86R8946 GCB-D

By:  Hinojosa S.B. No. 2087

A BILL TO BE ENTITLED

AN ACT

relating to traumatic injury response protocol and the use of bleeding control kits in public schools.

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

SECTION 1.  Subchapter A, Chapter 38, Education Code, is amended by adding Section 38.030 to read as follows:

Sec. 38.030.  TRAUMATIC INJURY RESPONSE PROTOCOL. (a) A school district or open-enrollment charter school shall develop and annually make available a protocol for school employees and volunteers to follow in the event of a traumatic injury.

(b)  The protocol required under this section must provide for a school district or open-enrollment charter school to maintain and make available to school employees and volunteers a bleeding control kit for use in the event of a traumatic injury involving blood loss.

(c)  A bleeding control kit required under this section must be a first aid response kit that includes:

(1)  a tourniquet approved for use in battlefield trauma care by the armed forces of the United States;

(2)  compression bandages;

(3)  bleeding control bandages;

(4)  protective gloves;

(5)  markers;

(6)  scissors; and

(7)  instructional documents developed by the American College of Surgeons or the United States Department of Homeland Security detailing methods to prevent blood loss following a traumatic event.

(d)  In addition to the items listed under Subsection (c), a school district or open-enrollment charter school may also include in a bleeding control kit any medical material or equipment that:

(1)  may be readily stored in a bleeding control kit;

(2)  may be used to adequately treat an injury involving traumatic blood loss; and

(3)  is approved by local law enforcement or emergency medical services personnel.

(e)  A school district or open-enrollment charter school and the employees or volunteers of the district or school are immune from civil liability from damages or injuries resulting from the good faith use of a bleeding control kit by an employee or volunteer of the district or school to control the bleeding of an injured person, provided that:

(1)  the employee or volunteer followed the protocol developed under Subsection (a); and

(2)  the employee or volunteer did not act with gross negligence in the use of the bleeding control kit.

SECTION 2.  As soon as practicable after the effective date of this Act, and not later than January 1, 2020, each school district and open-enrollment charter school shall develop and implement the traumatic injury response protocol required by Section 38.030, Education Code, as added by this Act.

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, 2019.