



States Promote Sun Safety for Children

BY KATE BRADFORD

Skin cancer is the most common cancer in the U.S., according to the [Centers for Disease Control and Prevention \(CDC\)](#), with [current estimates](#) showing 1 in 5 Americans developing skin cancer by the age of 70. Although highly prevalent, skin cancer is very preventable.

The No. 1 risk factor for skin cancer is exposure to natural and artificial ultraviolet (UV) light. The American Academy of Dermatology encourages staying out of indoor tanning beds and protecting skin from harmful UV rays by seeking shade, wearing protective clothing, and using broad-spectrum, water-resistant sunscreen with a sun protection factor (SPF) of 30 or higher.

[Studies](#) indicate that nearly half of total UV damage occurs before the age of 20 and that sunlight exposure during childhood likely increases the risk of melanoma, the most dangerous form of skin cancer. In addition, children tend to spend more time

outdoors, are more affected by sun damage and may not be aware of skin cancer dangers, according to the [American Cancer Society](#).

Armed with this information, many state and federal policymakers are seeking ways to lower young people's risk for developing cancer. Strategies include regulating indoor tanning use and introducing more sun protection policies in schools.

State Action

■ **Indoor tanning.** The [American Academy of Dermatology](#) recommends that minors not use indoor tanning equipment, and at least 44 states regulate indoor tanning for minors. NCSL published a [2018 online overview](#) of state indoor tanning regulations. It shows that 19 states and Washington, D.C., ban the use of UV tanning devices by minors while other states restrict it. Many states recently introduced additional tanning restrictions for minors.

■ **Sun protection in school.** The most recent [School Health Policies and Practices Study \(SHPPS\)](#)

Did You Know?

- More people are [diagnosed with skin cancer](#) each year in the U.S. than all other cancers combined.
- People who use sunscreen with an SPF of 15 or higher daily [show 24 percent less skin aging](#) than those who do not use sunscreen daily.
- There's no such thing as waterproof sunscreen. The [FDA recommends checking the label](#), as all sunscreens eventually wash off and should be reapplied after getting wet.

by the CDC reports that nearly half of all U.S. school districts recommend allowing students to apply sunscreen at school. Sunscreen is labeled an [over-the-counter drug](#) by the U.S. Food and Drug Administration (FDA), and many schools require certain authorization for students to be provided or allowed to use such medications.

Seventeen states have established policies addressing sun protection in schools. California led the way in 2002, passing the first [law](#) allowing students to wear sun-protective clothing and apply sunscreen without a physician's note or prescription. [New York](#) passed a similar law in 2013, followed by [Texas](#) and [Oregon](#) in 2015. Seven more states—[Alabama](#), [Arizona](#), [Florida](#), [Louisiana](#), [Utah](#), [Washington](#) and [Ohio](#)—passed legislation allowing sunscreen use in schools in 2017, with five more—[Indiana](#), [Pennsylvania](#), [Maryland](#), [Michigan](#) and [Oklahoma](#)—following suit in 2018. [Illinois](#) already passed a bill at the beginning of this year.

