

## THE GENERAL ASSEMBLY OF PENNSYLVANIA

## SENATE BILL

No. 836 Session of  
2019

INTRODUCED BY REGAN, PHILLIPS-HILL, MARTIN, YAW, PITTMAN,  
COLLETT, KILLION, TARTAGLIONE, FOLMER, BREWSTER, YUDICHAK,  
BARTOLOTTA AND L. WILLIAMS, AUGUST 26, 2019

AS REPORTED FROM COMMITTEE ON EDUCATION, HOUSE OF  
REPRESENTATIVES, AS AMENDED, APRIL 29, 2020

## AN ACT

1 ~~Amending the act of May 30, 2012 (P.L.574, No.59), entitled "An <--~~  
2 ~~act establishing standards for preventing sudden cardiac~~  
3 ~~arrest and death in student athletes; assigning duties to the~~  
4 ~~Department of Health and the Department of Education; and~~  
5 ~~imposing penalties," further providing for sudden cardiac~~  
6 ~~arrest.~~

7 AMENDING THE ACT OF MARCH 10, 1949 (P.L.30, NO.14), ENTITLED "AN <--  
8 ACT RELATING TO THE PUBLIC SCHOOL SYSTEM, INCLUDING CERTAIN  
9 PROVISIONS APPLICABLE AS WELL TO PRIVATE AND PAROCHIAL  
10 SCHOOLS; AMENDING, REVISING, CONSOLIDATING AND CHANGING THE  
11 LAWS RELATING THERETO," IN SCHOOL HEALTH SERVICES, PROVIDING  
12 FOR SUDDEN CARDIAC ARREST AND ELECTROCARDIOGRAM TESTING; AND  
13 MAKING A REPEAL.

14 The General Assembly of the Commonwealth of Pennsylvania

15 hereby enacts as follows:

16 ~~Section 1. Section 3 heading, (a) and (b) of the act of May <--~~  
17 ~~30, 2012 (P.L.574, No.59), known as the Sudden Cardiac Arrest~~  
18 ~~Prevention Act, are amended to read:~~

19 ~~Section 3. Sudden cardiac arrest and electrocardiogram testing.~~

20 ~~(a) Educational materials.~~

21 ~~(1) The department and the Department of Education shall~~  
22 ~~develop and post on their publicly accessible Internet~~

1 ~~websites guidelines and other relevant materials to inform~~  
2 ~~and educate students participating in or desiring to~~  
3 ~~participate in an athletic activity, their parents and their~~  
4 ~~coaches about [the]:~~

5 ~~(i) The nature and warning signs of sudden cardiac~~  
6 ~~arrest, including the risks associated with continuing to~~  
7 ~~play or practice after experiencing one or more symptoms~~  
8 ~~of sudden cardiac arrest, including fainting, difficulty~~  
9 ~~breathing, chest pains, dizziness and abnormal racing~~  
10 ~~heart rate.~~

11 ~~(ii) Information about electrocardiogram testing.~~

12 ~~(iii) The option to request, from the family's~~  
13 ~~medical provider, the administration of an~~  
14 ~~electrocardiogram, in addition to the comprehensive~~  
15 ~~initial preparticipation physical examination, at a cost~~  
16 ~~to be incurred by the parent or guardian.~~

17 ~~(2) In developing the guidelines and materials, the~~  
18 ~~department and the Department of Education may utilize~~  
19 ~~existing materials developed by organizations such as Parent~~  
20 ~~Heart Watch and Sudden Arrhythmia Death Syndromes.~~

21 ~~(3) A student participating in or desiring to~~  
22 ~~participate in an athletic activity and the student's parent~~  
23 ~~or guardian shall, each school year and prior to~~  
24 ~~participation by the student in an athletic activity, sign~~  
25 ~~and return to the student's school an acknowledgment of~~  
26 ~~receipt and review of a sudden cardiac arrest symptoms and~~  
27 ~~warning signs information sheet that includes information~~  
28 ~~about electrocardiogram testing developed under this~~  
29 ~~subsection.~~

30 ~~(b) Informational meeting. A school entity may hold an~~

1 ~~informational meeting prior to the start of each athletic season~~  
2 ~~for all ages of competitors regarding the symptoms and warning~~  
3 ~~signs of sudden cardiac arrest and information about~~  
4 ~~electrocardiogram testing. In addition to students, parents,~~  
5 ~~coaches and other school officials, informational meetings may~~  
6 ~~include physicians, pediatric cardiologists and athletic~~  
7 ~~trainers.~~

