

By: Hinojosa, et al.

S.B. No. 7

A BILL TO BE ENTITLED

AN ACT

relating to instruction in cardiopulmonary resuscitation and the availability and use of automated external defibrillators at public school campuses and certain athletic events.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Subchapter Z, Chapter 22, Education Code, is amended by adding Section 22.902 to read as follows:

Sec. 22.902. INSTRUCTION RELATED TO CARDIOPULMONARY RESUSCITATION AND USE OF AUTOMATED EXTERNAL DEFIBRILLATOR. (a) A school district shall annually make available to district employees and volunteers instruction in the principles and techniques of cardiopulmonary resuscitation and the use of an automated external defibrillator, as defined by Section 779.001, Health and Safety Code.

(b) The instruction provided in the use of an automated external defibrillator must meet guidelines for automated external defibrillator training approved under Section 779.002, Health and Safety Code, or by the University Interscholastic League.

(c) Each school nurse, assistant school nurse, athletic coach or sponsor, physical education instructor, marching band director, athletic trainer, cheerleading coach, and any other school employee specified by the commissioner and each student who serves as an athletic trainer must participate in the instruction in the use of an automated external defibrillator. A person

1 described by this subsection must receive and maintain  
2 certification in the use of an automated external defibrillator  
3 from the American Heart Association, the American Red Cross, or a  
4 similar nationally recognized association.

5 (d) The commissioner shall adopt rules as necessary to  
6 implement this section.

7 SECTION 2. Section 29.903(b), Education Code, is amended to  
8 read as follows:

9 (b) Each school ~~[To the extent that resources are available~~  
10 ~~to a school district under Section 7.026 or this section, the]~~  
11 district shall provide instruction to high school students in the  
12 principles and techniques of CPR.

13 SECTION 3. Subchapter Z, Chapter 29, Education Code, is  
14 amended by adding Section 29.9031 to read as follows:

15 Sec. 29.9031. AUTOMATED EXTERNAL DEFIBRILLATOR  
16 INSTRUCTION. (a) A school district shall provide instruction to  
17 high school students in the principles and techniques of using an  
18 automated external defibrillator, as defined by Section 779.001,  
19 Health and Safety Code.

20 (b) The commissioner may adopt rules as necessary to  
21 implement this section.

22 SECTION 4. Subchapter A, Chapter 38, Education Code, is  
23 amended by adding Sections 38.017 and 38.018 to read as follows:

24 Sec. 38.017. AVAILABILITY OF AUTOMATED EXTERNAL  
25 DEFIBRILLATOR. (a) Each school district shall make available at  
26 each campus in the district an automated external defibrillator, as  
27 defined by Section 779.001, Health and Safety Code. The campus

1 defibrillator must be readily available during any University  
2 Interscholastic League athletic competition held on the campus.

3 (b) Each school district, in cooperation with the  
4 University Interscholastic League, shall determine the extent to  
5 which an automated external defibrillator must be available at each  
6 University Interscholastic League athletic competition held at a  
7 location other than a district campus and at each University  
8 Interscholastic League athletic practice held at a district campus.  
9 The determination must be based, in addition to any other  
10 appropriate considerations, on relevant medical information and  
11 whether emergency services personnel are present at the athletic  
12 competition or practice under a contract with the school district.

13 (c) Each school district shall ensure the presence at each  
14 location at which an automated external defibrillator is required  
15 under Subsection (a) or (b) of at least one campus or district  
16 employee trained in the proper use of the defibrillator at any time  
17 a substantial number of district students are present at the  
18 location.

19 (d) A school district shall ensure that an automated  
20 external defibrillator is used and maintained in accordance with  
21 standards established under Chapter 779, Health and Safety Code.

22 (e) A person who uses an automated external defibrillator at  
23 a University Interscholastic League athletic competition or  
24 practice in a reasonably prudent manner, including a person who has  
25 not received training under Section 22.902 or 29.9031, has not  
26 committed a violation of a standard of conduct that would subject  
27 the person to liability for civil damages.

1       Sec. 38.018. PROCEDURES REGARDING RESPONSE TO CARDIAC  
2 ARREST. Each school district shall develop safety procedures for a  
3 district employee or student to follow in responding to a medical  
4 emergency involving cardiac arrest, including the appropriate  
5 response time in administering cardiopulmonary resuscitation,  
6 using an automated external defibrillator, as defined by Section  
7 779.001, Health and Safety Code, or calling a local emergency  
8 medical services provider.

9       SECTION 5. Subchapter B, Chapter 44, Education Code, is  
10 amended by adding Section 44.047 to read as follows:

11       Sec. 44.047. PURCHASE OR LEASE OF AUTOMATED EXTERNAL  
12 DEFIBRILLATOR. A school district that purchases or leases an  
13 automated external defibrillator, as defined by Section 779.001,  
14 Health and Safety Code, shall ensure that the automated external  
15 defibrillator is of the highest voltage approved by the federal  
16 Food and Drug Administration.

17       SECTION 6. This Act applies beginning with the 2007-2008  
18 school year.

19       SECTION 7. This Act takes effect immediately if it receives  
20 a vote of two-thirds of all the members elected to each house, as  
21 provided by Section 39, Article III, Texas Constitution. If this  
22 Act does not receive the vote necessary for immediate effect, this  
23 Act takes effect September 1, 2007.