

BILL ANALYSIS

S.B. 865
By: Alvarado
Public Education
Committee Report (Unamended)

BACKGROUND AND PURPOSE

The bill sponsor has informed the committee that in August of 2024, a Houston Independent School District middle school student experienced a fatal medical emergency in the immediate presence of untrained staff who lacked the knowledge to perform cardiopulmonary resuscitation (CPR) or operate an automated external defibrillator (AED). The bill sponsor has further informed the committee that ensuring that school personnel are properly trained in CPR and AED use is essential for improving emergency response capabilities and increasing the likelihood of positive outcomes in medical emergencies. S.B. 865 seeks to address these deficiencies by mandating CPR training for certain school staff, reinforcing the importance of preparation, and fostering a culture of safety within Texas schools. By ensuring emergency response readiness, this legislation aims to create a safer educational environment for all students and staff.

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

S.B. 865 amends the Education Code to require each school nurse, assistant school nurse, athletic coach or sponsor, physical education instructor, marching band director, cheerleading coach, and any other school employee specified by the commissioner of education and each student who serves as an athletic trainer to participate in the instruction in cardiopulmonary resuscitation (CPR) and to receive and maintain certification in CPR from the American Heart Association, the American Red Cross, or a similar nationally recognized association.

S.B. 865 revises the requirement for a private school that receives an automated external defibrillator (AED) from the Texas Education Agency (TEA) or receives funding from TEA to purchase or lease an AED to adopt a policy under which the school makes available to school employees and volunteers instruction in the principles and techniques of CPR and the use of an AED, as follows:

- additionally requires an open-enrollment charter school to adopt such a policy; and
- replaces volunteers with volunteer nurses as individuals to whom instruction is made available under the policy.

S.B. 865 replaces the requirement for each public school district and each private school to develop safety procedures for a district or school employee or student to follow in responding

to a medical emergency involving cardiac arrest, including the appropriate response time in administering CPR, using an AED, or calling a local emergency medical services provider, and the specification that a private school is required to develop such safety procedures only if the school receives an AED from TEA or receives funding from TEA to purchase or lease an AED with the following provisions:

- a requirement for each district and private school to develop and implement a cardiac emergency response plan that establishes safety procedures for a district or school employee or other appropriate personnel to follow in responding to a medical emergency involving cardiac arrest on district or school grounds; and
- a specification that a private school is required to develop such a plan only if the school receives an AED from TEA or receives funding from TEA to purchase or lease an AED.

The bill requires the district or private school, in developing the plan, to work directly with local emergency services providers to integrate the plan with the providers' protocols and to incorporate evidence-based practices of a nationally recognized, guidelines-based organization focused on emergency cardiovascular care. The bill requires the plan to include, at a minimum, the following components:

- 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 private school campus;
- ongoing training in first aid, CPR, and the use of AEDs, 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 requires each public school and private school to which these bill provisions apply to implement the required cardiac emergency response plan not later than the first instructional day of the 2027-2028 school year.

S.B. 865 applies beginning with the 2025-2026 school year.

EFFECTIVE DATE

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