

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 818 Session of 2019

INTRODUCED BY CONKLIN, BARRAR, DeLUCA, FREEMAN, HARKINS, HILL-
EVANS, KINSEY, McCLINTON, McNEILL, MURT, SCHLOSSBERG AND
ZIMMERMAN, MARCH 14, 2019

REFERRED TO COMMITTEE ON EDUCATION, MARCH 14, 2019

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 certification of teachers,
6 repealing provisions relating to CPR instruction; in school
7 health services, repealing provisions relating to
8 cardiopulmonary resuscitation; providing for medical
9 emergency instruction and procedures; and, in terms and
10 courses of study, providing for required instruction for CPR
11 and first aid.

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

14 Section 1. Sections 1205.4 and 1424 of the act of March 10,
15 1949 (P.L.30, No.14), known as the Public School Code of 1949,
16 are repealed:

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

22 (b) Completion of training, including testing of skills and

1 knowledge, shall be documented by the signature and title of a
2 representative of the training entity and shall include the date
3 training was completed. Documentation shall be retained in the
4 facility in that employe's file. Training shall be conducted by:

5 (1) the American Red Cross;

6 (2) the American Heart Association;

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

10 (4) other certifying agency approved by the Department of
11 Health.

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

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

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

4 ARTICLE XIV-B

5 MEDICAL EMERGENCY INSTRUCTION AND PROCEDURES

6 Section 1401-B. 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 as "professional
17 employee" under section 1101(1).

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

21 Section 1402-B. CPR and first aid instruction.

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

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

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

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

30 (2) A school entity shall offer the instruction as an

1 option to volunteers of the school entity no less than once
2 every three years.

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

10 (1) The American Red Cross.

11 (2) The American Heart Association.

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

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

18 (c) Continuing education.--A school entity shall include
19 this training in the continuing education plan submitted by the
20 school entity to the department under section 1205.1.
21 Section 1403-B. Cardiac arrest procedures.

22 A school entity shall develop safety procedures to follow in
23 responding to a medical emergency involving cardiac arrest,
24 including the appropriate response time in administering CPR,
25 using an AED or calling a local emergency medical services
26 provider. A school entity shall not be required to establish new
27 procedures under this section if procedures currently exist and
28 reasonably fulfill the requirements of this section.

29 Section 1404-B. AED instruction.

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

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

5 Section 1405-B. Donations for CPR and first aid instruction.

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

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

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

22 Section 1406-B. Immunity.

23 The provisions of 42 Pa.C.S. §§ 8332 (relating to emergency
24 response provider and bystander good Samaritan civil immunity)
25 and 8337.1 (relating to civil immunity of school officers or
26 employees relating to emergency care, first aid and rescue)
27 shall apply to an individual who renders CPR or first aid.

28 Section 1407-B. Regulations.

29 The department may adopt regulations necessary to effectuate
30 this article.

1 Section 3. The act is amended by adding a section to read:

2 Section 1511.2. Required Instruction for CPR and First
3 Aid.--(a) Beginning with the 2019-2020 school year and each
4 school year thereafter, in every secondary public and private
5 school, established and maintained in this Commonwealth,
6 completion of training and certification in CPR and first aid
7 shall be required for student graduation from high school.

8 (b) Beginning with the 2019-2020 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) As used in this section, the following words and phrases
23 shall have the meanings given to them in this subsection:

24 "CPR" shall mean cardiopulmonary resuscitation.

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

28 "Training entity" shall mean any of the following:

29 (1) The American Red Cross.

30 (2) The American Heart Association.

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

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

7 Section 4. This act shall take effect as follows:

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

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

12 (3) This section shall take effect immediately.

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