

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 1074 Session of
2013

INTRODUCED BY FARNESE, TEPLITZ AND RAFFERTY, AUGUST 12, 2013

REFERRED TO EDUCATION, AUGUST 12, 2013

AN ACT

1 Amending the act of March 10, 1949 (P.L.30, No.14), entitled "An
2 act relating to the public school system, including certain
3 provisions applicable as well to private and parochial
4 schools; amending, revising, consolidating and changing the
5 laws relating thereto," repealing provisions relating to CPR
6 instruction and to cardiopulmonary resuscitation; providing
7 for medical emergency instruction and procedures and for
8 required instruction for CPR and first aid.

9 The General Assembly of the Commonwealth of Pennsylvania
10 hereby enacts as follows:

11 Section 1. Section 1205.4 of the act of March 10, 1949
12 (P.L.30, No.14), known as the Public School Code of 1949, added
13 November 22, 2000 (P.L.672, No.91), is repealed:

14 [Section 1205.4. CPR Instruction.--(a) School entities
15 shall be required to offer a cardiopulmonary resuscitation
16 training (CPR) class on school premises at least once every
17 three years. The course shall be offered as an option to all
18 employes of the school entity.

19 (b) Completion of training, including testing of skills and
20 knowledge, shall be documented by the signature and title of a
21 representative of the training entity and shall include the date

1 training was completed. Documentation shall be retained in the
2 facility in that employee's file. Training shall be conducted by:

3 (1) the American Red Cross;

4 (2) the American Heart Association;

5 (3) an individual certified to conduct CPR training by the
6 American Red Cross, American Heart Association or other
7 certifying agency approved by the Department of Health; or

8 (4) other certifying agency approved by the Department of
9 Health.

10 (c) School districts may include this training in the
11 continuing education plan submitted by the district to the
12 Department of Education under section 1205.1.

13 (d) For purposes of this section, a school entity shall be
14 defined as a local school district, intermediate unit or area
15 vocational-technical school.]

16 Section 2. Section 1424 of the act, added June 30, 2012
17 (P.L.684, No.82), is repealed:

18 [Section 1424. Cardiopulmonary Resuscitation.--(a) A school
19 entity shall have at each school, or in the case of a cyber
20 charter school at each location, under its jurisdiction, except
21 in extenuating circumstances, one person certified in the use of
22 cardiopulmonary resuscitation during regular school hours when
23 school is in session and students are present.

24 (b) The provisions of 42 Pa.C.S. §§ 8332 (relating to
25 nonmedical good Samaritan civil immunity) and 8337.1 (relating
26 to civil immunity of school officers or employees relating to
27 emergency care, first aid and rescue) shall apply to a person
28 who renders cardiopulmonary resuscitation.

29 (c) As used in this section, "school entity" means an area
30 vocational-technical school, a charter school, a cyber charter

1 school, an intermediate unit, a nonpublic school or a school
2 district.]

3 Section 3. The act is amended by adding an article to read:

4 ARTICLE XIV-A

5 MEDICAL EMERGENCY INSTRUCTION AND PROCEDURES

6 Section 1401-A. Definitions.

7 The following words and phrases when used in this article
8 shall have the meanings given to them in this section unless the
9 context clearly indicates otherwise:

10 "Automated External Defibrillator" or "AED." A portable
11 device that uses electric shock to restore a stable heart rhythm
12 to an individual in cardiac arrest.

13 "CPR." Cardiopulmonary resuscitation.

14 "Department." The Department of Education of the
15 Commonwealth.

16 "Professional employee." As defined under section 1101(1).

17 "School entity." An area vocational-technical school, a
18 charter school, a cyber charter school, an intermediate unit, a
19 nonpublic school or a school district.

20 Section 1402-A. CPR and first aid instruction.

21 (a) Instruction.--All of the following shall apply:

22 (1) A school entity shall provide instruction in the
23 principles and techniques of CPR and first aid on the school
24 premises as necessary to ensure continuous certification of
25 all of the following:

26 (i) The professional employees of the school entity.

27 (ii) The athletic and cheerleading coaches of the
28 school entity.

29 (2) A school entity shall offer the instruction as an
30 option to volunteers of the school entity no less than once

every three years.

