

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

AMENDMENTS TO HOUSE AMENDMENTS, IN SENATE, JULY 13, 2020

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," in school health services, providing
6 for sudden cardiac arrest and electrocardiogram testing; and
7 making a repeal.

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

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,

1 including the risks associated with continuing to play or  
2 practice after experiencing one (1) or more symptoms of sudden  
3 cardiac arrest, including fainting, difficulty breathing, chest  
4 pains, dizziness and abnormal racing heart rate.

5 (ii) Information about electrocardiogram testing, including  
6 the potential risks, benefits and evidentiary basis behind  
7 electrocardiogram testing.

8 (iii) The option to request, from the family's medical  
9 provider, the administration of an electrocardiogram, in  
10 addition to the comprehensive initial participation physical  
11 examination, at a cost to be incurred by the parent or guardian.

12 (2) In developing the guidelines and materials, the  
13 department and the Department of Education shall consult with a  
14 nationally accredited cardiology association and may utilize  
15 existing materials developed by organizations such as Parent  
16 Heart Watch, Sudden Arrhythmia Death Syndromes Foundation and  
17 the American College of Cardiology.

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

26 (b) A school entity may hold an informational meeting prior  
27 to the start of each athletic season for all ages of competitors  
28 regarding the symptoms and warning signs of sudden cardiac  
29 arrest and information about electrocardiogram testing developed  
30 under this subsection. In addition to students, parents, coaches

1 and other school officials, informational meetings may include  
2 physicians, pediatric and adult cardiologists and athletic  
3 trainers.

4 (c) (1) A student who, as determined by a game official,  
5 coach from the student's team, certified athletic trainer,  
6 licensed physician or other official designated by the student's  
7 school entity, exhibits signs or symptoms of sudden cardiac  
8 arrest while participating in an athletic activity shall be  
9 removed by the coach from participation at that time, subject to  
10 clause (3).

11 (2) If a student is known to have exhibited signs or  
12 symptoms of sudden cardiac arrest at any time prior to or  
13 following an athletic activity, the student shall be prevented  
14 from participating in an athletic activity, subject to clause  
15 (3).

16 (3) A student removed or prevented from participating in an  
17 athletic activity under clause (1) or (2) shall not return to  
18 participation until the student is evaluated and cleared for  
19 return to participation in writing by a licensed physician,  
20 certified registered nurse practitioner or cardiologist.

21 (4) In order to help determine whether a student is ready to  
22 return to play, the licensed physician or certified registered  
23 nurse practitioner may consult any other licensed or certified  
24 medical professionals.

25 (d) (1) Once each school year, a coach of an athletic  
26 activity shall complete the sudden cardiac arrest training  
27 course offered by a provider approved by the department.

28 (2) A coach of an athletic activity shall not coach the  
29 athletic activity until the coach completes the training course  
30 required under this subsection.

1 (e) The governing body of a school entity shall establish  
2 the following minimum penalties for a coach found in violation  
3 of the requirements under subsection (c), which penalties shall  
4 take effect ~~two (2) years following the effective date of this~~ <--  
5 section JULY 30, 2014: <--

6 (1) For a first violation, suspension from coaching any  
7 athletic activity for the remainder of the season.

8 (2) For a second violation, suspension from coaching any  
9 athletic activity for the remainder of the season and for the  
10 next season.

11 (3) For a third violation, permanent suspension from  
12 coaching any athletic activity.

13 (f) The sponsors of youth athletic activities not associated  
14 with a school entity are encouraged to follow the guidance  
15 stated in this section.

16 (g) Nothing in this section shall be construed to:

17 (1) abridge or limit any rights provided under a collective  
18 bargaining agreement in effect on ~~the effective date of this~~ <--  
19 section JULY 30, 2012, or any rights provided under the act of <--  
20 July 23, 1970 (P.L.563, No.195), known as the "Public Employe  
21 Relations Act"; or

22 (2) create, establish, expand, reduce, contract or eliminate  
23 any civil liability on the part of any school entity or school  
24 employee.

25 (h) As used in this section--

26 "Athletic activity" means all of the following:

27 (1) Interscholastic athletics.

28 (2) An athletic contest or competition, other than  
29 interscholastic athletics, that is sponsored by or associated  
30 with a school entity, including cheerleading, club-sponsored

1 sports activities and sports activities sponsored by school-  
2 affiliated organizations.

3 (3) Noncompetitive cheerleading that is sponsored by or  
4 associated with a school entity.

5 (4) Practices, interschool practices and scrimmages for all  
6 of the activities listed under clauses (1), (2) and (3).

7 "Department" means the Department of Health of the  
8 Commonwealth.

9 "Interscholastic athletics" means as defined in section 1602-  
10 A.

11 "School entity" means as defined in section 1602-A.

12 Section 2. Repeals are as follows:

13 (1) The General Assembly declares that the repeal under  
14 paragraph (2) is necessary to effectuate the addition of  
15 section 1425 of the act.

16 (2) The act of May 30, 2012 (P.L.574, No.59), known as  
17 the Sudden Cardiac Arrest Prevention Act, is repealed.

18 Section 3. The addition of section 1425 of the act is a  
19 continuation of the act of May 30, 2012 (P.L.574, No.59), known  
20 as the Sudden Cardiac Arrest Prevention Act. Except as otherwise  
21 provided in section 1425, all activities initiated under the  
22 Sudden Cardiac Arrest Prevention Act shall continue and remain  
23 in full force and effect and may be completed under section 1425  
24 of the act. Orders, regulations, rules and decisions which were  
25 made under the Sudden Cardiac Arrest Prevention Act and which  
26 are in effect on the effective date of section 2(2) of this act  
27 shall remain in full force and effect until revoked, vacated or  
28 modified under section 1425 of the act. Contracts, obligations  
29 and collective bargaining agreements entered into under the  
30 Sudden Cardiac Arrest Prevention Act are not affected nor

1 impaired by the repeal of the Sudden Cardiac Arrest Prevention  
2 Act.

3 Section 4. This act shall take effect in 60 days.