediately upon being enacted into law.