

BILL ANALYSIS

Senate Research Center
80R943 SLO-D

C.S.S.B. 7
By: Hinojosa et al.
Education
3/1/2007
Committee Report (Substituted)

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Each year, at least 250,000 Americans die of sudden cardiac arrest before they reach a hospital. Sudden cardiac arrest strikes people of all ages and degrees of fitness, and usually strikes without warning. Many lives can be saved if bystanders quickly phone 911 and begin cardiopulmonary resuscitation (CPR), or if a trained responder provides defibrillation within minutes. Most cardiac arrest is caused by ventricular fibrillation, an abnormal heart rhythm that prevents the heart from pumping blood, which can be treated by defibrillation.

C.S.S.B. 7 requires that at least one AED be made available at every public school campus, and school athletic competitions and practices, and that someone who knows how to use the AED be present at each location where the device is available. Also, C.S.S.B. 7 requires training of certain school personnel and certain students in the proper use of an AED and in using CPR. In addition, C.S.S.B. 7 requires the State Board of Education to include instruction in CPR and AED as part of the essential knowledge and skills of the health curriculum. C.S.S.B. 7 authorizes the Texas Education Agency to accept donations to assist in the cost of providing CPR and AED instruction, and the donations are to be made available to school districts for the purpose of providing CPR and AED instruction .

RULEMAKING AUTHORITY

Rulemaking authority is expressly granted to the commissioner of education in SECTION 2 (Section 22.902, Education Code) and to the State Board of Education in SECTION 3 (Section 28.0023, Education Code) of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 7.026(a), Education Code, as follows:

(a) Requires the Texas Education Agency (TEA) to distribute donations, including donations of equipment, to school districts (districts) for the purpose of providing cardiopulmonary resuscitation (CPR) instruction, rather than distributing the donations to school districts that provide CPR instruction, to students under Sections 28.0023 and 29.903, rather than only Section 29.903.

SECTION 2. Amends Subchapter Z, Chapter 22, Education Code, by adding Section 22.902, as follows:

Sec. 22.902. INSTRUCTION RELATED TO CARDIOPULMONARY RESUSCITATION AND USE OF AUTOMATED EXTERNAL DEFIBRILLATOR. (a) Requires a school district (district) to annually make available to district employees and volunteers instruction in the principles and techniques of CPR and the use of an automated external defibrillator (AED), as defined by Section 779.001, Health and Safety Code.

(b) Requires the instruction provided in the AED training to meet guidelines for AED training approved under Section 779.002, Health and Safety Code, or by the University Interscholastic League (UIL).

(c) Requires certain school personnel and each student who serves as an athletic trainer to participate in the instruction for the use of an AED. Requires these

individuals to receive and maintain certification in the use of an AED from the American Heart Association, the American Red Cross, or a similar nationally recognized association.

(d) Requires the commissioner of education to adopt rules as necessary to implement this section.

SECTION 3. Amends Subchapter A, Chapter 28, Education Code, by adding Section 28.0023, as follows:

Sec. 28.0023. CARDIOPULMONARY RESUSCITATION AND AUTOMATED EXTERNAL DEFIBRILLATOR INSTRUCTION. (a) Defines "automated external defibrillator."

(b) Requires the State Board of Education (board) by rule to include elements relating to instruction in CPR and the use of an AED as part of the essential knowledge and skills of the health curriculum under Section 28.002(a)(2)(B).

SECTION 4. Amends Section 29.903(a), Education Code, as follows:

(a) Deletes existing text limiting donations to a district providing instruction to students in the principles and techniques of CPR. Authorizes a district to accept from TEA donations TEA receives under Section 7.026 for use in providing instruction to students in the principles and techniques of CPR

SECTION 5. Amends Subchapter A, Chapter 38, Education Code, by adding Sections 38.017 and 38.018, as follows:

Sec. 38.017. AVAILABILITY OF AUTOMATED EXTERNAL DEFIBRILLATOR.

(a) Requires each district to make available at each campus in the district at least one AED, as defined by Section 779.001, Health and Safety Code. Requires a campus AED to be readily available during any UIL athletic competition (competition) held on the campus.

(b) Requires each school district, in cooperation with UIL, to determine the extent to which an AED must be available at each competition held at a location other than a district campus, and at each UIL practice (practice) held at a district campus. Requires the determination to be based, in addition to any other appropriate consideration, on relevant medical information and whether emergency services personnel are present at the athletic competition or practice under a contract with the district.

(c) Requires each district to ensure the presence at each location at which an AED is required of at least one campus or district employee trained in the proper use of the AED at any time a substantial number of district students are present at the location.

(d) Requires a district to ensure that an AED is used and maintained in accordance with standards established under Chapter 779, Health and Safety Code.

Sec. 38.018. PROCEDURES REGARDING RESPONSE TO CARDIAC ARREST.

Requires each district to develop safety procedures for a district 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 AED, or calling a local emergency medical services provider.

SECTION 6. Amends Subchapter B, Chapter 44, Education Code, by adding Section 44.047, as follows:

Sec. 44.047. PURCHASE OR LEASE OF AUTOMATED EXTERNAL DEFIBRILLATOR. Requires a district that purchases or leases an AED to ensure that the AED delivers a voltage approved by the federal Food and Drug Administration.

SECTION 7. Repealer: Section 29.903(b), Education Code (requiring districts to provide CPR instruction to the extent the resources are available to the districts).

SECTION 8. (a) Provides that except as otherwise provided by this Act, this Act applies beginning with the 2007-2008 school year.

(b) Requires the board to adopt rules relating to instruction in CPR and the use of and AED in accordance with Section 28.0023, Education Code, as added by this Act, not later than March 1, 2008. Requires the rules to require each district and open-enrollment charter school to provide instruction in CPR and the use of an AED beginning with the 2008-2009 school year.

(c) Provides that the board is not required to review and adopt textbooks for the health curriculum to comply with the requirements of Section 28.003, Education Code, as added by this Act, until those textbooks are otherwise scheduled for review and adoption under the cycle adopted under Section 31.022, Education Code.

SECTION 9. Effective date: upon passage or September 1, 2007.