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

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

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

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

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

Section 3. Sudden cardiac arrest and electrocardiogram testing.

(a) Educational materials.--

(1) The department and the Department of Education shall develop and post on their publicly accessible Internet--
websites guidelines and other relevant materials to inform
and educate students participating in or desiring to
participate in an athletic activity, their parents and their
coaches about (the):

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

(ii) Information about electrocardiogram testing.

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

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

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

(b) Informational meeting. A school entity may hold an
informational meeting prior to the start of each athletic season
for all ages of competitors regarding the symptoms and warning
signs of sudden cardiac arrest and information about
electrocardiogram testing. In addition to students, parents,
coaches and other school officials, informational meetings may
include physicians, pediatric cardiologists and athletic
trainers.

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

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

SECTION 1425. SUDDEN CARDIAC ARREST AND ELECTROCARDIOGRAM
TESTING.--(A) (1) THE DEPARTMENT AND THE DEPARTMENT OF
EDUCATION SHALL DEVELOP AND POST ON THEIR PUBLICLY ACCESSIBLE
INTERNET WEBSITES GUIDELINES AND OTHER RELEVANT MATERIALS TO
INFORM AND EDUCATE STUDENTS PARTICIPATING IN OR DESIRING TO
PARTicipate in an athletic activity, their parents and their
coaches about:

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

(II) INFORMATION ABOUT ELECTROCARDIOGRAM TESTING, INCLUDING
THE POTENTIAL RISKS, BENEFITS AND EVIDENTIAL BASIS BEHIND
ELECTROCARDIOGRAM TESTING.

(III) THE OPTION TO REQUEST, FROM THE FAMILY'S MEDICAL
PROVIDER, THE ADMINISTRATION OF AN ELECTROCARDIOGRAM, IN
ADDITION TO THE COMPREHENSIVE INITIAL PARTICIPATION PHYSICAL
EXAMINATION, AT A COST TO BE INCURRED BY THE PARENT OR GUARDIAN.

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

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

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

(C) (1) A STUDENT WHO, AS DETERMINED BY A GAME OFFICIAL,
COACH FROM THE STUDENT'S TEAM, CERTIFIED ATHLETIC TRAINER,
LICENSED PHYSICIAN OR OTHER OFFICIAL DESIGNATED BY THE STUDENT'S
SCHOOL ENTITY, EXHIBITS SIGNS OR SYMPTOMS OF SUDDEN CARDIAC
ARREST WHILE PARTICIPATING IN AN ATHLETIC ACTIVITY SHALL BE
REMOVED BY THE COACH FROM PARTICIPATION AT THAT TIME, SUBJECT TO
CLAUSE (3).
IF A STUDENT IS KNOWN TO HAVE EXHIBITED SIGNS OR
SYMPTOMS OF SUDDEN CARDIAC ARREST AT ANY TIME PRIOR TO OR
FOLLOWING AN ATHLETIC ACTIVITY, THE STUDENT SHALL BE PREVENTED
FROM PARTICIPATING IN AN ATHLETIC ACTIVITY, SUBJECT TO CLAUSE
(3).

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

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

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

A COACH OF AN ATHLETIC ACTIVITY SHALL NOT COACH THE
ATHLETIC ACTIVITY UNTIL THE COACH COMPLETES THE TRAINING COURSE
REQUIRED UNDER THIS SUBSECTION.

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

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

(2) FOR A SECOND VIOLATION, SUSPENSION FROM COACHING ANY
ATHLETIC ACTIVITY FOR THE REMAINDER OF THE SEASON AND FOR THE
NEXT SEASON.
(3) FOR A THIRD VIOLATION, PERMANENT SUSPENSION FROM
COACHING ANY ATHLETIC ACTIVITY.

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

(G) NOTHING IN THIS SECTION SHALL BE CONSTRUED TO:
(1) ABRIDGE OR LIMIT ANY RIGHTS PROVIDED UNDER A COLLECTIVE
BARGAINING AGREEMENT IN EFFECT ON THE EFFECTIVE DATE OF THIS
SECTION OR ANY RIGHTS PROVIDED UNDER THE ACT OF JULY 23, 1970
(P.L.563, NO.195), KNOWN AS THE "PUBLIC EMPLOYEE RELATIONS ACT";
OR
(2) CREATE, ESTABLISH, EXPAND, REDUCE, CONTRACT OR ELIMINATE
ANY CIVIL LIABILITY ON THE PART OF ANY SCHOOL ENTITY OR SCHOOL
EMPLOYEE.

(H) AS USED IN THIS SECTION--
"ATHLETIC ACTIVITY" MEANS ALL OF THE FOLLOWING:
(1) INTERSCHOLASTIC ATHLETICS.
(2) AN ATHLETIC CONTEST OR COMPETITION, OTHER THAN
INTERSCHOLASTIC ATHLETICS, THAT IS SPONSORED BY OR ASSOCIATED
WITH A SCHOOL ENTITY, INCLUDING CHEERLEADING, CLUB-SPONSORED
SPORTS ACTIVITIES AND SPORTS ACTIVITIES SPONSORED BY SCHOOL-
AFFILIATED ORGANIZATIONS.
(3) NONCOMPETITIVE CHEERLEADING THAT IS SPONSORED BY OR
ASSOCIATED WITH A SCHOOL ENTITY.
(4) PRACTICES, INTERSCHOOL PRACTICES AND SCRIMMAGES FOR ALL
OF THE ACTIVITIES LISTED UNDER CLAUSES (1), (2) AND (3).
"DEPARTMENT" MEANS THE DEPARTMENT OF HEALTH OF THE
COMMONWEALTH.
"INTERSCHOLASTIC ATHLETICS" MEANS AS DEFINED IN SECTION 1602-
A.
"SCHOOL ENTITY" MEANS AS DEFINED IN SECTION 1602-A.

SECTION 2. REPEALS ARE AS FOLLOWS:

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

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


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