



Written by [Raven Clabough](#) on April 20, 2011

## N.Y. Bureaucrats Propose “Risky” Games Restrictions

Regulators in the state of New York proved recently that they have a bit too much time on their hands. New York bureaucrats collectively decided that classic kids’ games such as kickball, tag, Wiffle Ball, and Red Rover pose “a significant risk of injury” and started a campaign to ban these amusements at any recreational facilities. But officials decided to make significant changes to the proposal after media coverage of the plan provoked criticism.



New York’s *Daily News* [reports](#):

The Health Department created a list of supposedly risky recreational activities — which also includes more perilous pursuits like archery, scuba and horseback riding — in response to a state law passed in 2009. The law sought to close a loophole that legislators said allowed too many indoor camp programs to operate without oversight.

The activities deemed risky included:

- Capture the Flag
- Crab Soccer
- Dodgeball
- Flag Tag
- Flag Football
- Ga Ga
- Kickball
- Nuke-’em
- Red Rover
- Steal the Bacon
- Tag (all varieties)

The new rules that were being advocated by the Health Department indicated that any organization with such “risky” recreational activities would be deemed a summer camp and therefore subject to state regulation. Such regulations include a \$200 fee to register as a summer camp, and a mandate to provide medical staff.

Experts predicted that such regulations could be detrimental to the success of small agencies. Others commented on the absurdity of the proposal.



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“It’s crazy,” remarked Dave Mullany, president of Wiffle Ball, Inc. “Amid all this talk of us becoming a nation of overweight kids, we really need to promote activity and kids having fun. Should these kids go to summer camp and sit quietly with their hands folded? It’s a little disconcerting to see fun being legislated.”

In defense of the list of risky sports, Health Department spokeswoman Diane Mathis said, “There will be flexibility in how the law is implemented.”

According to *The Blaze*, media coverage of the proposal ultimately forced the Health Department to yank its proposal:

But after a state senator’s call Friday for a delay in the regulation generated a buzz of news reports, the department reversed course Tuesday, saying the rules proposed under the previous administration were too specific.

Department spokeswoman Claudia Hutton explained the decision, “The practical effect is that we are not going to get that detailed and into micromanagement.”

Hutton asserts that the department will continue to gather information until May 16, and will use the data to formulate new and broad regulations that deal with dangerous conditions rather than specific games.

State Senator Patricia Ritchie of Watertown indicated she was pleased by the Health Department’s reversal. “At a time when our nation’s No. 1 health concern is childhood obesity, I am very happy to see that someone in state government saw we should not be adding new burdensome regulations by classifying tag, Red Rover and Wiffle Ball as dangerous activities,” she observed. “I am glad New York’s children can continue to steal the bacon and play flag football and enjoy other traditional rites of summer.”



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