8 \* \* \*

9 ~~Section 2. This act shall take effect in 60 days.~~

10 SECTION 1. THE ACT OF MARCH 10, 1949 (P.L.30, NO.14), KNOWN <--  
11 AS THE PUBLIC SCHOOL CODE OF 1949, IS AMENDED BY ADDING A  
12 SECTION TO READ:

13 SECTION 1425. SUDDEN CARDIAC ARREST AND ELECTROCARDIOGRAM  
14 TESTING.-- (A) (1) THE DEPARTMENT AND THE DEPARTMENT OF  
15 EDUCATION SHALL DEVELOP AND POST ON THEIR PUBLICLY ACCESSIBLE  
16 INTERNET WEBSITES GUIDELINES AND OTHER RELEVANT MATERIALS TO  
17 INFORM AND EDUCATE STUDENTS PARTICIPATING IN OR DESIRING TO  
18 PARTICIPATE IN AN ATHLETIC ACTIVITY, THEIR PARENTS AND THEIR  
19 COACHES ABOUT:

20 (I) THE NATURE AND WARNING SIGNS OF SUDDEN CARDIAC ARREST,  
21 INCLUDING THE RISKS ASSOCIATED WITH CONTINUING TO PLAY OR  
22 PRACTICE AFTER EXPERIENCING ONE (1) OR MORE SYMPTOMS OF SUDDEN  
23 CARDIAC ARREST, INCLUDING FAINTING, DIFFICULTY BREATHING, CHEST  
24 PAINS, DIZZINESS AND ABNORMAL RACING HEART RATE.

25 (II) INFORMATION ABOUT ELECTROCARDIOGRAM TESTING, INCLUDING  
26 THE POTENTIAL RISKS, BENEFITS AND EVIDENTIARY BASIS BEHIND  
27 ELECTROCARDIOGRAM TESTING.

28 (III) THE OPTION TO REQUEST, FROM THE FAMILY'S MEDICAL  
29 PROVIDER, THE ADMINISTRATION OF AN ELECTROCARDIOGRAM, IN  
30 ADDITION TO THE COMPREHENSIVE INITIAL PARTICIPATION PHYSICAL

1 EXAMINATION, AT A COST TO BE INCURRED BY THE PARENT OR GUARDIAN.

2 (2) IN DEVELOPING THE GUIDELINES AND MATERIALS, THE  
3 DEPARTMENT AND THE DEPARTMENT OF EDUCATION SHALL CONSULT WITH A  
4 NATIONALLY ACCREDITED CARDIOLOGY ASSOCIATION AND MAY UTILIZE  
5 EXISTING MATERIALS DEVELOPED BY ORGANIZATIONS SUCH AS PARENT  
6 HEART WATCH, SUDDEN ARRHYTHMIA DEATH SYNDROMES FOUNDATION AND  
7 THE AMERICAN COLLEGE OF CARDIOLOGY.

8 (3) A STUDENT PARTICIPATING IN OR DESIRING TO PARTICIPATE IN  
9 AN ATHLETIC ACTIVITY AND THE STUDENT'S PARENT OR GUARDIAN SHALL,  
10 EACH SCHOOL YEAR AND PRIOR TO PARTICIPATION BY THE STUDENT IN AN  
11 ATHLETIC ACTIVITY, SIGN AND RETURN TO THE STUDENT'S SCHOOL AN  
12 ACKNOWLEDGMENT OF RECEIPT AND REVIEW OF A SUDDEN CARDIAC ARREST  
13 SYMPTOMS AND WARNING SIGNS INFORMATION SHEET THAT INCLUDES  
14 INFORMATION ABOUT ELECTROCARDIOGRAM TESTING DEVELOPED UNDER THIS  
15 SUBSECTION.

16 (B) A SCHOOL ENTITY MAY HOLD AN INFORMATIONAL MEETING PRIOR  
17 TO THE START OF EACH ATHLETIC SEASON FOR ALL AGES OF COMPETITORS  
18 REGARDING THE SYMPTOMS AND WARNING SIGNS OF SUDDEN CARDIAC  
19 ARREST AND INFORMATION ABOUT ELECTROCARDIOGRAM TESTING DEVELOPED  
20 UNDER THIS SUBSECTION. IN ADDITION TO STUDENTS, PARENTS, COACHES  
21 AND OTHER SCHOOL OFFICIALS, INFORMATIONAL MEETINGS MAY INCLUDE  
22 PHYSICIANS, PEDIATRIC AND ADULT CARDIOLOGISTS AND ATHLETIC  
23 TRAINERS.

