

BILL ANALYSIS

C.S.H.B. 850
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Public Education
Committee Report (Substituted)

BACKGROUND AND PURPOSE

According to the Parent Heart Watch Organization, sudden cardiac arrest is the leading cause of death on school campuses, with approximately thousands of youth lost nationally each year. A large percentage of victims die because emergency aid is not delivered within three to five minutes, and with every minute defibrillation is delayed survival rates drop by 7 to 10 percent. The bill author has informed the committee that despite current law requiring every school to have at least one functioning automated external defibrillator (AED), student lives are lost because of nonfunctional AEDs. According to Houston Public Media, a service of the University of Houston, following the death of 14-year-old Landon Payton at Marshall Middle School in Houston Independent School District (HISD), an audit uncovered that 170 of the 1,038 AEDs in HISD were not operational. The bill author further informed the committee that, collectively, this highlights the need for a cardiac emergency response plan that better prepares Texas schools for sudden cardiac arrest, increasing the chances of saving Texas student and staff lives while on school campuses. C.S.H.B. 850 seeks to ensure that AEDs are readily available on campuses and to require the implementation of a comprehensive cardiac emergency response plan.

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 this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

C.S.H.B. 850 amends the Education Code to replace the requirement for each public school district and private school to develop safety procedures for an employee or student to follow in responding to a medical emergency involving cardiac arrest, including the appropriate response time in administering cardiopulmonary resuscitation, using an automated external defibrillator or calling a local emergency medical services provider with a requirement for each district and private school instead to develop and implement a cardiac emergency response plan that establishes safety procedures for an employee or other appropriate personnel to follow in responding to a medical emergency involving cardiac arrest on district or school grounds. The bill defines "automated external defibrillator" by reference as a heart monitor and defibrillator that meets the following conditions:

- has received approval from the FDA of its premarket notification filed under federal law;
- is capable of recognizing the presence or absence of ventricular fibrillation or rapid ventricular tachycardia and is capable of determining, without interpretation of cardiac rhythm by an operator, whether defibrillation should be performed; and
- on determining that defibrillation should be performed, automatically charges and requests delivery of an electrical impulse to an individual's heart.

C.S.H.B. 850 requires the district or school, in developing the cardiac emergency response plan, to work directly with local emergency services providers to integrate the plan with the providers' protocols and incorporate evidence-based practices, such as the American Heart Association's core elements for cardiac emergency response plans. The bill requires the plan to include at a minimum the following:

- the establishment of a cardiac emergency response team;
- procedures for activating the cardiac emergency response team in response to a medical emergency involving cardiac arrest;
- the dissemination of the plan throughout each district or school campus;
- ongoing training in first aid, cardiopulmonary resuscitation, and the use of automated external defibrillators, using evidence-based guidelines, for appropriate district or school employees, including school coaches, school nurses, and athletic trainers;
- annual practice drills in responding to a medical emergency involving cardiac arrest; and
- annual review, evaluation, and, if necessary, modification of the plan.

The bill clarifies that a private school is required to develop a cardiac emergency response plan only if the school receives an automated external defibrillator from the Texas Education Agency (TEA) or receives funding from TEA to purchase or lease an automated external defibrillator. The bill requires the commissioner of education to establish a grant program to award grants to districts and schools to assist with the implementation of a cardiac emergency response plan and, in awarding grants, to prioritize districts or schools at which at least 50 percent of enrolled students are educationally disadvantaged.

C.S.H.B. 850, for purposes of the requirement in current law for certain school employees and certain students to receive and maintain certification in the use of an automated external defibrillator from the American Heart Association, the American Red Cross, or a similar nationally recognized association, replaces a similar nationally recognized association with a similar nationally recognized, guidelines-based organization focused on emergency cardiovascular care.

C.S.H.B. 850 changes the number of automated external defibrillators that a district is required to make available from at least one defibrillator to the number of defibrillators necessary for a defibrillator to be accessible from any location on campus so that a person may provide emergency care to a person in cardiac arrest within three minutes of being notified of a possible medical emergency involving cardiac arrest. The bill revises the requirement for the principal of a campus, in determining the location at which to store a campus defibrillator, to consider the primary location on campus where students engage in athletic activities by requiring the principal instead to consider the guidelines from the American Heart Association or another organization with expertise in emergency cardiovascular care and ensure that the defibrillator is clearly marked when determining the placement of such a defibrillator.

C.S.H.B. 850 requires each public school and private school, not later than the first instructional day of the 2027-2028 school year and as applicable, to make available the number of automatic external defibrillators and implement a cardiac emergency response plan as required by the bill's provisions.

EFFECTIVE DATE

On passage, or, if the bill does not receive the necessary vote, September 1, 2025.

COMPARISON OF INTRODUCED AND SUBSTITUTE

While C.S.H.B. 850 may differ from the introduced in minor or nonsubstantive ways, the following summarizes the substantial differences between the introduced and committee substitute versions of the bill.

While both the introduced and substitute require a district or school, in developing the cardiac emergency response plan, to incorporate evidence-based practices, the substitute replaces the

example of the American Heart Association's guidelines for cardiac emergency response plans, as in the introduced, with the American Heart Association's core elements for such plans. The substitute includes a provision absent from the introduced replacing a similar nationally recognized association with a similar nationally recognized, guidelines-based organization focused on emergency cardiovascular care for purposes of the requirement for certain school employees and students to receive and maintain certification in the use of an automated external defibrillator from such an entity.