

## **BILL ANALYSIS**

Senate Research Center  
86R8946 GCB-D

S.B. 2087  
By: Hinojosa  
Education  
4/28/2019  
As Filed

### **AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

Injury results from a wide variety of causes, including accidents or intentional harm, and in a wide range of locations, such as someone's home, workplace, or school. Uncontrolled bleeding is responsible for 35 percent of pre-hospital trauma deaths and 40 percent of deaths within the first 24 hours, establishing bleeding as the most common cause of preventable death in trauma.

S.B. 2087 seeks to prevent bleeding-related deaths in Texas' schools or open-enrollment charter schools by requiring them to develop and make available a protocol for school employees and volunteers to follow in the event of a traumatic injury. It also requires them to maintain and make available bleeding control kits to school employees and volunteers for use in the event of a traumatic injury involving blood loss.

S.B. 2087 protects school employees and volunteers from civil liability from damages or injuries resulting from the good faith use of a bleeding control kit by an employee or volunteer of the district or school to control the bleeding of an injured person, provided that the employee or volunteer followed the protocol developed by the school and that the employee or volunteer did not act with gross negligence in the use of the bleeding control kit.

As proposed, S.B. 2087 amends current law relating to traumatic injury response protocol and the use of bleeding control kits in public schools.

### **RULEMAKING AUTHORITY**

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

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Subchapter A, Chapter 38, Education Code, by adding Section 38.030, as follows:

Sec. 38.030. TRAUMATIC INJURY RESPONSE PROTOCOL. (a) Requires a school district or open-enrollment charter school to develop and annually make available a protocol for school employees and volunteers to follow in the event of a traumatic injury.

(b) Requires the protocol required under this section to provide for a school district or open-enrollment charter school to maintain and make available to school employees and volunteers a bleeding control kit for use in the event of a traumatic injury involving blood loss.

(c) Requires a bleeding control kit required under this section to be a first aid response kit that includes certain medical items and instructions.

(d) Authorizes a school district or open-enrollment charter school, in addition to the items listed under Subsection (c), to also include in a bleeding control kit any medical material or equipment that:

(1) may be readily stored in a bleeding control kit;

(2) may be used to adequately treat an injury involving traumatic blood loss; and

(3) is approved by local law enforcement or emergency medical services personnel.

(e) Provides that a school district or open-enrollment charter school and the employees or volunteers of the district or school are immune from civil liability from damages or injuries resulting from the good faith use of a bleeding control kit by an employee or volunteer of the district or school to control the bleeding of an injured person, provided that:

(1) the employee or volunteer followed the protocol developed under Subsection (a); and

(2) the employee or volunteer did not act with gross negligence in the use of the bleeding control kit.

SECTION 2. Requires each school district and open-enrollment charter school, as soon as practicable after the effective date of this Act, and not later than January 1, 2020, to develop and implement the traumatic injury response protocol required by Section 38.030, Education Code, as added by this Act.

SECTION 3. Effective date: upon passage or September 1, 2019.