24 (C) (1) A STUDENT WHO, AS DETERMINED BY A GAME OFFICIAL,  
25 COACH FROM THE STUDENT'S TEAM, CERTIFIED ATHLETIC TRAINER,  
26 LICENSED PHYSICIAN OR OTHER OFFICIAL DESIGNATED BY THE STUDENT'S  
27 SCHOOL ENTITY, EXHIBITS SIGNS OR SYMPTOMS OF SUDDEN CARDIAC  
28 ARREST WHILE PARTICIPATING IN AN ATHLETIC ACTIVITY SHALL BE  
29 REMOVED BY THE COACH FROM PARTICIPATION AT THAT TIME, SUBJECT TO  
30 CLAUSE (3).

1 (2) IF A STUDENT IS KNOWN TO HAVE EXHIBITED SIGNS OR  
2 SYMPTOMS OF SUDDEN CARDIAC ARREST AT ANY TIME PRIOR TO OR  
3 FOLLOWING AN ATHLETIC ACTIVITY, THE STUDENT SHALL BE PREVENTED  
4 FROM PARTICIPATING IN AN ATHLETIC ACTIVITY, SUBJECT TO CLAUSE  
5 (3).

6 (3) A STUDENT REMOVED OR PREVENTED FROM PARTICIPATING IN AN  
7 ATHLETIC ACTIVITY UNDER CLAUSE (1) OR (2) SHALL NOT RETURN TO  
8 PARTICIPATION UNTIL THE STUDENT IS EVALUATED AND CLEARED FOR  
9 RETURN TO PARTICIPATION IN WRITING BY A LICENSED PHYSICIAN,  
10 CERTIFIED REGISTERED NURSE PRACTITIONER OR CARDIOLOGIST.

11 (4) IN ORDER TO HELP DETERMINE WHETHER A STUDENT IS READY TO  
12 RETURN TO PLAY, THE LICENSED PHYSICIAN OR CERTIFIED REGISTERED  
13 NURSE PRACTITIONER MAY CONSULT ANY OTHER LICENSED OR CERTIFIED  
14 MEDICAL PROFESSIONALS.

15 (D) (1) ONCE EACH SCHOOL YEAR, A COACH OF AN ATHLETIC  
16 ACTIVITY SHALL COMPLETE THE SUDDEN CARDIAC ARREST TRAINING  
17 COURSE OFFERED BY A PROVIDER APPROVED BY THE DEPARTMENT.

18 (2) A COACH OF AN ATHLETIC ACTIVITY SHALL NOT COACH THE  
19 ATHLETIC ACTIVITY UNTIL THE COACH COMPLETES THE TRAINING COURSE  
20 REQUIRED UNDER THIS SUBSECTION.

21 (E) THE GOVERNING BODY OF A SCHOOL ENTITY SHALL ESTABLISH  
22 THE FOLLOWING MINIMUM PENALTIES FOR A COACH FOUND IN VIOLATION  
23 OF THE REQUIREMENTS UNDER SUBSECTION (C), WHICH PENALTIES SHALL  
24 TAKE EFFECT TWO (2) YEARS FOLLOWING THE EFFECTIVE DATE OF THIS  
25 SECTION:

26 (1) FOR A FIRST VIOLATION, SUSPENSION FROM COACHING ANY  
27 ATHLETIC ACTIVITY FOR THE REMAINDER OF THE SEASON.

28 (2) FOR A SECOND VIOLATION, SUSPENSION FROM COACHING ANY  
29 ATHLETIC ACTIVITY FOR THE REMAINDER OF THE SEASON AND FOR THE  
30 NEXT SEASON.

1 (3) FOR A THIRD VIOLATION, PERMANENT SUSPENSION FROM  
2 COACHING ANY ATHLETIC ACTIVITY.

3 (F) THE SPONSORS OF YOUTH ATHLETIC ACTIVITIES NOT ASSOCIATED  
4 WITH A SCHOOL ENTITY ARE ENCOURAGED TO FOLLOW THE GUIDANCE  
5 STATED IN THIS SECTION.

