

By: Gervin-Hawkins

H.B. No. 496

A BILL TO BE ENTITLED

AN ACT

relating to the placement of bleeding control kits in public schools and to required training of school personnel.

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

SECTION 1. Subchapter A, Chapter 38, Education Code, is amended by adding Section 38.029 to read as follows:

Sec. 38.029. BLEEDING CONTROL KIT PROGRAM. (a) Each school district and open-enrollment charter school shall develop and implement at each campus of the district or school a bleeding control kit program that:

(1) ensures that bleeding control kits, as described by Subsection (b), are stored in easily accessible areas of the campus that are selected by the district's school safety and security committee or the charter school's governing body;

(2) includes the use of bleeding control kits in:

(A) a district's multihazard emergency operations plan under Section 37.108(a); or

(B) any security planning measure or protocol adopted by a charter school's governing body; and

(3) requires all district or school personnel who may be reasonably expected to use a bleeding control kit in the event of an injury to another person to receive agency-approved training.

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

- 1 (1) one tourniquet;
2 (2) two compressed gauze dressings;
3 (3) one trauma dressing;
4 (4) nitrile gloves;
5 (5) scissors; and
6 (6) instructional documents adopted by the agency
7 detailing methods to prevent blood loss following a traumatic
8 event.

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

- 12 (1) may be readily stored in a bleeding control kit;
13 (2) may be used to adequately treat an injury
14 involving traumatic blood loss; and
15 (3) is approved by local law enforcement or emergency
16 medical services personnel.

17 (d) A school district or open-enrollment charter school
18 shall conduct an annual inspection of the medical material and
19 equipment in each bleeding control kit stored on a campus of the
20 district or school and replace any expired material or equipment as
21 necessary.

22 (e) A school district or open-enrollment charter school
23 must restock a bleeding control kit as soon as practicable after a
24 use of the kit to ensure the kit contains all required material and
25 equipment.

26 (f) To satisfy the training requirement of Subsection
27 (a)(3), the agency may approve an online course of instruction

1 provided by the American College of Surgeons or a similar
2 organization.

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

8 (1) the employee received the training required under
9 Subsection (a)(3); and

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

12 SECTION 2. (a) Not later than October 1, 2019, the Texas
13 Education Agency shall approve training in the use of a bleeding
14 control kit that is appropriate to satisfy the training required by
15 Section 38.029(a)(3), Education Code, as added by this Act.

16 (b) As soon as practicable after the effective date of this
17 Act, and not later than January 1, 2020, each school district and
18 open-enrollment charter school shall develop and implement the
19 bleeding control kit program required by Section 38.029, Education
20 Code, as added by this Act.

21 SECTION 3. This Act takes effect immediately if it receives
22 a vote of two-thirds of all the members elected to each house, as
23 provided by Section 39, Article III, Texas Constitution. If this
24 Act does not receive the vote necessary for immediate effect, this
25 Act takes effect September 1, 2019.