

BILL ANALYSIS

C.S.H.B. 897
By: Zerwas
Public Education
Committee Report (Substituted)

BACKGROUND AND PURPOSE

According to interested parties, the survival rate for out-of-hospital cardiac arrest, which can be caused by a variety of accidents and ailments, is perilously low, making the need for cardiopulmonary resuscitation (CPR) training apparent. The parties contend that adding CPR training to Texas' education curriculum would add more than a million trained responders to the state population every few years, potentially saving thousands of lives. C.S.H.B. 897 seeks to ensure that students in grades 7 through 12 are trained in CPR and the use of an automated external defibrillator before graduation.

RULEMAKING AUTHORITY

It is the committee's opinion that rulemaking authority is expressly granted to the State Board of Education in SECTION 1 of this bill.

ANALYSIS

C.S.H.B. 897 amends the Education Code to require the State Board of Education (SBOE) by rule to require instruction in cardiopulmonary resuscitation (CPR) and the use of an automated external defibrillator (AED), rather than including such instruction as part of the essential knowledge and skills of the required health curriculum, and to specify grades 7 through 12 as the grade levels at which the instruction is required. The bill requires a school district and open-enrollment charter school to provide instruction to students in CPR and the use of an AED in a manner consistent with law and SBOE rules, removes a requirement that a private school provide such instruction, and specifies that the students to whom instruction is to be provided are those in grades 7 through 12. The bill requires such a student to receive this instruction at least once before graduation and authorizes the instruction to be provided as a part of any course.

C.S.H.B. 897 authorizes a school administrator to waive the CPR and AED curriculum requirement for an eligible student who has a disability. The bill requires the CPR and AED instruction to include training on these topics developed by the American Heart Association or the American Red Cross or developed using nationally recognized, evidence-based guidelines for emergency cardiovascular care and incorporating psychomotor skills, defined in the bill as hands-on practice to support cognitive learning, to support the instruction.

C.S.H.B. 897 authorizes a school district or an open-enrollment charter school to use qualified individuals to provide CPR and AED instruction and training and sets out examples of such individuals. The bill specifies that such instruction is not required to result in CPR or AED certification but does require a course instructor to be authorized to provide the instruction by the American Heart Association, the American Red Cross, or a similar nationally recognized association if the instruction is intended to result in such certification. The bill's provisions apply beginning with the 2014-2015 school year.

EFFECTIVE DATE

On passage, or, if the bill does not receive the necessary vote, September 1, 2013.

COMPARISON OF ORIGINAL AND SUBSTITUTE

While C.S.H.B. 897 may differ from the original in minor or nonsubstantive ways, the following comparison is organized and highlighted in a manner that indicates the substantial differences between the original and committee substitute versions of the bill.

INTRODUCED

SECTION 1. Section 28.0023, Education Code, is amended by amending Subsections (b) and (c) and adding Subsections (d), (e), (f), and (g) to read as follows:

(b) The State Board of Education by rule shall **include** ~~[elements relating to]~~ instruction in cardiopulmonary resuscitation and the use of an automated external defibrillator **as part of the essential knowledge and skills of the health curriculum under Section 28.002(a)(2)(B) for students in grades 7 through 12.**

(c) A school district, open-enrollment charter school, or [This subsection applies only to a private school that receives an automated external defibrillator from the agency or receives funding from the agency to purchase or lease an automated external defibrillator. A] **private** school shall provide instruction to students in grades 7 through 12 in cardiopulmonary resuscitation and the use of an automated external defibrillator in a manner consistent with the requirements of this section and State Board of Education rules adopted under this section. A student shall receive this instruction at least once before graduation.

(d) A school administrator may waive the curriculum requirement under this section for an eligible student who has a disability.

(e) Cardiopulmonary resuscitation and automated external defibrillator instruction must include cardiopulmonary resuscitation and automated external defibrillator training that has been developed:

(1) by the American Heart Association or the American Red Cross; or

(2) using nationally recognized, evidence-based guidelines for emergency cardiovascular care and incorporating psychomotor skills to support the instruction.

HOUSE COMMITTEE SUBSTITUTE

SECTION 1. Section 28.0023, Education Code, is amended by amending Subsections (b) and (c) and adding Subsections (d), (e), (f), and (g) to read as follows:

(b) The State Board of Education by rule shall **require** ~~[include elements relating to]~~ instruction in cardiopulmonary resuscitation and the use of an automated external defibrillator **for students in grades 7 through 12** ~~[as part of the essential knowledge and skills of the health curriculum under Section 28.002(a)(2)(B)].~~

(c) A school district or open-enrollment charter ~~[This subsection applies only to a private school that receives an automated external defibrillator from the agency or receives funding from the agency to purchase or lease an automated external defibrillator. A~~ **private** school shall provide instruction to students in grades 7 through 12 in cardiopulmonary resuscitation and the use of an automated external defibrillator in a manner consistent with the requirements of this section and State Board of Education rules adopted under this section. **The instruction may be provided as a part of any course.** A student shall receive the instruction at least once before graduation.

(d) A school administrator may waive the curriculum requirement under this section for an eligible student who has a disability.

(e) Cardiopulmonary resuscitation and automated external defibrillator instruction must include cardiopulmonary resuscitation and automated external defibrillator training that has been developed:

(1) by the American Heart Association or the American Red Cross; or

(2) using nationally recognized, evidence-based guidelines for emergency cardiovascular care and incorporating psychomotor skills to support the instruction.

(f) For purposes of Subsection (e), "psychomotor skills" means hands-on practice to support cognitive learning. The term does not include cognitive-only instruction and training.

(g) A school district, open-enrollment charter school, or private school may use emergency medical technicians, paramedics, police officers, firefighters, representatives of the American Heart Association or the American Red Cross, teachers, other school employees, or other similarly qualified individuals to provide instruction and training under this section. Instruction provided under this section is not required to result in certification in cardiopulmonary resuscitation or the use of an automated external defibrillator. If instruction is intended to result in certification in cardiopulmonary resuscitation or the use of an automated external defibrillator, the course instructor must be authorized to provide the instruction by the American Heart Association, the American Red Cross, or a similar nationally recognized association.

SECTION 2. This Act applies beginning with the 2014-2015 school year.

SECTION 3. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2013.

(f) For purposes of Subsection (e), "psychomotor skills" means hands-on practice to support cognitive learning. The term does not include cognitive-only instruction and training.

(g) A school district or open-enrollment charter school may use emergency medical technicians, paramedics, police officers, firefighters, representatives of the American Heart Association or the American Red Cross, teachers, other school employees, or other similarly qualified individuals to provide instruction and training under this section. Instruction provided under this section is not required to result in certification in cardiopulmonary resuscitation or the use of an automated external defibrillator. If instruction is intended to result in certification in cardiopulmonary resuscitation or the use of an automated external defibrillator, the course instructor must be authorized to provide the instruction by the American Heart Association, the American Red Cross, or a similar nationally recognized association.

SECTION 2. Same as introduced version.

SECTION 3. Same as introduced version.