6 (G) NOTHING IN THIS SECTION SHALL BE CONSTRUED TO:

7 (1) ABRIDGE OR LIMIT ANY RIGHTS PROVIDED UNDER A COLLECTIVE  
8 BARGAINING AGREEMENT IN EFFECT ON THE EFFECTIVE DATE OF THIS  
9 SECTION OR ANY RIGHTS PROVIDED UNDER THE ACT OF JULY 23, 1970  
10 (P.L.563, NO.195), KNOWN AS THE "PUBLIC EMPLOYE RELATIONS ACT";  
11 OR

12 (2) CREATE, ESTABLISH, EXPAND, REDUCE, CONTRACT OR ELIMINATE  
13 ANY CIVIL LIABILITY ON THE PART OF ANY SCHOOL ENTITY OR SCHOOL  
14 EMPLOYEE.

15 (H) AS USED IN THIS SECTION--

16 "ATHLETIC ACTIVITY" MEANS ALL OF THE FOLLOWING:

17 (1) INTERSCHOLASTIC ATHLETICS.

18 (2) AN ATHLETIC CONTEST OR COMPETITION, OTHER THAN  
19 INTERSCHOLASTIC ATHLETICS, THAT IS SPONSORED BY OR ASSOCIATED  
20 WITH A SCHOOL ENTITY, INCLUDING CHEERLEADING, CLUB-SPONSORED  
21 SPORTS ACTIVITIES AND SPORTS ACTIVITIES SPONSORED BY SCHOOL-  
22 AFFILIATED ORGANIZATIONS.

23 (3) NONCOMPETITIVE CHEERLEADING THAT IS SPONSORED BY OR  
24 ASSOCIATED WITH A SCHOOL ENTITY.

25 (4) PRACTICES, INTERSCHOOL PRACTICES AND SCRIMMAGES FOR ALL  
26 OF THE ACTIVITIES LISTED UNDER CLAUSES (1), (2) AND (3).

27 "DEPARTMENT" MEANS THE DEPARTMENT OF HEALTH OF THE  
28 COMMONWEALTH.

29 "INTERSCHOLASTIC ATHLETICS" MEANS AS DEFINED IN SECTION 1602-  
30 A.

1       "SCHOOL ENTITY" MEANS AS DEFINED IN SECTION 1602-A.

2       SECTION 2.   REPEALS ARE AS FOLLOWS:

3           (1)   THE GENERAL ASSEMBLY DECLARES THAT THE REPEAL UNDER  
4       PARAGRAPH (2) IS NECESSARY TO EFFECTUATE THE ADDITION OF  
5       SECTION 1425 OF THE ACT.

6           (2)   THE ACT OF MAY 30, 2012 (P.L.574, NO.59), KNOWN AS  
7       THE SUDDEN CARDIAC ARREST PREVENTION ACT, IS REPEALED.

8       SECTION 3.   THE ADDITION OF SECTION 1425 OF THE ACT IS A  
9       CONTINUATION OF THE ACT OF MAY 30, 2012 (P.L.574, NO.59), KNOWN  
10      AS THE SUDDEN CARDIAC ARREST PREVENTION ACT. EXCEPT AS OTHERWISE  
11      PROVIDED IN SECTION 1425, ALL ACTIVITIES INITIATED UNDER THE  
12      SUDDEN CARDIAC ARREST PREVENTION ACT SHALL CONTINUE AND REMAIN  
13      IN FULL FORCE AND EFFECT AND MAY BE COMPLETED UNDER SECTION 1425  
14      OF THE ACT. ORDERS, REGULATIONS, RULES AND DECISIONS WHICH WERE  
15      MADE UNDER THE SUDDEN CARDIAC ARREST PREVENTION ACT AND WHICH  
16      ARE IN EFFECT ON THE EFFECTIVE DATE OF SECTION 2(2) OF THIS ACT  
17      SHALL REMAIN IN FULL FORCE AND EFFECT UNTIL REVOKED, VACATED OR  
18      MODIFIED UNDER SECTION 1425 OF THE ACT. CONTRACTS, OBLIGATIONS  
19      AND COLLECTIVE BARGAINING AGREEMENTS ENTERED INTO UNDER THE  
20      SUDDEN CARDIAC ARREST PREVENTION ACT ARE NOT AFFECTED NOR  
21      IMPAIRED BY THE REPEAL OF THE SUDDEN CARDIAC ARREST PREVENTION  
22      ACT.

23      SECTION 4.   THIS ACT SHALL TAKE EFFECT IN 60 DAYS.