

## **BILL ANALYSIS**

H.B. 204  
By: Huberty  
Public Education  
Committee Report (Unamended)

### **BACKGROUND AND PURPOSE**

Interested parties note the number of student athletes who have died from exercise-induced cardiac arrest and contend that an electrocardiogram or echocardiogram used to detect early signs of heart disease or disorders could help prevent these tragic deaths. H.B. 204 seeks to provide for the early identification of an at-risk student and allow the student to take necessary precautions before participating in certain physical activities.

### **CRIMINAL JUSTICE IMPACT**

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

### **RULEMAKING AUTHORITY**

It is the committee's opinion that rulemaking authority is expressly granted to the University Interscholastic League in SECTION 1 of this bill.

### **ANALYSIS**

H.B. 204 amends the Education Code to require a public school district to require a district student who must receive a physical examination under University Interscholastic League (UIL) rule or policy before being allowed to participate in a UIL sponsored or sanctioned athletic activity to also have administered to the student an electrocardiogram or echocardiogram before being allowed to participate in the activity, including a practice for the activity, one time before the student's first year of participation at the ninth grade level or above and another time before the student's subsequent year of participation at the 11th grade level, if 11th grade is not the student's first year of participation. The bill expressly does not create a cause of action or liability against an appropriately licensed or certified health care professional, a school district, or a district officer or employee for the injury or death of a student participating in or practicing for a UIL sponsored or sanctioned athletic activity based on or in connection with the administration or evaluation of or reliance on an electrocardiogram or on an echocardiogram.

H.B. 204 authorizes a district, to facilitate the administration of electrocardiograms or echocardiograms to students, to partner with a nonprofit entity to provide electrocardiograms or echocardiograms at the district's expense or to elect to pay for the costs of administering electrocardiograms or echocardiograms to students. The bill requires UIL to adopt rules as necessary to administer the bill's provisions. The bill requires the rules to include criteria under which a school district may demonstrate a hardship that allows the district to delay administering required electrocardiograms or echocardiograms to students and procedures that provide for granting a waiver from administration of an electrocardiogram or echocardiogram to a student if, for any reason, the parent or person standing in parental relation to the student submits a written request for the waiver. The bill applies beginning with the 2018-2019 school year.

**EFFECTIVE DATE**

On passage, or, if the bill does not receive the necessary vote, December 1, 2017.