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S.B. No. 865

A BILL TO BE ENTITLED

AN ACT

relating to instruction in cardiopulmonary resuscitation and the use of automated external defibrillators and to a cardiac emergency response plan for certain school employees and volunteers.

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

SECTION 1. Sections 22.902(c) and (e), Education Code, are amended to read as follows:

(c) 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 and each student who serves as an athletic trainer must participate in the instruction in cardiopulmonary resuscitation and ~~[in]~~ the use of an automated external defibrillator. A person described by this subsection must receive and maintain certification in cardiopulmonary resuscitation and the use of an automated external defibrillator from the American Heart Association, the American Red Cross, or a similar nationally recognized association.

(e) A ~~[This subsection applies only to a]~~ private school that receives an automated external defibrillator from the agency or receives funding from the agency to purchase or lease an automated external defibrillator or an open-enrollment charter school ~~[. A private school]~~ shall adopt a policy under which the school makes available to school employees and volunteer nurses

~~[volunteers]~~ instruction in the principles and techniques of cardiopulmonary resuscitation and the use of an automated external defibrillator. The policy must comply with the requirements prescribed by this section and commissioner rules adopted under this section, including the requirements prescribed by Subsection (c).

SECTION 2. Section 38.018, Education Code, is amended to read as follows:

Sec. 38.018. ~~[PROCEDURES REGARDING RESPONSE TO]~~ CARDIAC EMERGENCY RESPONSE PLAN ~~[ARREST]~~. (a) Each school district and private school shall develop and implement a cardiac emergency response plan that establishes safety procedures for a district or school employee or other appropriate personnel ~~[student]~~ to follow in responding to a medical emergency involving cardiac arrest on district or school grounds ~~[, including the appropriate response time in administering cardiopulmonary resuscitation, using an automated external defibrillator, as defined by Section 779.001, Health and Safety Code, or calling a local emergency medical services provider]~~.

(b) In developing the plan, the district or school shall:

- (1) work directly with local emergency services providers to integrate the plan with the providers' protocols; and
- (2) incorporate evidence-based practices of a nationally recognized, guidelines-based organization focused on emergency cardiovascular care.

(c) The plan must include at a minimum:

- (1) the establishment of a cardiac emergency response

1 team;

2 (2) procedures for activating the cardiac emergency
3 response team in response to a medical emergency involving cardiac
4 arrest;

5 (3) the dissemination of the plan throughout each
6 district or school campus;

7 (4) ongoing training in first aid, cardiopulmonary
8 resuscitation, and the use of automated external defibrillators, as
9 defined by Section 779.001, Health and Safety Code, using
10 evidence-based guidelines, for appropriate district or school
11 employees, including school coaches, school nurses, and athletic
12 trainers;

13 (5) annual practice drills in responding to a medical
14 emergency involving cardiac arrest; and

15 (6) annual review, evaluation, and, if necessary,
16 modification of the plan.

17 (d) A private school is required to develop a cardiac
18 emergency response plan [~~safety procedures~~] under this section only
19 if the school receives an automated external defibrillator from the
20 agency or receives funding from the agency to purchase or lease an
21 automated external defibrillator.

22 SECTION 3. This Act applies beginning with the 2025-2026
23 school year.

24 SECTION 4. Not later than the first instructional day of the
25 2027-2028 school year, each public school and private school to
26 which Section 38.018, Education Code, as amended by this Act,
27 applies shall implement a cardiac emergency response plan as

1 required by that section.

2 SECTION 5. This Act takes effect immediately if it receives
3 a vote of two-thirds of all the members elected to each house, as
4 provided by Section 39, Article III, Texas Constitution. If this
5 Act does not receive the vote necessary for immediate effect, this
6 Act takes effect September 1, 2025.