S T A T E O F N E W Y O R K

6240--A

2013-2014 Regular Sessions

I N A S S E M B L Y

March 19, 2013

Introduced by M. of A. WEISENBERG, BOYLAND, CLARK, ZEBROWSKI, COLTON, ROBINSON, TITUS, DINOWITZ, FINCH, RAIA, ROSENTHAL, AUBRY, McLAUGHLIN, STECK, GUNTHER, BRINDISI, SKOUFIS, KELLNER, HOOPER, KEARNS, CURRAN, GRAF, MOSLEY, GABRYSZAK -- Multi-Sponsored by -- M. of A. ABBATE, BRAUNSTEIN, COOK, CUSICK, GIBSON, GLICK, HEVESI, LENTOL, LIFTON, MAGEE, MAISEL, MARKEY, McDONOUGH, McKEVITT, MILLER, MILLMAN, PAULIN, RA, RABBITT, RIVERA, SALADINO, SCHIMEL, SEPULVEDA, SIMANOWITZ, SOLAGES, STEC, SWEENEY, TENNEY, THIELE -- read once and referred to the Committee on Education -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the education law, in relation to requiring schools to provide instruction in cardiopulmonary resuscitation

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. Section 804-c of the education law, as added by chapter 269 of the laws of 1999, is amended to read as follows:

S 804-c. Cardiopulmonary resuscitation instruction. 1. Instructions regarding cardiopulmonary resuscitation [may] SHALL be [offered for voluntary admission as] a part of the health education OR PHYSICAL EDUCATION curriculum in all senior high schools. INSTRUCTION IN CARDIOPULMONARY RESUSCITATION MAY BE LIMITED TO PSYCHOMOTOR SKILL INSTRUCTION AND MAY INCLUDE THE COMPLETION OF A CERTIFIED COURSE, HOWEVER STUDENT CERTIFICATION SHALL NOT BE MANDATORY TO MEET THE REQUIREMENTS OF THIS SECTION. In addition to the requirement that all teachers of health education shall be certified to teach health, persons instructing pupils in cardiopulmonary resuscitation shall possess valid certification by an agency offering such certification in the performance of cardiopulmonary resuscitation [and in its instruction]. FOR THE PURPOSES OF THIS SECTION, "PSYCHOMOTOR SKILL" SHALL MEAN THE USE OF HANDS ONLY PRACTICING TO SUPPORT COGNITIVE LEARNING.

EXPLANATION--Matter in ITALICS (underscored) is new; matter in brackets [ ] is old law to be omitted.

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2. The commissioner [may] SHALL prescribe regulations governing such health education AND PHYSICAL EDUCATION courses which shall include instruction in cardiopulmonary resuscitation. Such regulations shall in no event prescribe a course of study in cardiopulmonary resuscitation which sets forth standards for PSYCHOMOTOR SKILL instruction of a lesser quality than [the requirements of the programs adopted by the American Heart Association or the American Red Cross] ACCEPTED STANDARDS IN THE UNITED STATES.

3. School authorities [that choose to offer such course] shall provide the needed facilities, time and place for the instruction set forth herein and shall provide learning aids and curriculum resource materials to support such course of study.

S 2. Section 804-d of the education law, as added by chapter 315 of the laws of 2005, is amended to read as follows:

S 804-d. Automated external defibrillator instruction. Instructions regarding the correct use of an automated external defibrillator shall be included as a part of the health education OR PHYSICAL EDUCATION curriculum in all senior high schools when cardiopulmonary resuscitation instruction is being provided as authorized by section eight hundred four-c of this article. In addition to the requirement that all teachers of health education shall be certified to teach health, persons instructing pupils in the correct use of automated external defibrillators shall possess valid certification by a nationally recognized organization or the state emergency medical services council offering certification in the operation of an automated external defibrillator [and in its instruction].

S 3. This act shall take effect June 30, 2014. Effective immediately, the commissioner of education is authorized to promulgate any rule or regulation necessary for the timely implementation of this act on its effective date.