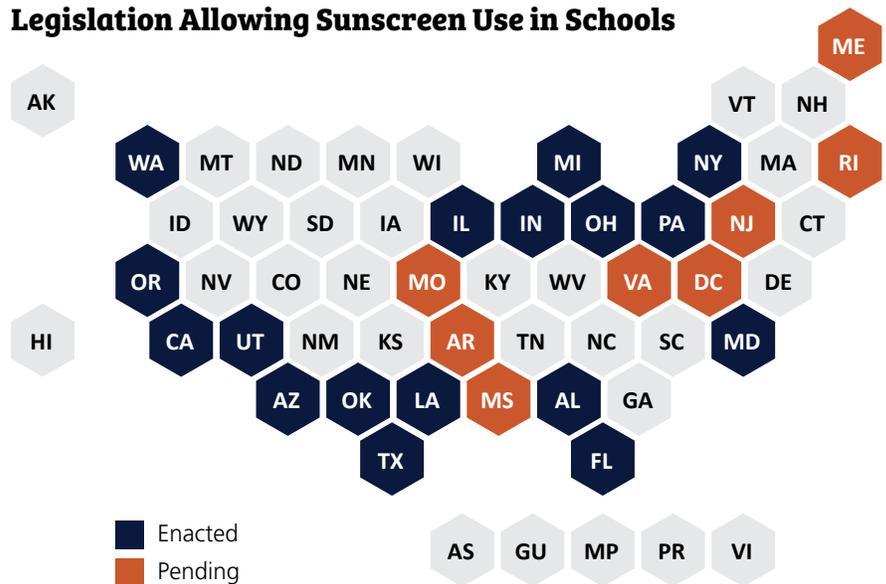
Most of these statutes are similar, but some contain slight variations. Thirteen states allow students to possess and apply sunscreen without a prescription or parent note, with Washington requiring that sunscreen be supplied by the parent. New York, Michigan and Pennsylvania allow students to possess and apply sunscreen only with a note from a parent. Pennsylvania further requires the student to submit a form attesting that he or she knows how to self-apply and is aware of safety precautions for handling the sunscreen. Ohio's bill states that its policy regulating employees' administering drugs to students should not be construed to prohibit a student from possessing and applying sunscreen at school. School districts can decide whether to require authorization from a parent.

Nine states allow teachers to help students apply sunscreen. Six of these states require parental permission and New York specifies additional permission by the individual school.

California, Illinois Oregon and Pennsylvania allow students to wear sun-protective clothing, while Washington, Illinois and Maryland encourage schools to educate children about sun safety guidelines.

The number of states introducing sunscreen legislation has increased in recent years. In 2017, 12 states—the most in a single session since NCSL began tracking the issue in 2015—considered legislation on sunscreen use in schools. Legislatures in Massachusetts, Montana, New Jersey, Rhode Island, Virginia and Washington, D.C., considered sun safety bills in 2018. So far in 2019, Arkansas, Maine, Missouri, Mississippi, Rhode Island and D.C. have introduced new bills allowing sunscreen in schools. In addition, the bills in New Jersey and Virginia have carried

Legislation Allowing Sunscreen Use in Schools



Source: NCSL, 2019

over to the 2019 session.

Some states are taking different approaches to sun safety. Arizona was one of the first states to include sun safety education in schools through its optional [Empower Program](#). [Kentucky](#) and [New York](#) require instruction on skin cancer prevention as a part of their health education curriculums and Florida presents [case studies](#) about shade structures on school playgrounds.

Meanwhile, Hawaii and California are working on efforts to reduce possible risks from sunscreen use. Following recent research about the potential harm of popular sunscreen ingredients on marine ecosystems, [Hawaii](#) became the first state to pass legislation prohibiting the sale and distribution of sunscreen containing oxybenzone or octinoxate, or both, without a prescription. In December, [California](#) introduced similar legislation. The Hawaii Medical Association and sunscreen manufacturers are concerned that such bans will discourage overall safe and effective sunscreen use, particularly because these are the two key ingredients that prevent sun damage.

Federal Action

To increase skin cancer awareness and nationwide policy action, the U.S. Department of Health and Human Services (HHS) published [The Surgeon General's Call to Action to Prevent Skin Cancer](#) in 2014. Several federal departments and agencies are collaborating on efforts related to skin cancer prevention and control, including HHS, the National Cancer Institute, the National Institutes of Health, CDC, FDA and the Agency for Healthcare Research and Quality.

Additional Resources

- [NCSL webpage, Indoor Tanning Restrictions for Minors, a State-by-State Comparison](#)
- [NCSL LegisBrief, "Relaxing School Sunscreen Restrictions"](#)
- [CDC Guidelines for School Programs to Prevent Skin Cancer](#)
- [CDC Sun Safety Tips for Schools](#)
- [CDC Sun Safety at Schools: What You Can Do](#)
- [CDC Shade Planning for America's Schools](#)
- [National Cancer Institute: Sun Safety Intervention Programs](#)

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