

BILL ANALYSIS

Senate Research Center

H.B. 4375
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Education
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Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Currently, Section 28.0023 of the Education Code requires that students practice hands-on CPR training using nationally recognized, evidence-based guidelines and incorporating psychomotor skills to support cognitive learning. This requirement was passed in 2013 as H.B. 897. A school district 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.

H.B. 4375 clarifies existing statutes requiring training in hand-on CPR for 7th through 12th grade students by adding language including training on the use of an automatic external defibrillator (AED).

- While most CPR training platforms already include training on how to locate and make use of an AED, there has been confusion over whether this training is required under existing statutes. This bill clarifies that such training should include both hands-on CPR and training on the use of AEDs.

The bill also authorizes the commissioner of education to award grants (from appropriated funds or funds otherwise available) to school districts to assist in providing CPR and AED instruction to students.

H.B. 4375 expands the authorization for the Texas Education Agency (TEA) to accept donations for use in providing CPR instruction, and for districts to accept donations received by TEA, to provide also for the acceptance of donations for use in providing instruction in the use of an AED.

H.B. 4375 amends current law relating to instruction in cardiopulmonary resuscitation and the use of an automated external defibrillator in public schools.

RULEMAKING AUTHORITY

Rulemaking authority previously granted to the State Board of Education is modified in SECTION 3 (Section 28.0023, Education Code) of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends the heading to Section 7.026, Education Code, to read as follows:

Sec. 7.026. DONATIONS FOR USE RELATED TO CARDIOPULMONARY RESUSCITATION (CPR) AND AUTOMATED EXTERNAL DEFIBRILLATOR (AED) INSTRUCTION.

SECTION 2. Amends Section 7.026(a), Education Code, as follows:

(a) Authorizes the Texas Education Agency to accept donations, including donations of equipment, for use in providing instruction in cardiopulmonary resuscitation (CPR) and the use of an automated external defibrillator (AED), rather than providing CPR instruction, to students. Makes a conforming change.

SECTION 3. Amends Sections 28.0023(b), (c), (e), and (g), Education Code, as follows:

(b) Requires the State Board of Education (SBOE) by rule to require instruction in cardiopulmonary resuscitation and the use of an automated external defibrillator for students in grades 7 through 12.

(c) Requires a school district or open-enrollment charter school to 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 Section 28.0023 (Cardiopulmonary Resuscitation and Automated External Defibrillator Instruction) and SBOE rules adopted under this section.

(e) Requires that cardiopulmonary resuscitation instruction include training in cardiopulmonary resuscitation techniques and the use of an automated external defibrillator that has been developed meeting certain criteria.

(g) Provides that instruction provided under this section is not required to result in certification in cardiopulmonary resuscitation or the use of an automated external defibrillator. Requires the course instructor, if instruction is intended to result in certification in cardiopulmonary resuscitation or the use of an automated external defibrillator, to be authorized to provide the instruction by the American Heart Association, the American Red Cross, or a similar nationally recognized association.

SECTION 4. Amends the heading to Section 29.903, Education Code, to read as follows:

Sec. 29.903. CARDIOPULMONARY RESUSCITATION (CPR) AND AUTOMATED EXTERNAL DEFIBRILLATOR (AED) INSTRUCTION; DONATIONS TO SCHOOL DISTRICTS FOR USE IN CPR AND AED INSTRUCTION.

SECTION 5. Amends Sections 29.903(a) and (c), Education Code, to make conforming changes.

SECTION 6. Provides that this Act applies beginning with the 2023–2024 school year.

SECTION 7. Effective date: upon passage or September 1, 2023.