(b) Documentation of training.--Completion of training, including testing of skills and knowledge, shall be documented by the signature and title of a representative of the training entity and shall include the date training was completed. Documentation shall be retained by the school entity in that employee's or volunteer's file. Training shall be conducted by any of the following:

(1) The American Red Cross.

(2) The American Heart Association.

(3) Any other certifying agency approved by the Department of Health.

(4) An individual certified to conduct CPR and first aid training by the American Red Cross, American Heart Association or any other certifying agency approved by the Department of Health.

(c) Continuing education.--A school entity shall include this training in the continuing education plan submitted by the school entity to the department under section 1205.1.

Section 1403-A. Cardiac arrest procedures.

A school entity shall develop safety procedures 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, provided that no school entity shall be required to establish new procedures under this section if procedures currently exist and reasonably fulfill the requirements of this section.

Section 1404-A. AED instruction.

Notwithstanding the provisions of section 1423(c)(1), a

school entity that has an AED located in one or more school buildings or locations shall assure that no fewer than four individuals assigned to each school building or location with an AED are trained in the use of an AED.

Section 1405-A. Donations for CPR and first aid instruction.

(a) Donations to the department.--The department may review and provide coordination strategies for public and private sector efforts to raise and appropriate funds and may enter into an agreement with a State agency, private sector organization or person as it deems necessary to implement the purposes of this article. The department may establish accounts and accept and administer gifts, donations or other funds received by the department to achieve the purposes of this article.

(b) Disbursement.--The department shall develop procedures for disbursing gifts, donations or other funds to school entities. The department may use no more than 1% of the gifts, donations or other funds received to implement the procedures.

(c) Donations to school entities.--A school entity may accept donations, gifts or other funds from the department, a State agency or private sector organization to achieve the purposes of this article.

Section 1406-A. Immunity.

The provisions of 42 Pa.C.S. §§ 8332 (relating to nonmedical good samaritan civil immunity) and 8337.1 (relating to civil immunity of school officers or employees relating to emergency care, first aid and rescue) shall apply to an individual who renders CPR or first aid.

Section 1407-A. Regulations.

The department may adopt regulations necessary to effectuate this article.

1 Section 4. The act is amended by adding a section to read:

2 Section 1511.2. Required Instruction for CPR and First Aid.

3 (a) Beginning with the 2015-2016 school year and each school
4 year thereafter, in every secondary public and private school,
5 established and maintained in this Commonwealth, completion of
6 training and certification in CPR and first aid shall be
7 required for student graduation from high school.

8 (b) Beginning with the 2015-2016 school year and each school
9 year thereafter, each school entity shall provide secondary
10 students with training and testing on the principles and
11 techniques of CPR and first aid in accordance with subsection
12 (c).

13 (c) A training entity shall train and test secondary
14 students' knowledge of CPR and first aid. Completion of the
15 training shall be documented by the signature and title of the
16 representative of the training entity and shall include the date
17 when the training was completed. A copy of the documentation
18 shall be submitted to the school entity and shall be maintained
19 in the student's records.

20 (d) The department may adopt regulations necessary to
21 effectuate this section.

22 (e) The following words and phrases when used in this
23 section shall have the meanings given to them in this subsection
24 unless the context clearly indicates otherwise:

25 "CPR." Cardiopulmonary resuscitation.

26 "School entity." An area vocational-technical school, a
27 charter school, a cyber charter school, an intermediate unit, a
28 nonpublic school or a school district.

29 "Training entity." Any of the following:

30 (1) The American Red Cross.

1 (2) The American Heart Association.

2 (3) Any other certifying agency approved by the
3 Department of Health.

4 (4) An individual certified to conduct CPR and first
5 aid training by the American Red Cross, the American
6 Heart Association or any other certifying agency approved
7 by the Department of Health.

8 Section 5. This act shall take effect as follows:

9 (1) The addition of section 1403-A of the act shall take
10 effect in 180 days.

11 (2) The addition of sections 1406-A and 1511.2(d) of the
12 act shall take effect in 30 days.

13 (3) This section shall take effect immediately.

14 (4) The remainder of this act shall take effect in one
15 year.